FINAL
ENVIRONMENTAL IMPACT REPORT

AVILA & SONS
WASHINGTON ROAD WAREHOUSE
SCH #2013082091

February 2016

Quad Knopf

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Washington Road Warehouse
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SECTION ONE
INTRODUCTION

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INTRODUCTION

1.1 Purpose

The Environmental Impact Report for the Avila & Sons Washington Road Warehouse project (SCH #2013082091) was prepared to disclose, analyze, and provide mitigation measures for all potentially significant environmental effects associated with adoption and implementation of the proposed Project. Preparation of an environmental impact report is a requirement of the California Environmental Quality Act (CEQA) for all discretionary projects in California that have a potential to result in significant environmental impacts.

Following the preparation of the Draft Environmental Impact Report (Draft EIR), a public review period was held from August 18, 2014 to October 2, 2014. CEQA requires that a Final Environmental Impact Report (Final EIR) be prepared, certified and considered by public decision makers prior to taking action on a project. The Final EIR provides the Lead Agency (i.e., County of Stanislaus) an opportunity to respond to comments received on the Draft EIR during the public review period and to incorporate any additions or revisions to the Draft EIR necessary to clarify or supplement information contained in the Draft document. This Final EIR includes the responses to comments received during the public review period and any other errata or changes necessitated by comments on the Draft EIR. The Draft EIR and this document constitute the Final EIR for the Avila & Sons Washington Road Warehouse project and include all of the information required by Section 15132 of the CEQA Guidelines.

1.2 Scope and Format

Section One of this document introduces and outlines the purpose, scope**,** and format of the Final EIR. Section Two explains the public review process and lists all agencies and individuals who commented on the Draft EIR. Section Three consists of the actual letters of comment, reproduced in their entirety, and the responses to each written comment received on the Draft EIR. These responses are intended to supplement or clarify information contained in the Draft EIR, as appropriate, based on the comments and additional research or updated information. Additions to the Draft EIR are shown in <u>underline</u> and deletions shown in ~~strikeout~~ format. Each response follows the associated letter or document. Each letter and document has been numbered (e.g., Letter 1, Letter 2). Within each letter or document, individual comments are assigned an alphanumeric identification. For example, the first comment of Letter 1 is Comment 1A, and the second is Comment 1B. Section Four contains the corrections that have been made to the Draft EIR based on comments received on the Draft EIR and updated information that has become available. Section Five contains a Mitigation Monitoring and Reporting Program (MMRP). Following Section Five are any additional appendices supporting Final EIR responses to comments.

SECTION TWO
OVERVIEW OF COMMENTS RECEIVED

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2.1 Public Review and Comment Procedures

CEQA requires public disclosure in an EIR of all project environmental effects and encourages public participation throughout the EIR process. As stated in Section 15200 of the CEQA Guidelines, the purposes of public review of environmental documents are:

1) sharing expertise
2) disclosing agency analyses
3) checking for accuracy
4) detecting omissions
5) discovering public concerns
6) soliciting counter proposals

Section 15201 of the CEQA Guidelines states that "Public participation is an essential part of the CEQA process." A public review period of no less than 30 days nor longer than 60 days is required for a Draft EIR under Section 15105(c) of the CEQA Guidelines. If a State agency is a lead or responsible agency for the project, the public review period shall be at least 45 days. As required under CEQA, the Draft EIR was published and circulated for the review and comment by responsible and trustee agencies and interested members of the public. The public review period ran from August 18, 2014 to October 13, 2014. All written comments received on the Draft EIR are addressed herein.

2.2 Agencies and Individuals Who Commented on the Draft EIR

Letter 1: Scott Morgan, Director, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit
Attachment A – California Department of Transportation
Attachment B – Central California Regional Water Quality Control Board

Letter 2: Kathleen A. Dadey, Ph.D., Department of the Army, U.S. Army Corps of Engineers

Letter 3: Trevor Cleak, Central Valley Regional Water Quality Control Board

Letter 4: Bella Badal, PhD, REHS, Stanislaus County Department of Environmental Resources

Letter 5: Rick Furtado, Turlock Rural Fire District

Letter 6: Tom Dumas, California Department of Transportation

Letter 7: Rose Stillo, City of Turlock

Letter 8: Todd Troglin, Turlock Water & Power
Attachment A – Todd Troglin, Turlock Water & Power

Letter 9: Georgia Stewart for Arnaud Marjollet, San Joaquin Valley Air Pollution Control District

SECTION THREE
RESPONSES TO COMMENTS

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RESPONSES TO COMMENTS

This section contains the letters of comment that were received on the Draft EIR. Following each comment letter are responses intended to either supplement, clarify, or amend information provided in the Draft EIR, or refer the commenter to the appropriate place in the Draft EIR where the requested information can be found. Those comments that are not directly related to environmental issues are briefly described and noted for the record.

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Letter 1 Scott Morgan, Director, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit

Comment 1A: The commenter indicates that the Draft EIR has been submitted to selected State agencies for review, that the comment period ended on October 1, 2014, and that comment letters from responding agencies are attached. The letter concludes by noting that the County has complied with State Clearinghouse requirements for draft environmental documents pursuant to the California Environmental Quality Act. (Note: The County has elected to extend the public review period to October 13, 2014.

Response 1A: The comment is noted.

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Letter 2 Kathleen A. Dadey, Ph.D., Department of the Army, U.S. Army Corps of Engineers

Comment 2A: The commenter provides a description of the Corps' jurisdiction and authority under Section 404 of the Clean Water Act.

Response 2A: The comment is noted and acknowledged.

Comment 2B: The commenter indicates that the County should prepare a wetlands delineation in order to ascertain the extent of waters of the U.S. on the project site.

Response 2B: Impact #3.4-3 on page 3.4-20 of the Draft EIR addresses the issue of potential wetlands that may be present on the project site under the following impact statement:

> Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

The Draft EIR indicates that there is a single ponding basin on the project site used for storage of irrigation runoff. Accordingly, it has an artificial inundation and drying regime. As an isolated feature, it is unlikely to have a significant nexus with Waters of the U.S., and therefore does not meet the standard federal criteria for wetlands.

The EIR continues by stating that although the ponding basin is not regulated by USACE, it could be identified as a water of the State of California under the jurisdiction of the Regional Water Quality Control Board (RWQCB), because in accordance with the Porter-Cologne Act, the RWQCB typically claims jurisdiction of all surface waters. The CDFW could also potentially claim jurisdiction of the basin under CDFW Code Section 1600, regardless of its nexus to other waterways. However, it is unlikely that CDFW would claim such jurisdiction because the basin lacks riparian habitat, does not support sensitive biological resources, and is devoid of any semblance of a wildlife community. (Note: The Central Valley Regional Water Quality Control Board, in its comment letter of 9/26/14, makes no recommendation for conduct of a wetlands delineation.)

It should also be noted that all areas of the project site that are proposed for development have been previously and routinely disturbed by vehicle activity and storage of packing crates.

The EIR concludes that the project will have *no impacts* to wetlands or other waters protected under Section 404 of the Clean Water Act. Based on the analysis contained in the Draft EIR and the discussion above, a wetlands delineation is not warranted.

Comment 2C: The commenter states that a range of alternatives should be analyzed that avoid impacts to wetlands and other waters of the U.S.

Response 2C: As noted in the response to Comment 2B, there are no wetlands or other waters of the U.S. that would be impacted by the proposed project.

Letter 3 Trevor Cleak, Central Valley Regional Water Quality Control Board

Comment 3A: The commenter identifies the requirements for a Construction Storm Water General Permit and development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

Response 3A: The comment is noted and acknowledged. The project proponent will prepare a SWPPP, as required.

Comment 3B: The commenter notes the requirements of Phase I and II MSR4 permits.

Response 3B: The comment is noted and acknowledged. If required, the project proponent will file an application in compliance with Phase I and II MS4 permit requirements.

Comment 3C: The commenter indicates that industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit.

Response 3C: The comment is noted and acknowledged. If required, the project proponent will file an application in compliance with Industrial Storm Water General Permit Order No. 97-03-DWQ.

Comment 3D: The commenter describes the requirement for compliance with Section 404 of the Clean Water Act.

Response 3D: The comment is noted and acknowledged. As indicated in the response to comment 2B from U.S. Army Corps of Engineers, there are no wetlands on the project site.

Comment 3E: The commenter describes the requirement for compliance with Section 401 – Water Quality certification of the Clean Water Act.

Response 3E: The comment is noted and acknowledged. As indicated in the response to comment 2B from U.S. Army Corps of Engineers, there are no wetlands on the project site.

Comment 3F: The commenter describes the requirement for a Waste Discharge Requirement permit.

Response 3F: The comment is noted and acknowledged. As indicated in the response to comment 2B from U.S. Army Corps of Engineers, there are no wetlands on the project site.

Comment 3G: The commenter describes the requirement for a National Pollutant Discharge Elimination System (NPDES) permit.

Response 3G: The comment is noted and acknowledged. If required, the project proponent will file an application in compliance with NPDES requirements.

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Letter 4 Bella Badal, PhD, REHS, Stanislaus County Department of Environmental Resources

Comment 4A: The commenter requests the following correction on page 3.8–20 second paragraph after the table:

> In addition to mitigation, the proposed project would also be required to comply with California Health and Safety Code, California Retail Food Code Part 7. California Retail Food Code, Effective January 1, 2014.

Response 4A: Page 3.8-20, second paragraph of the Draft EIR will be corrected to show the 2014 date.

Comment 4B: The commenter states that following paragraph of Section 2.3 – PROJECT DESCRIPTION, Water and Wastewater, needs to be revised to incorporate and reflect the State definitions of human consumption, public water system and state small water system (California Safe Drinking Water Act, Section 116275).

> No domestic water or wastewater services are proposed. A septic leach field system would be used to dispose of wastewater from employee sinks and toilets

Response 4B: Section 2.3 (page 2-14) of the Draft EIR will be revised to stipulate that the onsite water and wastewater systems will comply with County and State requirements as described in Section 3.12.

Comment 4C: The commenter states that the paragraph in Impact #3.6-5 below needs to be revised to reflect the legal definitions pertaining to drinking water under the California Safe Drinking Water Act.

> No domestic water or wastewater services are proposed. All water will be obtained from wells on site and disposed of on site. Water for processing of produce and other uses (e.g., employee sinks and toilets) will be obtained from private wells on the site. A septic leachfield system will be used to dispose of wastewater from employee sinks and toilets.

Response 4C: Section 3.12 of the Draft EIR describes water regulations under the California Safe Drinking Water Act. Section 3.12 (page 3.12-3) of the Draft EIR will be revised to identify applicable State regulations.

Comment 4D: The commenter notes that in Section 3.9.1, Regulatory Section, State, no references to the California Safe Drinking Water Act are included in this section. This section needs to be revised to incorporate the State jurisdiction under the California Safe Drinking Water Act.

Response 4D: Section 3.12 of the Draft EIR describes water regulations under the California Safe Drinking Water Act. Section 3.12 of the Draft EIR will be revised to identify applicable State regulations.

Comment 4E: The commenter notes that in Section 3.9.2 Regulatory Setting, State, no references to the California Safe Drinking Water Act are included in this section and this section needs to be revised to describe the State's jurisdiction under the California Safe Drinking Water Act.

Response 4E: Section 3.12 of the Draft EIR describes water regulations under the California Safe Drinking Water Act. Section 3.12 of the Draft EIR will be revised to identify applicable State regulations.

Comment 4F: The commenter notes that in Impact #3.9-6, following the paragraph below, this section needs to be revised to reflect the legal definitions pertaining to drinking water under the California Safe Drinking Water Act.

> Water would be obtained from two on-site wells. One well used for irrigation produces approximately 800 gallons per minute (gpm), while the domestic well produces 25 gpm. An enzyme biological agent would likely be added to the wash water. Wastewater from washing operations would be conveyed to the retention basin on the site and allowed to dissipate through evaporation and percolation, or it would be recycled and used for irrigation. No domestic water or wastewater services are proposed. A septic leach field system would be used to dispose of wastewater from employee sinks and toilets.

Response 4F: Section 3.12 of the Draft EIR describes water regulations under the California Safe Drinking Water Act. Section 3.12 of the Draft EIR will be revised to identify applicable State regulations.

Comment 4G: The commenter notes that in Section 3.12.1 Regulatory Setting, State, California Department of Public Health, the paragraph below needs to be revised to reflect the transfer of oversight from California Department of Public Health (CDPH) to the State Water Resources Control Board (State Water Boards), as of July 1, 2014.

> A major component of the State Department of Public Health, Division of Drinking Water and Environmental Management, is the Drinking Water Program which regulates public water systems. Regulatory responsibilities include the enforcement of the federal and state Safe Drinking Water Acts, the regulatory oversight of public water systems, issuance of water treatment permits, and certification of drinking water treatment and distribution operators. State regulations for potable water are contained primarily within Titles 22 and 17, Chapter 5 of the California Code of Regulations.

Response 4G: Section 3.12 of the Draft EIR will be revised to reflect the transfer of oversight from California Department of Public Health (CDPH) to the State Water Resources Control Board (State Water Boards).

Comment 4H: The commenter states that in Section 2.3 Project Description, Water and Wastewater, following the paragraph below, this section needs to be revised to reflect the use of onsite wastewater treatment systems. The word domestic is unclear as to whether it refers to City of Turlock water or potable well water.

> No domestic water or wastewater services are proposed. A septic leach field system would be used to dispose of wastewater from employee sinks and toilets.

Response 4H: Section 2.3 (page 2-14) of the Draft EIR contains clarification of the term "domestic." In the Draft EIR "domestic" was intended to mean water provided by the City or another water service provider. No new mitigation measures are warranted, since the water and wastewater systems must comply with County and State regulations.

Comment 4I: The commenter notes that in Section 3.9.2 Physical Setting, Water Supply and Groundwater, the term "domestic" water needs to be reworded, as noted above.

Response 4I: Section 2.3 (page 2-14) of the Draft EIR contains clarification of the term "domestic." In the Draft EIR "domestic" was intended to mean water provided by the City or another water service provider.

Comment 4J: The commenter notes that in Impact #3.12-8**,** this section needs to be clear regarding how to separate the generated wastewater from washing produce and the other domestic wastewater generated by the employees. An explanation is needed how each type will be disposed of without creating a public nuisance. For example, for the wastewater generated by the employees' use of restrooms and other plumping fixtures, there needs to be reference to County ordinances. Whereas wastewater generated from the proposed produce washing process that will go to the catch basin requires RWQCB approval.

Response 4J: Page 3.12-26 of the Draft EIR will be revised to clarify the disposition of wastewater. Because the septic leachfield system must be designed, installed, operated, and maintained under a permit obtained by the project proponent from the County under existing regulations, no mitigation measure is required.

Comment 4K: The commenter addresses Impact #3.12-12 and states that this section should refer to the requirement for an engineer-designed system to accommodate all the wastewater generated from employee use of restrooms in addition to washing stations and other employee facilities.

Response 4K: The Draft EIR states that the proposed project will use an on-site septic leachfield system designed in accordance with County requirements and the Uniform Plumbing Code. Inasmuch as the system must be designed, installed, operated, and maintained in

accordance with a permit obtained by the project proponent from the County under existing regulations, no mitigation measure is required.

Letter 5 Rick Furtado, Turlock Rural Fire District

Comment 5A: The commenter states that, whereas the Draft EIR indicates that the project site is within the Stanislaus Consolidated Fire District and that the Mountain View Fire District would provide response, the site is actually within the Turlock Rural Fire Protection District boundary.

Response 5A: Section 3.12.2, pages 3.12-14 and 3.12-16 of the Draft EIR will be revised to reflect this correction.

Comment 5B: The commenter notes that while the Draft EIR indicated that Stanislaus Consolidated Fire District's ISO rating is 8, the ISO rating for the Turlock Rural Fire Protection District is as low as 4.

Response 5B: Section 3.12, page 3.12-16 of the Draft EIR will be revised to reflect this correction.

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Letter 6 Tom Dumas, California Department of Transportation

Comment 6A: The commenter recommends that the Lead Agency collect a transportation impact mitigation fee on a "proportional basis" from the developer to hold until the fee can be contributed toward the local portion cost of funding future improvements to the SR 99/Fulkerth Road and SR 99/Main Street interchanges.

Response 6A: Draft EIR Mitigation Measure #3.13.1b requires the project proponent to pay the City of Turlock capital facility fees (CFF) for the construction of public facilities. The interchanges identified in the Caltrans comment letter are inside City of Turlock city limit boundary. The city engineer, Mike Pitcock, states that the CFF fees that will be paid to the city by the proponent include a portion that the City then pays to Caltrans for a shared cost of improvements to the highway segments identified by Caltrans.

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Letter 7 Rose Stillo, City of Turlock

Comment 7A: The commenter requests information about the enzyme biological agent that would be added to the wash water so that potential effects on groundwater quality, human health, and hazardous materials response can be better understood.

Response 7A: According to the project proponent, no enzymes will be added to the wash water; rather, chlorine diluted to 150 parts per million, will be added to the wash water. Page 3.12-26, second paragraph of the Draft EIR will be revised to indicate this.

Comment 7B: The commenter notes that the project site is in the Turlock Subbasin, not the Tulare Subbasin, as indicated in Table 3.12-2. The commenter also points out that urban water users in the Turlock Subbasin do not use surface water.

Response 7B: Table 3.12-2 (page 3.12-17 of the Draft EIR) will be corrected to reflect the correct subbasin.

Comment 7C: Under Impact #3.12-13, page 3.12-29, the commenter points out a misspelling of the word composted where the word composed is used.

Response 7C: Page 3.12-29, second paragraph of the Draft EIR will be corrected.

Comment 7D: Under Impact #3.12-13, page 3.12-29 the commenter states that the 0.5 cubic yards of organic waste that will be applied to the land and/or tilled into the soil may cause objectionable odors and could adversely affect almond flavoring at the Blue Diamond Growers facility across the street.

Response 7D: According to the project proponent, no organic matter will be spread on the ground; instead, it will be deposited in a trash receptacle and hauled away on a weekly basis. Page 3.12-29 of the Draft EIR will be corrected to reflect this change.

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Letter 8 Todd Troglin, Turlock Water & Power

Comment 8A: The commenter indicates that the proposed development will be required to meet District standards.

Response 8A: The project does not propose to use TID water, and it will not impact TID's Lateral 4 canal on the southern boundary of the project site. See also the Response 8B, below.

Comment 8B: The commenter refers to a previously submitted letter, dated October 19, 2012, for the proposed use permit application, which sets forth comments and conditions that remain applicable to the proposed project.

Response 8B: Conditions and requirements described in the TID letter dated October 19, 2012 are acknowledged. Improvement plans for the proposed project will need to identify TID facilities and make required accommodations. See further responses to the October 19, 2012 letter following LETTER 8, ATTACHMENT A.

Letter 8, Attachment A Todd Troglin, Turlock Water & Power, Letter of October 19, 2012

Comment A of Attachment A: The commenter finds that the proposed project will impact an existing unreinforced concrete irrigation pipeline and that, at a minimum, this pipeline will need to be replaced with reinforced pipe at the locations affected.

The commenter indicates that the proposed development will be required to meet District standards.

Response to Comment A of Attachment A: Improvement plans prepared by the proponent's engineer will show that any TID-owned facilities impacted by the project will be replaced to TID standards. Per required protocol, improvement plans provided to Stanislaus County and to TID will include signature blocks for both Stanislaus County and TID approval.

Comment B of Attachment A: The commenter notes that the project has the potential to restrict access to a deep well irrigation pump belonging to Improvement District 1015.

Response to Comment B of Attachment A: Plans for civil improvements prepared by the proponent's engineer will include provisions for preserving TID facilities, with opportunity for review and approval by TID, as described in the response above.

Comment C of Attachment A: The commenter states that the applicant's site plan does not provide a level of detail that allows for TID to comment on whether proposed improvements will meet TID specifications, and that existing overhead facilities may need relocation.

Response to Comment C of Attachment A: The project proponent will be required to submit improvement plans to Stanislaus County Department of Public Works. These plans will also identify TID facilities and include improvements to TID facilities that may be affected by the project. The proponent's engineer will consult with TID prior to preparation of the improvement plans, and TID will be provided with the plans for review and approval, which will address relocation of TID facilities to TID standards.

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Letter 9 Georgia Stewart for Arnaud Marjollet, San Joaquin Valley Air Pollution Control District

Comment 9A: The commenter points out a discrepancy between Section 3.3 Air Quality and Appendix B relative to exceeding SJVAPCD's regional threshold for NOx.

Response 9A: Pages 3.3-10 and 3.3-41 of Draft EIR has been updated to correspond with Appendix B.

Comment 9B: The commenter points out that a Voluntary Reduction Agreement (VREA) is an effective means of mitigating emissions to less-than-significant levels. This requires the project proponent to pay a fee to the District which it then uses to fund emission reduction projects. The commenter offers that District staff is available to further discuss this approach to mitigation with the project proponent.

Response 9B: This information will be added to page 3.3-11 of the Draft EIR.

Comment 9C: The commenter offers clarification to a description of District Rule 9510 (Indirect Source Review) contained in Section 3.3 of the Draft EIR.

Response 9C: Page 3.3-10 of the Draft EIR has been revised to say "Pursuant to District Rule 9510 (Indirect Source Review) Section 5.0, any applicant subject to this rule shall submit an Air Impact Assessment (AIA) application no later than applying for a final discretionary approval with the public agency".

Comment 9D: The commenter offers a further clarification to a description of District Rule 9510 contained in Section 3.3 of the Draft EIR.

Response 9D: Page 3.3-10 of the Draft EIR has been revised to say "Pursuant to District Rule 9510 (Indirect Source Review) Section 4.3 Development projects that have a mitigated baseline below two (2.0) tons per year of NOx and two (2.0 tons per year of PM10 shall be exempt from the requirements in Sections 6.0 (General Mitigation Requirements) and 7.0 (Off-Site Emission Reduction Fee [Off-Site Fee] Calculations and Fee Schedules)".

Comment 9E: The commenter observes that the proposed project would exceed the applicability threshold within District Rule 9510, and concurs with the Draft EIR that the proposed project is subject to District Rule 9510, which requires submittal of an Air Impact Assessment Application (AIA) to the District and payment of applicable off-site mitigation fees.

Response 9E: Page 3.3-38 of the Draft EIR has been revised to include the following mitigation measure for Impact # 3.3-2:

> <u>Mitigation Measure #3.3-2: In compliance with District Rule 9510, prior to issuance of the first grading/building permit the applicant shall submit an Indirect Source Review (ISR) – Air Impact Assessment (AIA) Application Form including payment of all applicable fees.</u>

Comment 9F: The commenter states that Appendix B, Table 17 contains errors in the distances to the boundaries of the air basin.

Response 9F: Page 3.3-38, Table 3.3-10 of the Draft EIR has been updated by switching the word Northern Boundary with Southern Boundary.

Comment 9G: The commenter points out a discrepancy in Appendix B relative to the number of 18-ton field trucks identified as part of the project operations.

Response 9G: Page 3.3-43 of the Draft EIR has been updated to reflect the 75 field trucks as well as the 23,400 trips/year and the 16,224 trips/year for shipping trucks. The idling time has been revised to 2 hours for 50% of the shipping trucks.

Comment 9H: The commenter suggests that the screening assessment contained in Appendix B be reevaluated as a result of omissions and unsubstantiated information.

Response 9H: The screening information spreadsheet has been revised with assistance from the District. According to the District, impacts are below the 10 in one million threshold. This information has been added to page 3.3-44 of the Draft EIR.

a) Emissions factors have been updated
b) Events per year have been updated
c) Idling locations now include docking stations
d) The project with not require TRUs
f) Blue Diamond has been added

Comment 9I: The commenter points out that the proposed project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review), and suggests that the project proponent contact the District to determine whether an Authority to Construct (ATC) and Permit to Operate (PTO) are required.

Response 9I: The District's comments will be provided to the applicant**.**

Comment 9J: The commenter recommends that a copy of the District's comments on the Draft EIR be provided to the project proponent.

Response 9J: The District's comments will be provided to the applicant.

SECTION FOUR
ERRATA

SECTION FOUR
ERRATA

This section contains the corrections that have been made to the Draft EIR based on comments received on the Draft EIR and updated information that has become available. The corrections on the following pages are formatted as follows: deletions to the text are shown in ~~strikethrough~~ text and additions to the text are <u>underlined</u>.

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CHAPTER TWO – PROJECT DESCRIPTION

2.1 Purpose and Background

The project proponent, Dan Avila & Sons, proposes constructing a 180,000 square foot warehouse (in three phases) and utilizing an existing 5,500 square foot pole barn and associated facilities for receiving, handling, packaging, and shipping harvested crops (including but not limited to watermelons, sweet potatoes, beans, wheat, pumpkins, and squash) on two parcels totaling 61.7± acres in unincorporated Stanislaus County, in the A- 2-40 (General Agriculture) Zoning District, with a General Plan Designation of Agriculture (AG).

In accordance with County requirements, the proposed operation would require a use permit. In its review of Use Permit Application No. PLN2012-0017, the County commissioned the preparation of an air quality/greenhouse gas emissions study. That study determined that projected air emissions associated with vehicle traffic from operation of the proposed warehouse would result in environmental impacts that cannot be mitigated to a level of less than significant. Accordingly, it was determined that an EIR is required in order for further consideration of the use permit application to occur.

2.2 Location and Environmental Setting

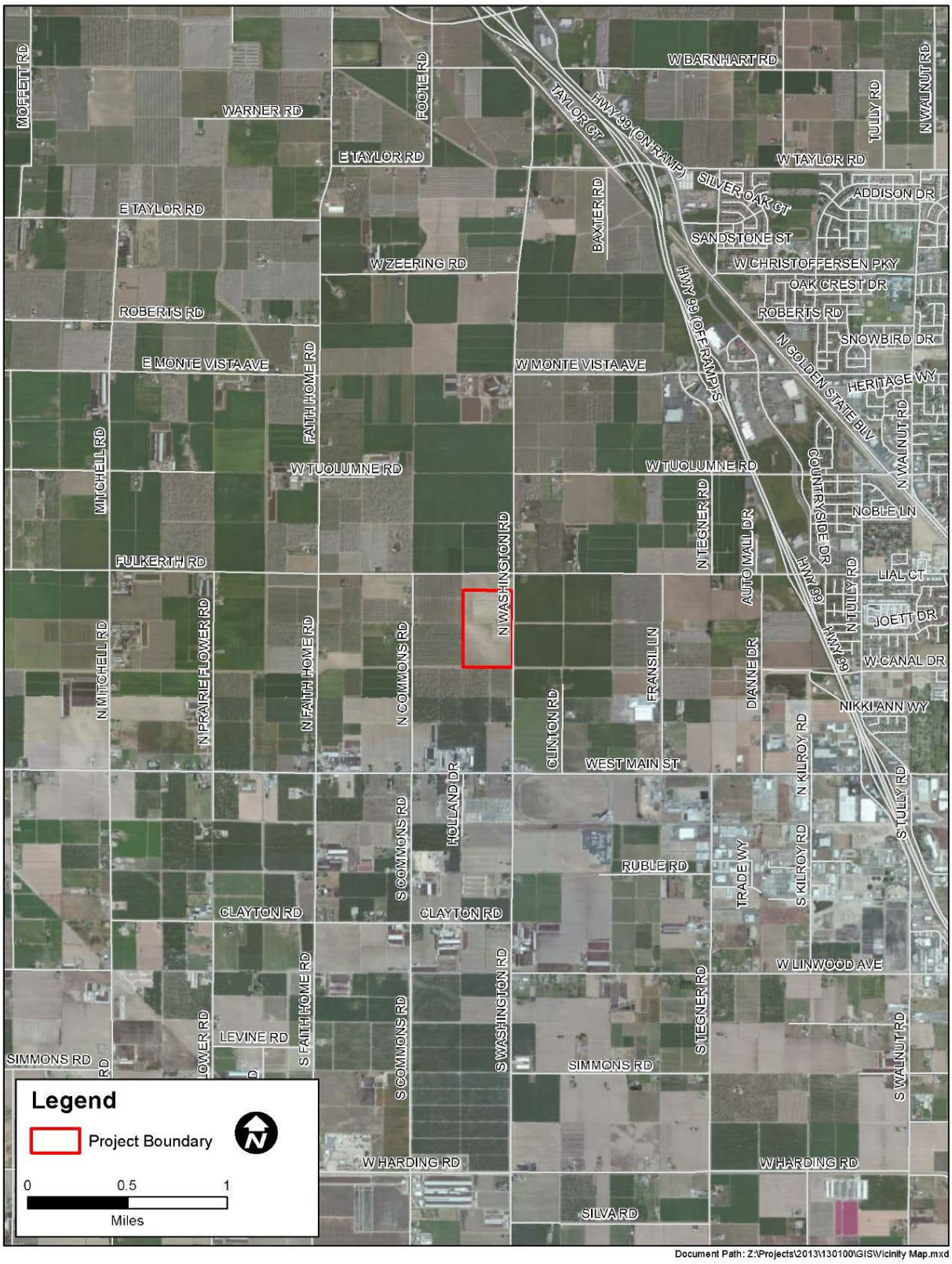
The project site is generally located on the west side of N. Washington Road, south of Fulkerth Road, at the western boundary of the City of Turlock City Limits. The project site address is 1301 N. Washington Road, Turlock, California 95380. N. Washington Road is also the western boundary of the Westside Industrial Specific Plan (WISP), a City of Turlock adopted specific plan. While the project site is not within the WISP, the entire N. Washington Road right-of-way is within the WISP. The site consists of the following two Assessor's Parcels: APN 023-039-017 and 023-039-018. Figure 2-1 provides the Regional Vicinity Map and Figure 2-2 provides the Local Vicinity Map.

2.2.1 EXISTING SITE CONDITIONS

The project site includes several existing structures, including two dwellings, a barn, a frame structure (pole barn), and a storage structure (See Figure 2-~~1~~3). In addition to buildings, the site includes a small ponding basin, numerous vehicles, irrigation equipment, and packing crates. The majority of the site is used for growing seasonal agricultural crops. The site is currently in agricultural production, consisting almost entirely of sweet potato row crops. Presently, there are two driveway access points onto N. Washington Road. Power lines bisect the project site along an east-west axis, and also occur on the east project site boundary.

The topography of the project site is essentially flat. Vegetation consists primarily of cultivated vegetables. Several trees of various sizes grow at various locations within and along the site perimeter, including on the N. Washington Road frontage, all in the vicinity of the structures on the site. Refer to Figure 2-~~3a~~ 4a through 4c for photographs of the site.

The entire site is currently enrolled in Williamson Act Contract No. 71-309.



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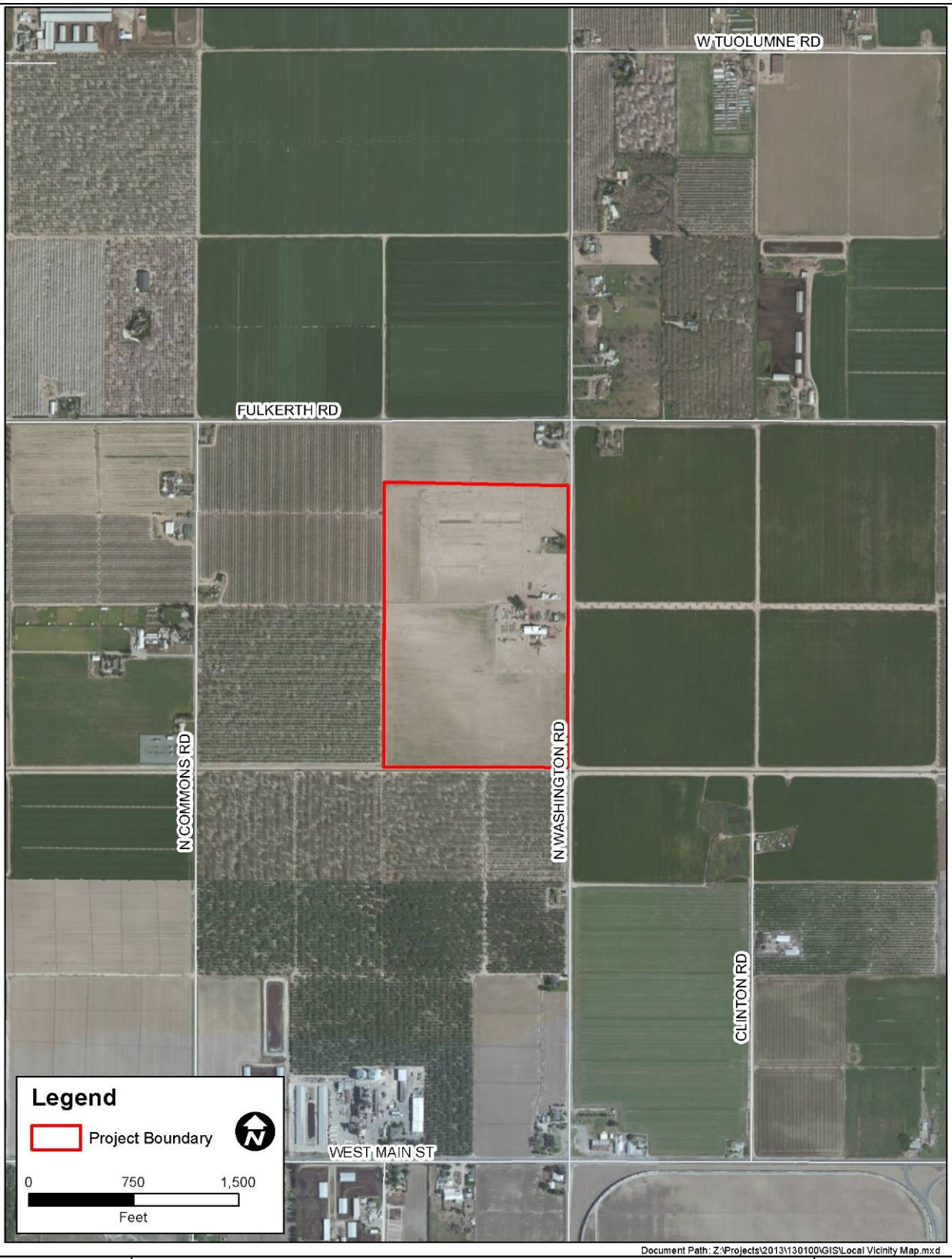
REGIONAL VICINITY MAP

Figure 2-1



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LOCAL VICINITY MAP

Figure 2-2

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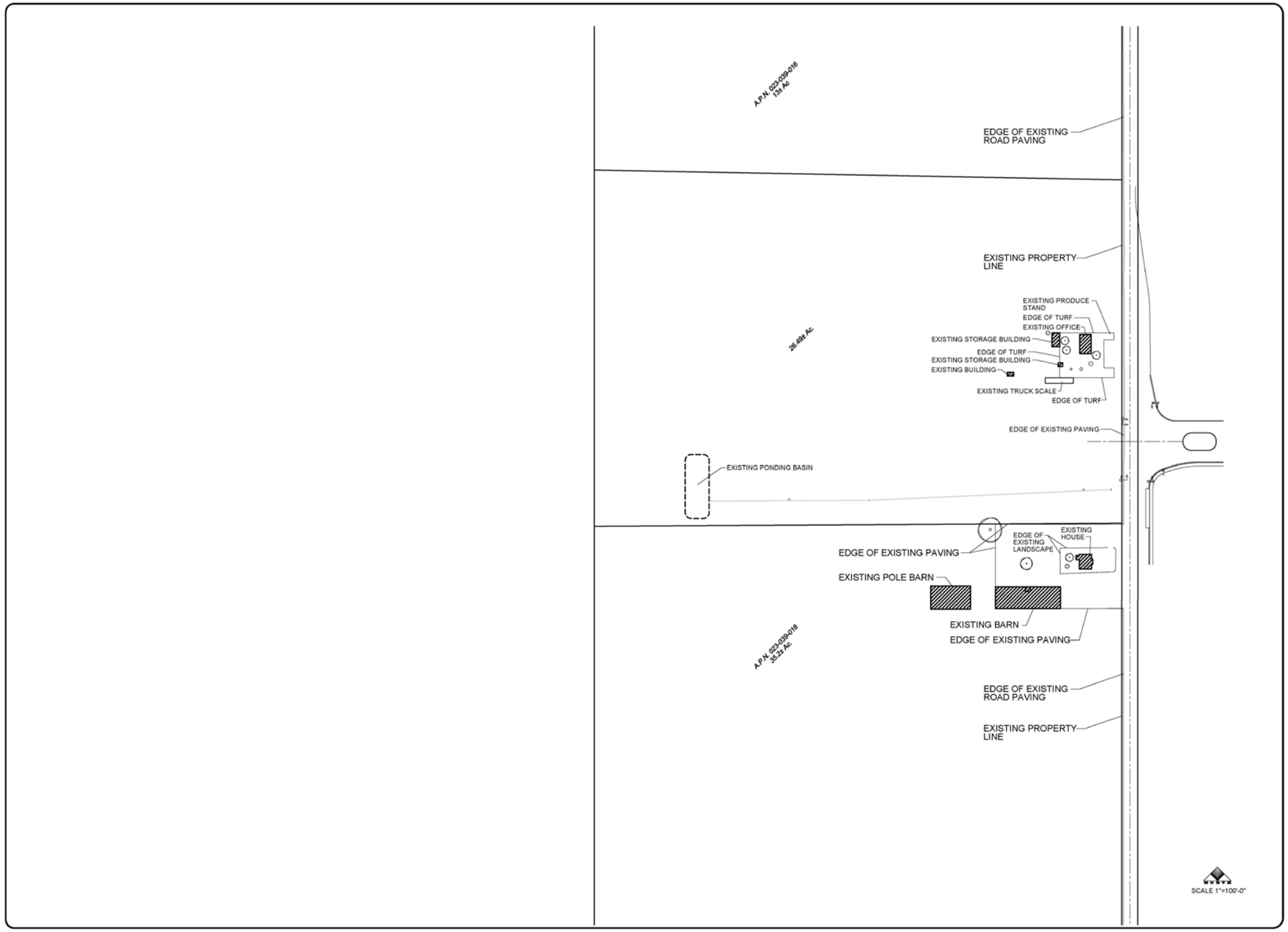

Quad Knopf	EXISTING SITE	Figure 2-3

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Quad Knopf	PHOTOGRAPH OF THE SITE	Figure 2-~~3a~~4a

Quad Knopf	PHOTOGRAPH OF THE SITE	Figure 2-~~3b~~4b

Quad Knopf	PHOTOGRAPH OF THE SITE	Figure 2-~~3c~~4c

2.2.2 SURROUNDING LAND USE AND LAND USE DESIGNATIONS

Lands in the vicinity of the project site are currently dominated by agricultural, industrial, and residential uses. Land to the north is planted in row crops, while orchards are located on lands to the south and west. To the east, across N. Washington Road and in the Turlock city limits, is a Blue Diamond almond processing facility. Turlock Irrigation District Canal #4 forms the south boundary of the site along an east-west axis.

City and County general plan land use designations for property surrounding the project site range from Industrial to the east (i.e., Westside Industrial Specific Plan), Urban Reserve to the north (across Fulkerth Road), and General Agriculture to the west and south.

Refer to Figure 2-~~4~~ 5 for an illustration of land use and land use designations on the site and on surrounding parcels.

2.3 Project Description

The project proponent, Dan Avila & Sons, proposes the construction and operation of a 180,000 square foot warehouse and associated facilities in order to conduct receiving, storage, packing, and shipping of produce including watermelons, sweet potatoes, beans, wheat, pumpkins, and squash. Several structures would be constructed in addition to the existing buildings on the site, as described below, on a 26± acre portion of the 61.7± acre site. (See Figure 2-~~5~~6, Site Plan.) Note that the site plan shown in Figure 2-~~5~~6 ~~will~~ may be revised in accordance with conditions of approval imposed by Stanislaus County for the use permit application and by the City of Turlock for the encroachment permit onto N. Washington Road.

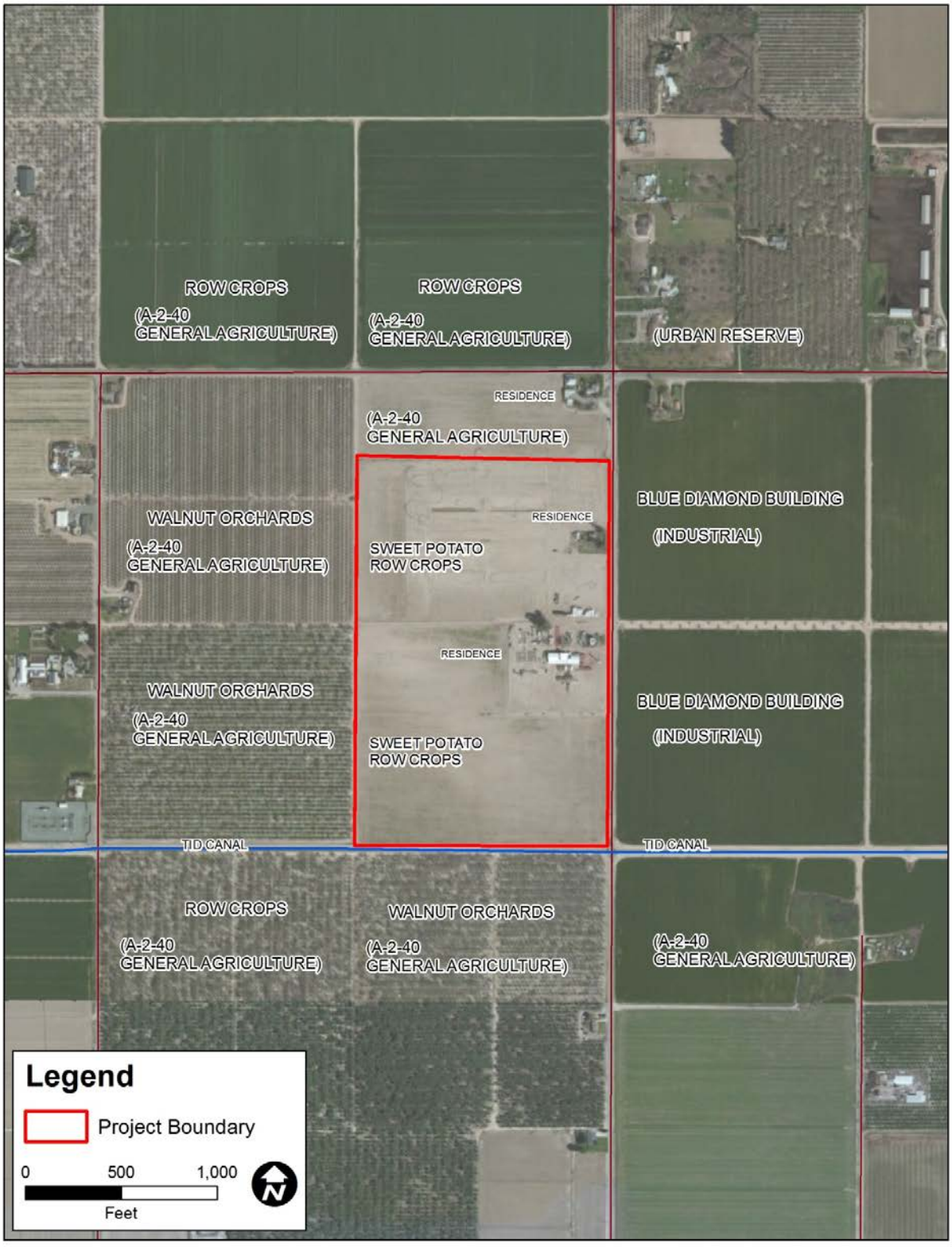
A maximum of approximately 75 employees would be on the site at any time. Hours of operation would mostly be 6:00 a.m. to 6:00 p.m., but could operate 24 hours on occasion.

Produce processed at the facility, consisting primarily of watermelons and sweet potatoes, would come from the fields on the site surrounding the buildings, as well as from other sites farmed by the project proponent.

According to the traffic impact analysis prepared by KD Anderson & Associates, Inc., dated January 24, 2013, the warehouse would be expected to generate 817 daily vehicle trips; however, the project proponent has indicated that, at least initially, the operation would not generate that volume of the daily traffic.

Existing Dwelling/Conversion to Office

One of the existing dwellings, a 1,200-square foot structure, would be converted to office use. A total of five parking spaces would be provided for office staff. The office would be used for routine operations. There would be four employees in this building.



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EXISTING LAND USE AND LAND USE DESIGNATIONS

Figure 2-45

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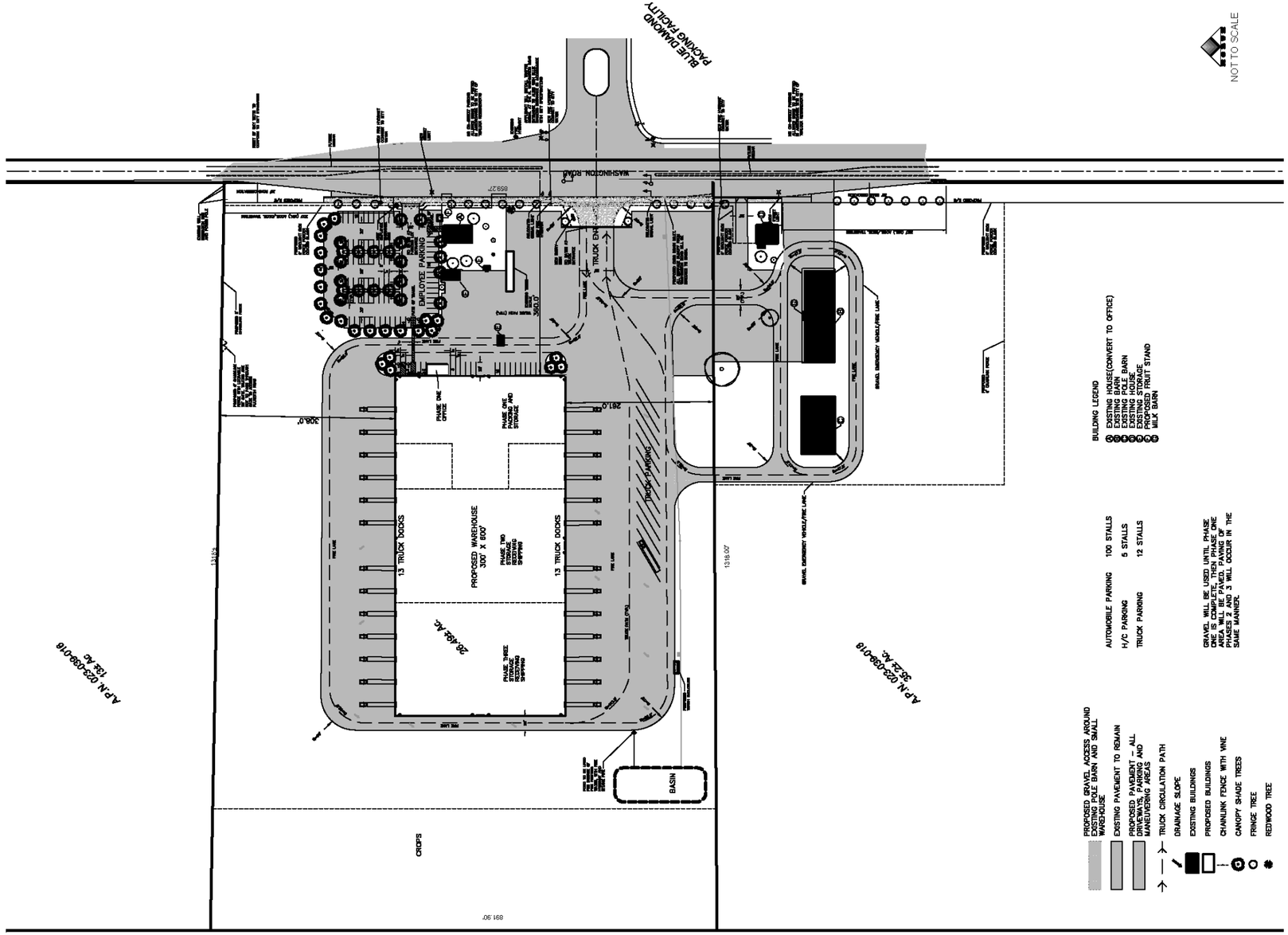

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PROPOSED SITE PLAN

Figure 2-6

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Existing Barn/Conversion to Packing Shed

This existing barn structure has 8,424 square feet of floor area and would be approximately 32 feet in height. It would be constructed of wood and steel and would be painted red with white trim. This structure would be used for the sorting and packing of produce. Activities in this structure would include unloading of watermelons and sweet potatoes, hand washing, and packing. The number of employees in this building would vary from 10 to 35 depending on the season and the product. Hours of operation would mostly be 6:00 a.m. to 6:00 p.m., but could operate 24 hours on occasion.

Pole Barn

The existing pole structure (pole barn) measuring approximately 5,500 square feet (60 feet x 100 feet) would be retained. This structure has a maximum height of approximately 24 feet and is comprised of an aluminum roof supported by steel poles. The pole barn would be used to store, repair, and maintain farm equipment used on the site. Two employees would be at this location during the watermelon and sweet potato seasons. Hours of operation would mostly be 6:00 a.m. to 6:00 p.m., but could operate 24 hours on occasion.

Warehouse

This proposed structure would be 180,000 square feet in area (300 feet x 600 feet) with 10 truck shipping and receiving docking bays on the north and south sides of the building. The warehouse would include areas for packing and storage of produce. This structure would have a shed roof, with a maximum height of approximately 32 feet at the ridge line. The building sides and roof would be constructed of steel and would be painted in earth tone colors. The warehouse would be used for sorting, storing, packing, and shipping of produce. Seventy truck deliveries/loads per day are anticipated seasonally from June to October for a total of 7,000 annually. Evaporative coolers and refrigerators would be used to maintain produce freshness. A maximum of 60 employees would be in this building. Hours of operation would mostly be 6:00 a.m. to 6:00 p.m., but could operate 24 hours on occasion.

Produce Stand

A produce stand measuring 64 square feet (8 feet by 8 feet), currently in place, would remain and be used as the point of sale for seasonal produce grown on the landowner's property.

Milk Barn

A milk barn measuring 144 square feet (12 feet by 12 feet) would remain. The existing milk barn structure would be used for the storage of equipment parts.

Impervious Surface Area

Approximately ~~26.73~~ 14.7 acres of the site, including the buildings, would be covered with impervious surfaces.

Landscaping

The Landscape Plan (Figure 2-~~6~~ 7 and illustrated in the Photosimulation (Figure 3.1-2b) depicts a combination of landscaping along the N. Washington Road ~~frontage between the two fences that demark~~ in front of the development area on the site, within the employee parking area, and at the front corners of the proposed warehouse. ~~The plan includes a row of Chinese fringe trees along the site frontage in front of a 5-foot high chain link fence. Star jasmine will be planted along the fence and trained to grow upon the fence. In addition, 14 redwood trees are proposed in groups of two and three behind the fence and Chinese fringe trees.~~ The landscaping plan is intended to provide visual screening of the development area from passersby on N. Washington Road. Landscaping along the N. Washington Road frontage will be consistent with guidance contained in the Westside Industrial Specific Plan.

Lighting

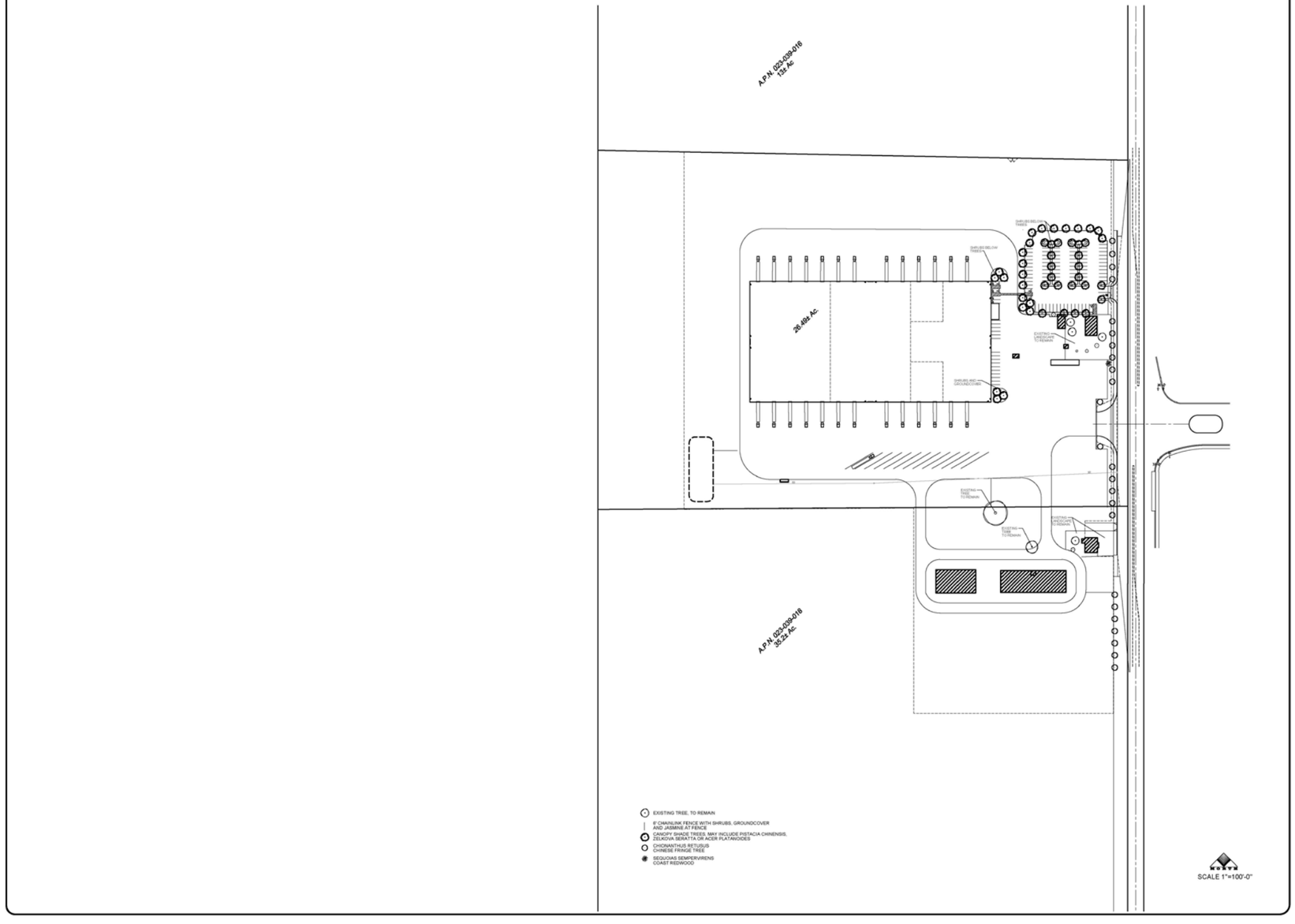
Outdoor lighting would be limited to the minimum required for security in parking areas and for worker safety at outdoor activity areas and the warehouse loading and docking areas.

Site Access and Parking

~~Access~~ Primary access to the site is proposed from a single driveway onto N. Washington Road aligned with the existing traffic signaled driveway to the Blue Diamond facility, as shown in Figure 2-~~5~~6. The employee parking lot will have a separate access driveway, and the existing driveway serving the existing residence to the south of the proposed warehouse will remain. Additional traffic signalization improvements will be installed to accommodate access to and from the site onto N. Washington Road. ~~Additionally~~ As shown in Figure 2-6, the applicant will provide dedication and street improvements along N. Washington Road, with revisions as may be requested by the City of Turlock. Improvements would include curb, gutter, street re-striping, and road widening to accommodate acceleration and deceleration lanes onto N. Washington Road. ~~On-site vehicular circulation and parking will be reconfigured to accommodate N. Washington Road street dedication and improvements.~~ The existing driveway onto Fulkerth Road will not be used to serve this project. All parking lots and shipping/receiving areas will be asphalt paved before issuance of building permits and prior to any construction. The access lane around the west end of the proposed warehouse will be paved during each phase. The fire access lane on the west and south sides of the existing pole barn and small barn will be graveled (1/8th-inch or smaller) for all-weather emergency access and will not be open to commercial traffic. The existing paved areas on the north and east sides of the existing barn will be retained.

In accordance with Stanislaus County Code requirements, a total of ~~111~~100 parking spaces are proposed, in addition to 12 large-truck parking stalls, and five handicapped stalls.~~, broken down as follows for the various functions proposed on the site. Approximately 30 large truck spaces will be provided.~~

- ~~Office – 5 spaces~~
- ~~Packing Shed – 35 spaces~~
- ~~Pole Barn – 5 spaces~~
- ~~Warehouse – 63 spaces~~
- ~~Produce Stand – 3 spaces~~



NO.	DATE	BY	DESCRIPTION
REVISIONS			

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PREPARED BY: CHECKED BY: DRAWN BY: DG

DAN AVILA AND SONS
TURLOCK CALIFORNIA
CONCEPTUAL LANDSCAPE PLAN

PLOT DATE:	11-25-14
JOB NO.:	130100
FILE NAME:	130100SP
SCALE:	1"=100'-0"
SHEET NO.:	L-1

Quad Knopf

CONCEPTUAL LANDSCAPE PLAN

Figure 2-7

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Water and Wastewater

The majority of water demand will be for rinsing of produce. Additional water would be for used for employee sinks and toilets. The amount of water required will vary depending upon the time of year. During summer, up to 3,000 gallons per week of water would be required for washing of produce. During other times of the year up to 6,000 gallons per week would be used. Water would be obtained from two on-site wells. Chlorine, diluted to 150 parts per million, would likely be added to the wash water. Wastewater from washing operations would be conveyed to the retention basin on the site and allowed to dissipate through evaporation and percolation. Wash water may be recycled and used for irrigation.

No ~~domestic~~ public water or wastewater services are proposed. A septic leach field system would be used to dispose of wastewater from employee sinks and toilets. Water and wastewater systems will be installed in accordance with County and State regulations.

Grading and Storm Drainage

The site will be graded the minimum amount required to facilitate collection and treatment of all storm water on site, before being conveyed to an on-site retention basin shown on the site plan. The pond is presently 0.07 acres in size and will be enlarged to approximately 0.25 acres in size. Similarly, proposed concrete and asphalt concrete areas will be graded and constructed to direct all run-off to the retention basin. Storm water collected on site would be conveyed by a combination of surface scales, culverts, and sheet flow to the retention basin. Before entering the retention basin, storm water would be filtered in accordance with best management practices (BMPs). The method of treatment, as well as the design and size of the retention basin, will be determined prior to issuance of grading and building permits. Storm water would be disposed of through a combination of percolation into the soil and evaporation. In addition, storm water may be recycled and used for irrigation.

Signage

The applicant will provide signage along the N. Washington Road frontage consistent with Stanislaus County requirements. Conceptual signage is shown in Figure 2-6.

2.4 Construction Equipment

Equipment required for site development and construction of structures would include the following: scraper, grader, backhoe, compactor, crane, cherry picker, and forklift.

2.5 Construction Phasing

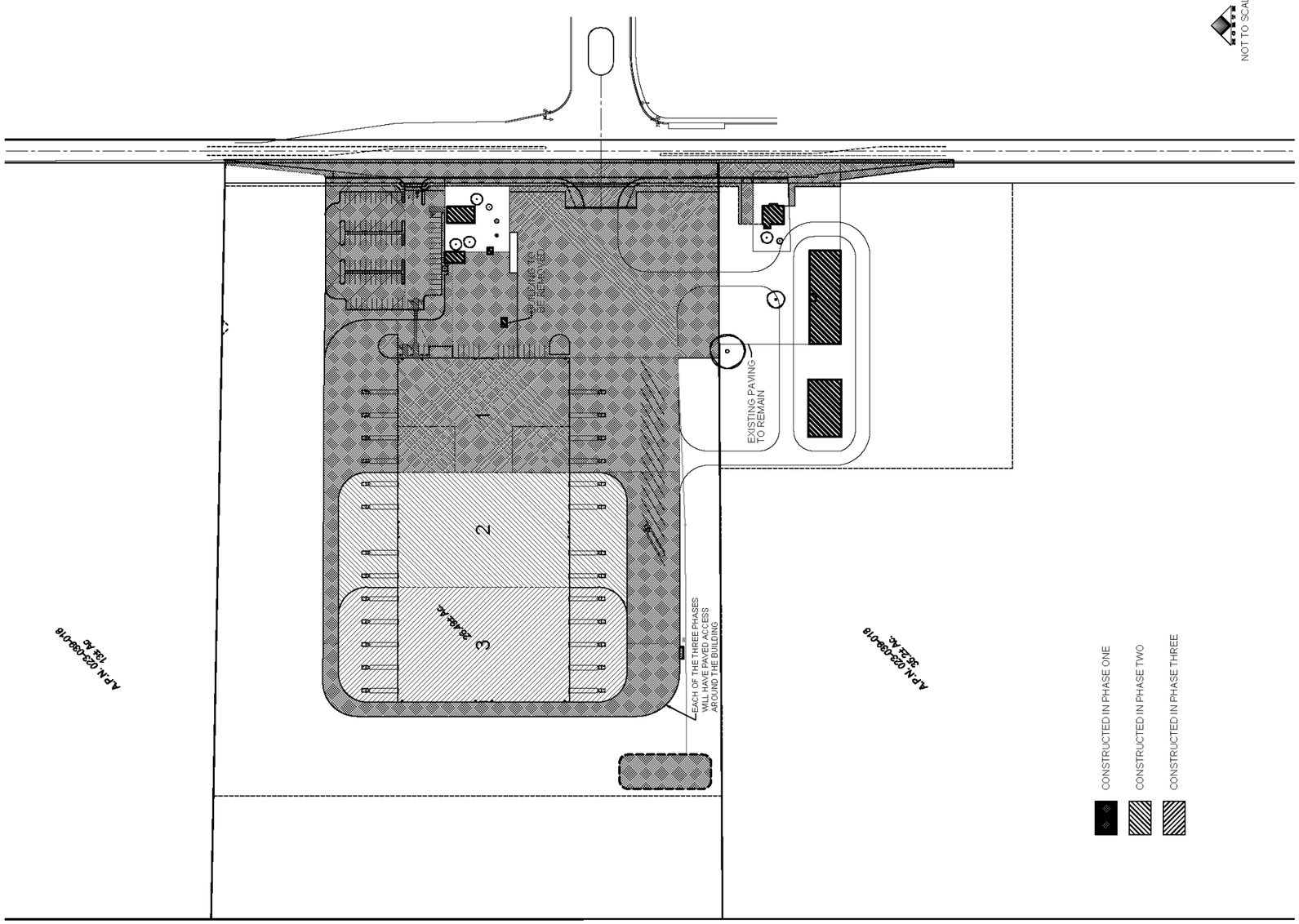
The 180,000 square foot warehouse would be constructed in three phases, with each phase consisting of a 300-foot by 200-foot section. All other buildings and site improvements would be completed in the first construction phase. Construction is expected to commence by spring of 201~~7~~6. Construction of the initial phase, including all buildings described above, and the first 200-foot by 300-foot section of the warehouse, is expected to require ~~4~~ four months. ~~Prior to~~

~~completion of the first phase of construction, the dirt yard will be used to receive and ship watermelons.~~ Full build-out will be based on market demand, although Phase 2 is projected to commence in Year 2019, and Phase 3 in Year 2022. Construction phasing is shown in Figure 2-8.

2.6 Project Objectives

The objectives of the proposed project are to:

- Positively contribute to the local economy by creating new job opportunities for local residents.
- Promote increased economic growth and economic development that is consistent with the policies of the Stanislaus County General Plan.
- Combine all aspects of the operation - including growing, storage, packing, and shipping – at one location.
- Attain financial success by selecting a facility location that has reasonable land prices, site development costs, and operating costs.
- Minimize travel distance to Highway 99.
- Develop a packing, storage, and shipping facility located in an area served by adequate roads.
- Achieve an architectural and site design that are compatible with the surrounding agricultural areas.
- Provide a development that will result in a net fiscal benefit to the County by generating increased property tax revenue.



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CONSTRUCTION PHASING PLAN

Figure 2-8

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3.12.2 ENVIRONMENTAL SETTING

Fire Protection and Emergency Services

The Turlock Rural Fire Protection District ~~Stanislaus Consolidated Fire Protection District~~ provides fire protection and emergency services to the unincorporated areas of the County, as well as cooperating with the fire departments from incorporated cities within the county. The Fire Protection District headquarters is located at ~~3324 Topeka Street, Riverbank~~690 West Canal, Turlock.

STATIONS

The District operates seven fire stations. The fire stations are staffed seven days a week, 24-hours a day. The fire stations, along with apparatus, are summarized in Table 3.12-1.

Table 3.12-1
Fire Station Summary

Station No.	Address	Distance from Project Site	Apparatus	
			Quantity	Equipment
30	3324 Topeka St., Riverbank	19.5 miles	This station facilitates operations only	
31	461 Mitchell Road, Modesto	10.8 miles	2	Type-one engines
			1	Medium rescue unit
			1	Hazardous materials response unit
32	4845 Yosemite Blvd., Modesto (Township of Empire)	12.6 miles	1	Type-one, 75' quint
			1	Type-one water tender
			1	Type-three engine
33	7737 Yosemite Blvd., Modesto (unincorporated area)	12.6 miles	2	Type-one engines
			1	Type-three engine
34	321 E Street, Waterford	17.5 miles	1	Type-one engine
			1	Type-one water tender
			1	Type-three engine
			1	Rescue boat
35	30198 Main Street, LaGrange	35.6 miles	1	Type-one engine
			1	Type-four engine
			1	Light rescue unit
36	3318 Topeka Street, Riverbank	19.5 miles	1	Type-one engines
			1	Type-three engine
			1	Type-one water tender
			1	Rescue boat

Source: Stanislaus Consolidated Fire Protection District website: http://www.scfpd.us

- 15 captains;
- 21 engineers (currently 2 vacant positions);
- 6 firefighters; and
- Reserves, volunteers and interns.

PERFORMANCE

The Insurance Services Office (ISO) Public Protection Classification Program currently rates fire districts on a scale of 1 to 10, with 1 being the highest possible rating and 10 being the lowest. The ISO rating measures individual fire protection agencies against a Fire Suppression Rating Schedule, which includes such criteria as facilities and support for handling and dispatching fire alarms, first-alarm response and initial attack, and adequacy of local water supply for fire-suppression purposes. The ISO ratings are subsequently used to establish fire insurance premiums. ~~The Stanislaus Consolidated Fire Protection District (Fire Stations 30 through 36) have an ISO rating of 7.~~ The project area falls within the Turlock Rural Fire Protection District ~~Mountain View Fire Protection District (Fire Station 1), located in Crows Landing~~, which has an ISO rating of ~~9~~4. The area within this Fire Protection District is entirely rural and agricultural, with no City or unincorporated communities.

MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN AND MUTUAL AID RESPONSE PROGRAM

In cooperation with Stanislaus County, the Stanislaus Consolidated Fire Protection District has adopted a Local Multi-Jurisdictional Hazard Mitigation Plan: a countywide plan that identifies risks posed by disasters, and identifies ways to minimize damage from those disasters. Other departments and agencies, including the Stanislaus County Office of Education and other fire departments, school districts, and city agencies, also participate in the Local Multi-Jurisdictional Hazard Mitigation Plan.

The Fire Department participates in the California Master Mutual Aid Response program and maintains mutual aid agreements with other fire departments within Stanislaus County.

Police Protection

The Stanislaus County Sheriff's Department provides police protection throughout the unincorporated areas of the county. The Sheriff's Department is headquartered at 250 East Hackett Road, Modesto.

ORGANIZATION

The Sheriff's Department is lead by the Sheriff-Coroner and the Undersheriff. In addition to the Stanislaus Regional 911 operations, the Department includes investigations, patrol operations, the coroner's division, public safety, the men's jail, inmate programs and jail alternatives, adult detention, and court services. The Sheriff's Department includes a K9 unit, a mounted unit, a bomb squad, and other special teams. The Sheriff's Department also coordinates with the police departments from Turlock, Ceres, Oakdale, Waterford, Newman and Hughson, and with federal

- Follow pesticide label directions and County Agricultural Commissioner's permit requirements

- Install approved back-flow prevention devices or air gaps between water sources and irrigation systems

- When applying chemicals to sandy soils, choose an effective material with the lowest potential to move in the soil.

Depth of the water table varies throughout the county, but may be only a few feet deep around Turlock to several hundred feet. Although overall groundwater is good in areas east of the San Joaquin River, chemicals, including chloride, nitrate, arsenic, sodium, calcium, magnesium carbonate, DBCP, bicarbonate, and sulfate, may be present (California Groundwater Bulletin 118).

WATER SUPPLY PLANNING

Stanislaus County is within all or a portion of four subbasins within the San Joaquin River Hydrologic Region(s). The proposed project site is located within the Turlock Subbasin, which includes a total of 218,249 acres. The Subbasin is bordered on the west by the San Joaquin River, which flows from south to north, and by the Tuolumne River on the north, which flows from east to west. The Merced River flows along the southern boundary of the County and the Turlock Subbasin. This area is served by the Turlock Irrigation District, the Ballico-Cortez Water District, the Eastside Water District, and a small portion of the Merced Irrigation District (Groundwater Bulletin 118).

In 2007, Stanislaus County had a total of 171,634 irrigated acres, 17,273 urban acres, and 29,342 non-irrigated acres (primarily in the foothills of the Sierra Nevada Mountains on the eastern boundary of the County) (Stanislaus County Water Atlas, 2008). Using these figures, approximately 78.6 percent of the land in Stanislaus County was under irrigated agricultural uses. A summary of the water sources utilized is shown in Table 3.12-2.

Table 3.12-2
Surface and Ground Water Utilized in the Turlock~~Tulare~~ Subbasin

	Surface Water (ac-ft/yr)*	Ground Water (ac-ft/yr)
Supply	518,000	235,000
Use		
Irrigation	451,000	168,000
Urban	67,000	0

Source: Stanislaus County Water Atlas, 2008

Although the table above indicates that no groundwater was utilized for urban purposes in 2008, the City of Turlock's recently adopted General Plan (2012) and Urban Water Management Plan

Impact #3.12-8 – Exceed wastewater treatment requirements of the Regional Water Quality Control Board, Central Valley Region.

The SWRCB adopted Resolution 68-16 regarding a "Statement of Policy with Respect to Maintaining High Quality Waters in California." The SWRCB declared in this resolution that any activity that produces or could produce a waste or increased volume or concentration of waste will be required to meet waste discharge requirements that will result in the best practicable treatment or control of the discharge necessary to ensure a nuisance will not occur and that high water quality will be maintained for the benefit to the people of the state. These waste discharge requirements are administered by the Central Valley Regional Water Quality Control Board through Basin Plan Waste Discharge Requirements and apply if a wastewater treatment plant were to serve the proposed project site.

The project will result in additional wastewater, almost exclusively from washing fruit or vegetables before packaging. During the busiest months it is anticipated that up to 6,000 gallons per week would be used, and would then directed to adjacent fields as irrigation water. This water will ~~not~~ contain chlorine, diluted to 150 parts per million, ~~or other additives, except possibly enzymes~~, and will not require treatment before being transported to nearby agricultural fields. Because the wastewater will not be released offsite into a public owned sanitary sewer collection system, the California Regional Water Quality Control Board Waste Discharge Requirement (WDR) agreement is not required.

Conclusion: Avila and Sons is not required to receive an executed WDR from the RWQCB prior to discharge of additional wastewater, as all water used will remain on site or be utilized on adjacent properties for irrigation purposes. Therefore, the impact is ***less than significant*** resulting from additional wastewater.

Mitigation Measures: None are required.

Impact #3.12-9 – Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Water used on site for washing purposes, as well as water used by employees for sanitation and cleaning will be supplied by an existing well. The proposed project would use approximately 2.12 acre feet of water per year for all combined purposes. Wastewater resulting from the washing process will be applied to nearby fields, and will not require prior treatment.

Waste water generated from hand washing stations, restrooms, or other employee facilities would adhere to Stanislaus County requirements of both the Uniform Plumbing Code and the County Environmental Health Department for the installation and operation of an on-site, commercial septic system. The facility would have a maximum of 75 employees. During the busiest season (June through September), employees were estimated to use a total of 9,375 gallons of water per week. These employees would work two or three shifts and all would not be on site at one time. The septic system would be calculated for size based on an estimated use of 25 gallons/day per employee. The sewage disposal system would probably require an aerobic treatment unit, and not septic tanks, per County requirements.

Stanislaus Resource Recovery Facility (SRRF), a waste-to-energy facility, adjacent to the landfill. The waste-to-energy facility reduces the volume of waste going into the landfill by about 90 percent. According to the Solid Waste Management Division of the Stanislaus County Department of Environmental Resources, the Fink Road landfill had capacity until 2017 for garbage (Class III waste) and 2023 for the waste-to-energy ash (Class II waste) as originally designed, with a total landfill capacity is 6.8 million tons. However, based on lower disposal rates, the County recently revised its projections for the life of the landfill to 2029 for Class III waste and 2043 for Class II. In addition, the County has initiated plans for an expansion and reconfiguration of the existing facility to extend its useful life by another 10 to 15 years beyond the revised projections. The expansion project would be complete prior to the scheduled original closure date of the landfill. In accordance with Public Resources Code Section 41000 et seq., a goal of 50 percent waste stream diversion through reduction and recycling has been established.

In compliance with State, federal, and local regulations, including the Stanislaus County General Plan and Zoning Ordinance, materials will be recycled or ~~composed~~ composted to the extent possible. Facilities operations will produce solid waste in the form of culled fruit that may be removed due to bruising or other defect. Up to approximately 0.5 cubic yards of organic waste (culls and pieces of produce) may be produced daily. This ~~will be spread over the ground on the site, and periodically tilled into the soil~~ waste will be deposited into a trash receptacle on site and hauled away on a weekly basis. The project will comply with state, federal, and local regulations regarding disposal of solid waste.

Conclusion: The proposed project would not generate the need for new solid waste facilities and the impacts would be ***less than significant***.

Mitigation Measures: None are required.

Impact #3.12-14 – Comply with federal, state, and local statutes and regulations related to solid waste.

Federal regulations include the Resource Conservation and Recovery Act that regulates the potential health and environmental problems associated with solid waste hazards and non-hazardous wastes. State regulations include Local Government Construction and Demolition (C&D) Guide, also known as Senate Bill 1374. This guide seeks to assist jurisdictions with diverting their C&D material, with a primary focus on CalRecycle developing and adopting a model C&D diversion ordinance for voluntary use by California jurisdictions. Another State requirement is the California Integrated Waste Management Act of 1989 (AB 939), effective January 1990. This legislation required each local jurisdiction in California to set diversion requirements for solid waste. Legislation was updated in 2007, so that new disposal-based indicator (pounds per person per year) uses only two factors: a jurisdiction's population (or in some cases employment) and its disposal as reported by disposal facilities. The City of Turlock's disposal rate goal is 6.3 pounds per person per day and employment target is 21.2 pounds per employee per day. Although CalRecycle encourages composting of solid waste from agricultural facilities, there are no State requirements to compost culls and solid wastes strained from washing water at packing facilities.

MODEL WATER EFFICIENT LANDSCAPE ORDINANCE

The Model Water Efficient Landscape Ordinance was adopted by the Office of Administrative Law in September 2009 and requires local agencies to implement water efficiency measures as part of its review of landscaping plans. All local agencies must adopt a water efficient landscape ordinance by January 1, 2010. The local agencies may adopt the state Model Ordinance, or craft an ordinance to fit local conditions. In addition, several local agencies may collaborate and craft a region-wide ordinance. In any case, the adopted ordinance must be as effective as the Model Ordinance in regard to water conservation.

CALIFORNIA WATER CODE

California Water Code (Porter-Cologne Act) establishes a program to protect water quality and beneficial uses of state water resources and addresses groundwater and surface water. The State Water Resources Control Board and the Regional Water Quality Control Boards (RWQCBs) are the principal state agencies responsible for control of water quality.

PORTER-COLOGNE WATER QUALITY CONTROL ACT OF 1969

The 1969 Porter-Cologne Water Quality Control Act first established the State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCBs) as the primary State agencies with regulatory authority over water quality. Under the act, the SWRCB has the ultimate authority over state water rights and water quality policy, and the RWQCBs are responsible for overseeing water quality on a day-to-day basis at the local/regional level.

CALIFORNIA WATER CODE

The California Water Code outlines the general State authority and responsibilities over water in California. It establishes DWR as the primary research, supply development, and management agency for water. The Water Code identifies the SWRCB as the decision making body for overall water quality policy development and for dealing with water rights issues. The nine RWQCBs are charged with regulation, enforcement, and protection of the beneficial uses of water.

SURFACE WATER RIGHTS

The SWRCB has jurisdiction over all water rights in California under the common-law public trust doctrine. Section 1735 of the California Water Code provides the regulatory framework for long-term transfers, subject to the requirements of CEQA.

Appropriative water rights allow the diversion of surface water for beneficial use. Prior to 1914, appropriative water rights involved a simple posting to describe intent and scope of water use, diversion, or construction of diversion activities. Since 1914, the sole method for obtaining appropriative water rights has been to file an application with the SWRCB. Before it can issue a water rights permit, the SWRCB must demonstrate the availability of unappropriated water. Both

pre- and post-1914 appropriative water rights may be lost if the water has gone unused for a period of 5 years.

Riparian water rights apply only to lands that are traversed by or border on a natural watercourse. Riparian owners have a right (correlative with the right of each other riparian owner) to share in the reasonable beneficial use of the natural flow of water that passes the owners land. No permit is required for such use. Riparian water must be used reasonably, beneficially, and solely on riparian (adjacent) land and cannot be stored for later use.

GROUNDWATER RIGHTS

The State requires that counties enact regulations covering well design to protect groundwater quality from surface contamination, and to ensure proper well construction and development for municipal use. However, these regulations are not related to the quantity of water extracted. Counties can also enact an ordinance to ensure that wells developed on one property do not interfere with the use of adjacent wells. In some areas of overuse, and where there is a high dependence on groundwater, groundwater rights are determined judicially in what are termed "adjudicated groundwater basins."

STATE TITLE 22 WATERWORKS STANDARDS

Drinking water in the state is governed by the provisions of Title 22, Waterworks Standards (Sections 64417-64710) of the California Code of Regulations (CCR Title 22), which specify the allowable MCLs for a wide range of primary and secondary water quality constituents. Systems of over 200 connections are directly regulated by the California Department of Public Health (CDPH) under CCR Title 22. These regulations have been recently modified (updated Title 22 Standards became effective on March 9, 2008), and are undergoing further proposed revisions (R-14-03). CDPH also recently adopted regulations, effective August 18, 2011, for public water systems using groundwater (Title 22, Section 64430).

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

The CDPH Drinking Water Program (DWP) under CCR Title 22 is administered by the Department's Division of Drinking Water and Environmental Management. The DWP regulates public water systems; certifies drinking water treatment and distribution operators; supports and promotes water system security; provides support for small water systems and for improving technical, managerial, and financial (TMF) capacity; and provides funding opportunities to water system improvements. The DWP consists of three branches: (1) the Northern California Field Operations Branch, (2) the Southern California Field Operations Branch, and (3) the Technical Programs Branch. The Field Operations Branches (FOBs) are responsible for the enforcement of the federal SDWA and state Title 22 Waterworks Standards and the associated regulatory oversight of public water systems to assure the delivery of safe drinking water. In this capacity, FOB staff performs field inspections, issue operating permits, review plans and specifications for new facilities, take enforcement actions for non-compliance with laws and regulations, review water quality monitoring results, and support and promote water system security.

On the local level, FOB staff work with county health departments, planning departments, and boards of supervisors. FOB staff provides oversight, technical assistance, and training for the local agency personnel.

The CDPH, under the provisions of Section 116330 of the California Health and Safety Code (CHSC), delegates the permitting and regulation of certain water systems of under 200 connections to local agencies. The CCR Title 22 regulations require that, prior to CDPH's issuance of an initial permit, the applicant must demonstrate to CDPH satisfaction that the water system's pumping, storage and distribution components meet a comprehensive set of basic requirements pertaining to maximum day demand (MDD), supply, storage, sources (two independent sources of water are required), and well pumping tests.

As of July 1, 2014, the administration of the Drinking Water Program (DWP) has transferred from the Department of Public Health (DPH) to the State Water Board. This transfer of responsibility aligns the State's drinking water and water quality programs in an integrated organizational structure to best position the State to both effectively protect water quality and the public health as it relates to water quality, while meeting current needs and future demands on water supplies.

GROUNDWATER MANAGEMENT ACT

The Groundwater Management Act, AB 3030, signed into law in 1992 (California Water Code Sections10750–10756), provides a systematic procedure for an existing local agency to develop a groundwater management plan. This section of the code provides such an agency with the powers of a water replenishment district to raise revenue to pay for facilities to manage the basin (extraction, recharge, conveyance, quality). In some basins, groundwater is managed under other statutory or juridical authority.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

The CWA requires local jurisdictions to address the problems of pollutants in stormwater runoff from development. The CWA provides for the control of the discharge of any pollutant into navigable waters from any point sources. To regulate point source pollution, the CWA provides that the EPA may issue NPDES permits. NPDES permits are issued by the EPA or the states under EPA-approved permit programs that incorporate CWA's technological standards. California's NPDES permit program is implemented through the State Water Resources Control Board (SWRCB) and the RWQCBs. Section 402(p) of the CWA establishes a framework for regulating municipal and industrial stormwater discharges under the NPDES program, and requires controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and systems, design and engineering methods.

The RWQCBs implement the CWA's municipal storm water requirements through the State's Municipal Storm Water Permitting Program. While federal regulations allow the permitting options for storm water discharges (individual and general permits), the SWRCB has elected to adopt only one Statewide General Permit. In September 2009, the SWRCB adopted a new NPDES General Permit for the stormwater discharges associated with construction and land

disturbance activities (No. 2009-0009-DWQ) that, among other things, requires compliance with certain numeric effluent limitations. This General Permit will become effective on July 1, 2010. It requires development of a site-specific SWPPP that specifies Best Management Practices (BMPs) that will prevent construction pollutants from contacting stormwater with the interest of keeping all products of erosion from moving offsite to receiving waters. This General Permit is implemented and enforced by the nine RWQCBs.

WASTE DISCHARGE REQUIREMENTS

The SWRCB adopted Resolution 68-16 regarding a "Statement of Policy with Respect to Maintaining High Quality of Waters in California." The SWRCB declared in this resolution that

SJVAB will not exceed the federal PM10 standard for 10 years after the expected the EPA redesignation, monitoring, and verification measures, and a contingency plan. Even though the EPA revoked the federal annual PM10 standard, the 2007 PM10 Maintenance Plan addresses both the annual and 24-hour standards because both standards were included in the EPA-approved State Implementation Plan. EPA finalized the determination that the SJVAB attained the PM10 standards on October 17, 2007, effective October 30, 2007. On September 25, 2008, the EPA redesignated the SJVAB as attainment for the federal PM10 standard and approved the PM10 Maintenance Plan.

The SJVAB is also designated nonattainment for the new federal PM2.5 annual standard. The SJVAPCD adopted the 2008 PM2.5 Plan on April 30, 2008. The PM2.5 Plan that demonstrates the SJVAB will attain the 1997 federal standard by 2015 and make progress toward attaining the 2006 federal 24-hour standard. Barring delays due to legal challenges, the SJVAPCD estimates that attainment plans for the federal 2006 standard will be required by 2012 or 2013 with an attainment deadline of 2020. Measures contained in the 2003 PM10 Plan will also help reduce PM2.5 levels and will provide progress toward attainment until new measures are implemented for the PM2.5 Plan, if needed.

State PM10 standards have no attainment planning requirements, but air districts must demonstrate that all measures feasible for the area have been adopted.

Rules Applicable to the Project

The SJVAPCD rules and regulations that apply to this project include, but are not limited to, the following:

Regulation VIII Fugitive PM10 Prohibitions: Rules 8011-8081 are designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and trackout, etc.;

SJVAPCD Rule 3180: Administrative Fees for Indirect Source Review (ISR). The purpose of this rule is to recover the SJVAPCD's costs for administering the requirements of Rule 9510 (Indirect Source Review);

SJVAPCD Rule 9510: Indirect Source Review. This rule reduces the impact of NOx and PM10 emissions from growth on the Air Basin. The rule places application and emission reduction requirements on development projects meeting applicability criteria in order to reduce emissions through onsite mitigation, offsite SJVAPCD-administered projects, or a combination of the two. This rule applies to new developments seeking a final discretionary approval that are over a certain threshold size. Pursuant to District Rule 9510 (Indirect Source Review) Section 4.3 development projects that have a mitigated baseline below two (2.0) tons per year of NOx and two (2.0 tons per year of PM10 shall be exempt from the requirements in Sections 6.0 (General Mitigation Requirements) and 7.0 (Off-Site Emission Reduction Fee [Off-Site Fee] Calculations and Fee Schedules). ~~Any of the following projects require an application to be submitted unless the projects have mitigated emissions~~

~~of less than two tons per year each of NOx and PM10. Projects that are at least:~~ The following requirements apply:

- 50 residential units;
- 2,000 square feet of commercial space;
- 9,000 square feet of educational space;
- 10,000 square feet of government space;
- 20,000 square feet of medical or recreational space;
- 25,000 square feet of light industrial space;
- 39,000 square feet of general office space;
- 100,000 square feet of heavy industrial space; and
- Or, 9,000 square feet of any land use not identified above.

Compliance with Rule 9510: ISR: Compliance with SJVAPCD Rule 9510 reduces the emissions impact of the project through incorporation of onsite measures as well as payment of an offsite fee that funds emission reduction projects in the Air Basin. The emissions analysis for Rule 9510 is highly detailed and is dependent on the exact project design that is expected to be constructed or installed. Compliance with Rule 9510 is separate from the CEQA process, though the control measures used to comply with Rule 9510 may be used to mitigate CEQA impacts. Minor changes to project components between the CEQA analysis and project construction often occur. An example of such a change is a change in construction year, operational year, etc. The required amounts of emission reductions required by Rule 9510 are as follows:

- *Construction Exhaust*: 20 percent of the total NOx emissions, and 45 percent of the total PM10 emissions; and

- *Operational Emissions*: 33 percent of NOx emissions over the first 10 years, 50 percent of the PM10 emissions over the first 10 years.

Pursuant to District Rule 9510 (Indirect Source Review) Section 5.0, any applicant subject to this rule shall submit an Air Impact Assessment (AIA) application no later than applying for a final discretionary approval with the public agency.

In addition to the following Rules, the SJVAPCD has found a Voluntary Emissions Reduction Agreement (VERA) to be a feasible mitigation measure to mitigate emissions to less-than-significant levels. The VERA is an instrument by which the project proponent provides monies to the District, which is used by the District to fund emissions reduction projects that achieve the reductions required by the lead agency. District staff is available to meet with project proponents to discuss a VERA for specific projects. For more information, or questions concerning this topic, District Staff can be contacted at (559) 230-6000.

~~Rule 9510 requires the submission of an Air Impact Assessment application to the SJVAPCD no later than applying for the final discretionary permit. The proposed project will comply with this requirement at the time final discretionary permits are sought.~~

STANISLAUS COUNCIL OF GOVERNMENTS (STANCOG)

As designated by the federal government and the State, the Stanislaus Council of Governments (StanCOG) is the Metropolitan Planning Organization (MPO) and Regional Transportation Planning Agency (RTPA) for the Stanislaus Region. StanCOG is a public organization that works with governments and the public to address issues and needs that occur across city and county boundaries.

In 1971, StanCOG was formed by a Joint Powers Agreement to address regional transportation issues throughout the region. The council of city and county governments includes the cities of: Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, Waterford, and Stanislaus County.

StanCOG is responsible for creating various transportation plans and for allocating the federal and State funds to implement them. Although the organizations/agencies main function is to oversee regional transportation planning and funding, StanCOG is also involved in air quality and other issues that affects the County (Stanislaus Council of Governments 2013a).

- Results in a Cumulatively Considerable Net Increase of any Criteria Pollutant for which the SJVAB is Non-Attainment.

Although the SJVAB is in attainment for the CO standards, the vehicle traffic from the project may be great enough to cause a CO hotspot, or substantially contribute to a project CO Hotspot. The SJVAB is nonattainment for ozone, PM10 and PM2.5, and the project may substantially contribute to the existing violation through ROG, NOx, PM10, and PM2.5 emissions. The following analyses will be used for this criterion:

- CO Hotspot as discussed in - CO Hotspot; and
- Regional Operational Thresholds as discussed in Regional Air Pollutants.

3.3.4 IMPACTS AND MITIGATION MEASURES

Impact #3.3-1 – Conflict with or obstruct implementation of any applicable air quality plan.

This impact will evaluate the proposed project's potential to conflict with or obstruct implementation of the applicable air quality plan. Because of the region's non-attainment status for ozone, PM2.5, and PM10, if the project-generated emissions of either of the ozone precursor pollutants (i.e., ROG and NOx), PM10, or PM2.5 would exceed the SJVAPCD's significance thresholds, then the project would be considered to conflict with the attainment plans. In addition, if the project would result in a change in land use and corresponding increases in vehicle miles traveled, they may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

As discussed in Impact 3.3-2, predicted construction and operational emissions of NOx, ROG, PM10, and PM2.5 would not exceed the SJVAPCD significance thresholds. As a result, the proposed project would not conflict with emissions inventories contained in regional air quality attainment plans and result in a significant contribution to the region's air quality non-attainment status. The SJVAPCD adopted the 2003 PM10 Plan on June 19, 2003 and first amended it on December 15, 2003 to comply with federal Clean Air Act requirements. The EPA approved the amended 2003 PM10 Plan effective June 25, 2004. The Air Basin is currently in attainment of the national standards for PM10.

The SJVAPCD Governing Board adopted the 2008 PM2.5 Plan following a public hearing on April 30, 2008. This plan will assure that the Valley will attain all the PM2.5 standards – the 1997 federal standards, the 2006 federal standards, and the state standard - as soon as possible. The CARB submitted the 2008 PM2.5 Plan to the EPA June 30, 2008. The 2008 PM2.5 Plan builds upon the comprehensive strategy adopted in the 2007 Ozone Plan to bring the Valley into attainment of the 1997 national standards for PM2.5. The EPA has identified NOx and sulfur dioxide as precursors that must be addressed in air quality plans for the 1997 PM2.5 standards. The 2008 PM2.5 Plan is a continuation of the SJVAPCD's strategy to improve the air quality in the San Joaquin Valley.

As an extreme nonattainment area for the 1-hour ozone national standard, the SJVAPCD adopted the Extreme Ozone Attainment Demonstration Plan in 2004. On March 8, 2010, the EPA approved the Plan for 1-hour ozone. Although effective June 15, 2005, the EPA revoked the 1-hour standard, the control requirements remain in effect to ensure progress toward meeting the new more stringent 8-hour ozone standard that has replaced the 1-hour standard. The Plan contains commitments to reduce a precursor of ozone, NOx, including NOx reductions from indirect sources.

The 2007 Ozone Plan contains measures to reduce ozone and particulate matter precursor emissions to bring the Air Basin into attainment with the federal 8-hour ozone standard. The 2007 Ozone Plan calls for a 75-percent reduction of NOx and 25-percent reduction of ROG. The SJVAPCD Governing Board adopted the 2007 Ozone Plan on April 30, 2007. The plan, with innovative measures and a "dual path" strategy, assures expeditious attainment of the federal 8-hour ozone standard for all Air Basin residents. The ARB approved the plan on June 14, 2007.

In December 2005, the SJVAPCD adopted the ISR and the accompanying administrative fee rule (Rule 3180). The ISR requires certain development projects within the San Joaquin Valley Air Basin to reduce emissions by specified amounts either through on-site measures or through the payment of air quality impact fees to the SJVAPCD to obtain emission reductions off-site. The emission reduction requirements are designed to reduce PM10 and NOx by amounts needed to meet the commitments of the 2003 PM10 Plan necessary to achieve attainment on schedule. Emission reduction projects envisioned by the ISR include retrofitting heavy-duty engines, replacing agricultural machinery and pumps, paving unpaved roads and road shoulders, trading out combustion-based lawn and agricultural equipment for electrical and other equipment, as well as a host of other projects that result in quantifiable emission reductions of PM10 and NOx. Compliance with Rule 9510 is required.

Conclusion: The proposed project would not conflict or obstruct implementation of the applicable air quality attainment plans. Impacts would be ***less than significant***.

Mitigation Measures: None are required.

~~Because of the region's non-attainment status for ozone, PM2.5, and PM10 if the proposed project generated ozone precursor pollutants (i.e., ROG and NOx), PM10, or PM2.5 that exceeds the SJVAPCD's significance thresholds, then the project would conflict with the attainment plans. In addition, if the project would result in a change in land use, which triggers an increase in vehicle miles traveled, these changes may be unaccounted for in regional emissions inventories contained in regional air quality control plans.~~

~~As discussed in Impact 3.3-2, predicted construction and operational emissions of NOx would exceed the SJVAPCD significance thresholds. As a result, the proposed project may conflict with emissions inventories contained in regional AQAPs and result in a significant contribution to the region's air quality non-attainment status.~~

~~**Conclusion**: The proposed project may conflict or obstruct implementation of the applicable AQAP. Impacts would be potentially significant. There are no feasible mitigation measures that~~

~~can be applied to the project to reduce the impact to a less-than-significant level; accordingly, this impact would be ***significant and unavoidable*.**~~

~~**Mitigation Measures**: No feasible and effective mitigation measures are available.~~

Impact #3.3-2 – Violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Construction Assumptions and Modeling Parameters

Construction of the project would result in the generation of air pollutant emissions. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and prevailing weather conditions. Construction emissions result from onsite and offsite activities. Onsite emissions principally consist of exhaust emissions (NOx, SOx, CO, ROG, PM10, and PM2.5) from heavy-duty construction

Table 3.3-9
Field Truck Trip Length

	Field Location	Acreage	Percentage of Total Acreage	One-Way Trip Length (miles)	Weighted Trip Length
A	Weir Rd/Atwater-Jordan Rd	600 (550 watermelon, 50 sweet potato)	59	18	10.62
B	S. Buhach Rd/W. Dickenson Ferry Rd	190 (watermelon)	19	28	5.32
C	W. Simmons Rd/S. Washington Rd.	135 (sweet potato)	13	2	0.26
D	W. Tuolumne Rd/N. Washington Rd	40 (sweet potato)	4	0.5	0.02
E	W. Taylor Rd/N. Washington Rd	20 (sweet potato)	2	2	0.04
F	E. Grayson Rd/Tully Rd	30 (sweet potato)	3	8	0.24
	Total	1,015	100	-	16.5

Source: KD Anderson & Associates, Memorandum, 2010; Quad Knopf, 2013.

The product will be crated at the warehouse with about 50 percent shipped to southern California and 50 percent shipped to northern California, Oregon, and Washington. Pursuant to CEQA, the threshold for determining significance is based on regional thresholds established by the SJVAPCD for the SJVAB. These thresholds were developed to help the SJVAB reach attainment for criteria pollutants (see Section 2.2.4 for additional attainment plan information). Because the geographic basis for the analysis is the SJVAB, the trip length to the southern boundary of the basin and the northern boundary were used to develop a weighted trip length for shipping truck trips.

Table 3.3-10
Shipping Truck Trip Length

Air Basin Boundary	Distance	Percentage of Trips	Weighted Trip Length
~~Southern~~ Northern Boundary	222 miles	50	111
~~Northern~~ Southern Boundary	60 miles	50	30
Total	-	100	141

Source: Quad Knopf, 2013.

According to the data listed in Table 3.3-10, trips generated to the southern boundary of the state will account for the majority of miles traveled.

Emissions

The estimated annual construction emissions output of the project is provided in Table 3.3-11[1]. The estimated annual operational emissions output of the project is provided in Table 3.3-12. The project would have some overlapping construction and operational emissions in 2014, those emissions are shown in Table 3.3-13. The first full year of operation would occur in 2015; those emissions are shown in Table 3.3-14.

Table 3.3-11
Construction Emissions (Tons/Year)

Year	ROG	NO_x	CO	SO_2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total
2013	1.11	7.92	5.32	0.01	0.30	0.44	0.74	0.10	0.44	0.54
2014	1.81	3.57	2.79	0.01	0.07	0.24	0.31	0.00	0.24	0.24
SJVAPCD Threshold	10	10	N/A	N/A	*	*	15	*	*	15
Any Year Exceed Threshold?	No	No	N/A	N/A	*	*	No	*	*	No
Significant?	No	No	No	No	*	*	No	*	*	No

Source: Quad Knopf, 2013.
Note: Some defaults from the California Emissions Estimator Model, 2011 were applied. Note: * Significance is determined by the total PM10 and total PM2.5.

Table 3.3-12
2014 Operational Emissions (Tons/Year)

Source	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total
Area	0.42	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Employee Vehicles	0.07 ~~0.43~~	0.09 ~~0.59~~	0.57 ~~3.87~~	0.00 ~~0.01~~	0.09 ~~0.59~~	0.01 ~~0.03~~	0.09 ~~0.62~~	0.01 ~~0.03~~	0.01 ~~0.03~~	0.01 ~~0.05~~
Field Trucks	0.06 ~~0.18~~	0.73 ~~2.23~~	0.31 ~~0.95~~	0.00	0.04 ~~0.10~~	0.03 ~~0.07~~	0.06 ~~0.18~~	0.01	0.03 ~~0.07~~	0.03 ~~0.08~~
Shipping Trucks	0.37 ~~0.89~~	4.80 ~~11.59~~	1.73 ~~4.18~~	0.01 ~~0.02~~	0.26 ~~0.63~~	0.18 ~~0.42~~	0.44 ~~1.05~~	0.03 ~~0.07~~	0.18 ~~0.42~~	0.20 ~~0.49~~
Total	0.91 **~~1.91~~**	5.61 **~~14.41~~**	2.61 **~~9.00~~**	0.01 **~~0.02~~**	0.38 **~~1.32~~**	0.21 **~~0.52~~**	0.58 **~~1.84~~**	0.04 **~~0.10~~**	0.21 **~~0.52~~**	0.23 **~~0.62~~**
SJVAPCD Threshold	10	10	N/A	N/A	*	*	15	*	*	15
Exceed Threshold?	No	No **~~Yes~~**	N/A	N/A	*	*	No	*	*	No
Significant?	No	No **~~Yes~~**	No	No	*	*	No	*	*	No

Source: Quad Knopf, 2013.
Notes: * Significance is determined by the total PM10 and total PM2.5 Emission totals were divided by two to represent a half year of operations.

[1] The construction and operational emissions were derived using the CalEEMod.

Table 3.3-13
2014 Construction and Operational Emissions (Tons/Year)

Source	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total
2014 Construction	1.81	3.57	2.79	0.01	0.07	0.24	0.31	0.00	0.24	0.24
2014 Operational	0.91 ~~1.91~~	5.61 ~~14.41~~	2.61 ~~9.00~~	0.01 ~~0.02~~	0.38 ~~1.42~~	0.21 ~~0.52~~	0.58 ~~1.84~~	0.04 ~~0.10~~	0.21 ~~0.52~~	2014 Operational ~~0.62~~
Total	**2.72** ~~**3.72**~~	**9.18** ~~**17.98**~~	**5.40** ~~**11.79**~~	**0.0** **2**~~**0.03**~~	**0.45** ~~**1.49**~~	**0.45** ~~**0.76**~~	**0.89** ~~**2.15**~~	**0.04** ~~**0.10**~~	**0.45** ~~**0.76**~~	**Total** ~~**0.86**~~
SJVAPCD Threshold	10	10	N/A	N/A	*	*	15	*	*	15
Exceed Threshold?	No	**Yes**	No	No	*	*	No	*	*	No
Significant?	No	**Yes**	No	No	*	*	No	*	*	No

Source: Quad Knopf, 2013.
Note: Some defaults from the California Emissions Estimator Model, 2011 were applied.
Note: * Significance is determined by the total PM10 and total PM2.5 Operational emission totals were divided by two to represent a half year of operations.

Table 3.3-14
2015 Operational Emissions (Tons/Year)

Source	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total
Area Sources	0.83	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Employee Vehicles	0.12 ~~0.85~~	0.16 ~~1.18~~	1.04 ~~7.73~~	0.00 ~~0.01~~	0.17 ~~1.18~~	0.01 ~~0.05~~	0.18 ~~1.23~~	0.01 ~~0.05~~	0.01 ~~0.05~~	0.01 ~~0.10~~
Field Trucks	0.11 ~~0.36~~	1.30 ~~4.46~~	0.56 ~~1.90~~	0.00	0.07 ~~0.20~~	0.04 ~~0.14~~	0.11 ~~0.35~~	0.01 ~~0.02~~	0.04 ~~0.14~~	0.05 ~~0.16~~
Shipping Trucks	0.66 ~~1.77~~	8.39 ~~23.17~~	3.13 ~~8.36~~	0.01 ~~0.03~~	0.52 ~~1.26~~	0.31 ~~0.84~~	0.83 ~~2.10~~	0.05 ~~0.13~~	0.31 ~~0.84~~	0.36 ~~0.97~~
Total	**1.72** ~~**3.81**~~	**9.85** ~~**28.81**~~	**4.73** ~~**17.99**~~	**0.01** ~~**0.04**~~	**0.76** ~~**2.64**~~	**0.36** ~~**1.03**~~	**1.12** ~~**3.68**~~	**0.07** ~~**0.20**~~	**0.36** ~~**1.03**~~	**0.42** ~~**1.23**~~
SJVAPCD Threshold	10	10	N/A	N/A	*	*	15	*	*	15
Exceed Threshold?	No	**Yes**	N/A	N/A	*	*	No	*	*	No
Significant?	No	**Yes**	No	No	*	*	No	*	*	No

Source: Quad Knopf, 2013.
Note: Some defaults from the California Emissions Estimator Model, 2011 were applied.
Note: * Significance is determined by the total PM10 and total PM2.5.

As shown in the tables above, the combined construction and operational emissions would not exceed the ozone precursor threshold, which means the project would not contribute to a violation of the ozone standards PM standards; this is a ***less than significant impact***.

~~As shown in the tables above, while construction emissions alone would not exceed any SJVAPCD threshold, the combined construction and operational NOx emissions would exceed the ozone precursor threshold, which means the project may contribute to a violation of the ozone standards; this is a potentially significant impact.~~

The SJVAB is in attainment for the nitrogen dioxide ambient air quality standards. The national ambient air quality standard for 1 hour nitrogen dioxide is 0.100 ppm. As shown in Table 3.5-5, the highest 1 hour concentration of nitrogen dioxide is 0.058 ppm, which is below 0.100 ppm. The project emissions exceed the ozone precursor threshold of 10 tons per year. The ozone threshold was not set to determine exceedances of the nitrogen dioxide standard. Even though project emissions of NOx are relatively high, the emissions will be distributed throughout the state and will be dispersed. Rule 9510 will also reduce NOx emissions in the SJVAB. However, to be conservative and because there is no certain way to determine this impact on a regional basis, this impact is potentially significant and the project could contribute to an exceedance of the nitrogen dioxide standard.

The project would produce minimal emissions of sulfur oxides (SOx), primarily due to increased regulations for reducing SOx from fuel. As shown in Tables 3.3-11 through 3.3-13, SOx emissions range from 0.00 to 0.01 ton per year. As shown in Table 3.3-1, the highest background 24-hour concentration of sulfur dioxide is 0.005 ppm, substantially under the state ambient air quality standard of 0.04 ppm. The project emissions would not cause or contribute to an air quality standard violation for sulfur dioxide. This impact is ***less than significant***.

Other pollutants such as visibility reducing particles, lead, hydrogen sulfide, and vinyl chloride emissions would either not be emitted or would be at low levels. The project would emit CO during construction and operation. Operational emissions of CO are discussed in Impact # 3.3-3a. Construction emissions of CO are minimal and thus would not contribute to a violation of the CO ambient air quality standards. This impact is ***less than significant***.

As a condition of approval for the proposed project, pursuant to District Rule 9510 the SJVAPCD is requiring the applicant to submit an Indirect Source Review (ISR) – Air Impact Assessment (AIA) Application Form and payment of all applicable fees before grading/ building permit issuance.

Conclusion: The project would not exceed the SJVAPCD's regional thresholds with implementation of Mitigation Measure #3.3-2.

Mitigation Measure #3.3-2: In compliance with District Rule 9510, prior to issuance of the first grading/ building permit the applicant shall submit an Indirect Source Review (ISR) – Air Impact Assessment (AIA) Application Form including payment of all applicable fees.

Effectiveness of Mitigation: With incorporation of Mitigation Measure #3.3-2, impacts would be considered by the SJVAPCD to be ***less than significant***.

~~The shipping trucks, which the applicant does not have any control over, generate the majority of the NOx emissions. Accordingly there is no feasible mitigation that can be applied by the project applicant that would reduce this impact to a less-than-significant level.~~

~~The project would produce minimal emissions of SOx, primarily due to increased regulations for reducing SOx from fuel. As shown in Tables 3.3-11 through 3.3-14, SOx emissions range from 0.01 to 0.04 ton per year. As shown in Table 3.3-5, the highest background 24-hour~~

concentration of sulfur dioxide is 0.005 ppm, substantially under the State ambient air quality standard of 0.04 ppm. The project emissions would not cause or contribute to an air quality standard violation for sulfur dioxide. This impact is ***less than significant***.

Other pollutants such as visibility reducing particles, lead, hydrogen sulfide, and vinyl chloride emissions would either not be emitted or would be at low levels. The project would emit CO during construction and operation. Operational emissions of CO are discussed in Impact 3.3-1. Construction emissions of CO are minimal and thus would not contribute to a violation of the CO ambient air quality standards. This impact is ***less than significant***.

Modeling results listed for PM10 in Table 3.3-11 do not exceed the SJVAPCD's thresholds of significance. However, because the proposed project includes a warehouse it is required to comply with the SJVAPCD's Regulation VIII. This includes submitting a dust control plan, implementing reduction measures to limit fugitive dust, maintaining trackout/carryout controls, and other requirements as determined by the SJVAPCD during construction. During operation of the proposed project, reduction measures for fugitive dust emissions must continue to be implemented, stabilized surfaces must be maintained (i.e., chemical suppressant, gravel, or paving), and other requirements may apply as determined by the SJVAPCD. "The purpose of Regulation VIII is to reduce the amount of PM-10 entrained into the atmosphere as a result of emissions generated from anthropogenic (man-made) fugitive dust sources. Compliance with Regulation VIII does not constitute mitigation because it is already required by law".

Conclusion: The project would exceed the SJVAPCD's regional thresholds during construction and operation for NOx; therefore, this would be considered a potentially significant impact. The project may contribute to a violation of ozone standards and nitrogen dioxide standards; this would be considered a potentially significant impact. There are no feasible mitigation measures that can be applied to the project to reduce the impact to a less-than-significant level; accordingly, this impact would be ***significant and unavoidable***.

Mitigation Measures: No feasible and effective mitigation measures are available.

Impact #3.3-3a – Violate any air quality standard or contribute substantially to an existing or projected air quality violation associated with carbon monoxide hotspots.

Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. The SJVAPCD provides screening criteria to determine when to quantify local CO concentrations based on impacts to the LOS of roadways in the project vicinity.

The Traffic Impact Study prepared by KD Anderson & Associates, Inc. did not identify any streets or intersections where the LOS would be reduced to LOS E or F, nor are there any existing LOS F streets or intersections in the project vicinity that would be worsened by the project. Therefore, the proposed project would not significantly contribute to an exceedance that will exceed State or federal CO standards.

Conclusion: The proposed project would not cause a CO violation; this impact would be ***less than significant***.

Mitigation Measures: None are required.

Impact #3.3-3b – Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable national or State ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).

The Air Basin is in nonattainment for ozone, PM10, and PM2.5. Each pollutant is addressed individually in the following analysis.

Ozone

As discussed in Impact 3.3-2, the project emissions emitted within the Air Basin would exceed not the significance thresholds for NOx, ROG, PM10, or PM2.5. Therefore, project emissions would not cumulatively combine with other sources in the Air Basin and cause a future violation of the ozone standards. This is a ***less than significant impact***. As such, there would not be health effects from ozone from cumulative exposure of the pollutants.

~~As discussed in Impact 3.3-2, the project emissions emitted within the SJVAB would exceed the significance thresholds NOx. Therefore, project emissions could cumulatively combine with other sources in the SJVAB and could cause a future violation of the ozone standards. This is a ***potentially significant*** impact. As such, there could be health effects from ozone from cumulative exposure of the pollutants. Health impacts may or may not include the following: (a) pulmonary function decrements and localized lung edema in humans and animals, (b) risk to public health implied by alterations in pulmonary morphology and host defense in animals, (c) increased mortality risk, (d) and/or risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans.~~

Particulate Matter

As discussed in Impact 3.3-2, emissions during operation would not exceed the PM10 or PM2.5 significance threshold. In addition, the project will have to comply with Regulation VIII which will require a dust plan, reduction measures, and other requirements for reducing PM10 as determined by the SJVAPCD. This would be a ***less-than-significant*** impact. As such, there would not be cumulative exposure from the PM10 and PM2.5 pollutants.

Air Quality Plan

Section 15130(b) of the CEQA Guidelines states the following:

The following elements are necessary to an adequate discussion of significant cumulative impacts: 1) Either: (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or (B) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or areawide conditions contributing to the cumulative impact.

In accordance with CEQA Guidelines 15130(b), this analysis of cumulative impacts is based on a summary of projections analysis. This analysis considers the current CEQA Guidelines, which includes the recent amendments approved by the Natural Resources Agency and effective on March 18, 2010. Under the amended CEQA Guidelines, cumulative impacts may be analyzed using other plans that evaluate relevant cumulative effects. The air quality attainment plans describe and evaluate the future projected emissions sources in the Air Basin and sets forth a strategy to meet both state and federal Clean Air Act planning requirements and federal ambient air quality standards. Therefore, the plans are relevant plans for a CEQA cumulative impacts analysis. As discussed in Impact 3.3-3, the proposed project is consistent with the air quality attainment plans. Therefore, this is a ***less than significant impact***.

Conclusion: Impacts would be less than significant.

Mitigation Measures: None are required.

~~The following elements are necessary to an adequate discussion of significant cumulative impacts: 1) Either: (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or (B) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact.~~

~~In accordance with CEQA Guidelines 15130(b), this analysis of cumulative impacts is based on a summary of projections analysis. This analysis considers the current CEQA Guidelines, which includes the recent amendments approved by the Natural Resources Agency and effective on March 18, 2010. Under the amended CEQA Guidelines, cumulative impacts may be analyzed using other plans that evaluate relevant cumulative effects. The AQAP describe and evaluate the future projected emissions sources in the SJVAB and sets forth a strategy to meet both State and federal Clean Air Act planning requirements and federal ambient air quality standards. Therefore, the plans are relevant plans for a CEQA cumulative impacts analysis. As discussed in Impact 3.3-3, the proposed project is not consistent with the AQAP. Therefore, this is a ***potentially significant*** impact.~~

~~**Conclusion:** There are no feasible mitigation measures that can be applied to the project to reduce the impact to a less-than-significant level; accordingly, this impact would be ***significant and unavoidable***.~~

~~**Mitigation Measures**: No feasible and effective mitigation measures are available.~~

Impact #3.3-4 – Expose sensitive receptors to substantial pollutant concentrations.

Construction: Toxic Air Contaminants

Health-related risks associated with diesel exhaust emissions are primarily associated with long-term exposure and associated risk of contracting cancer. The estimation of cancer risk associated with exposure to toxic air contaminants is typically calculated based on a 70-year period of exposure. The use of diesel-powered construction equipment for the project, however, would be temporary (approximately one year in duration) and episodic and would occur over a relatively large area. For this reason, diesel-exhaust generated by construction, in and of itself, would not be expected to create conditions where the probability of contracting cancer over a 70-year lifetime of exposure is greater than 10 in 1 million for nearby receptors.

Operation: Toxic Air Contaminants

The ARB Air Quality and Land Use Handbook contains recommendations that will "help keep California's children and other vulnerable populations out of harm's way with respect to nearby sources of air pollution" (California Air Resources Board, 2005), including recommendations for

distances between sensitive receptors and certain land uses. These recommendations are assessed as follows:

Heavily traveled roads: The ARB recommends avoiding new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day. Epidemiological studies indicate that the distance from the roadway and truck traffic densities were key factors in the correlation of health effects, particularly in children. Roads assessed in the traffic study do not exceed a volume of 100,000 vehicles per day.

Distribution centers: the ARB also recommends avoiding siting new sensitive land uses within 1,000 feet of a distribution center. There are no distribution centers within the vicinity of the project site.

Fueling stations: the ARB recommends avoiding new sensitive land uses within 300 feet of a large fueling station (a facility with a throughput of 3.6 million gallons per year or greater). A 50-foot separation is recommended for typical gas dispensing facilities. The proposed project does not include a fueling station.

Dry cleaning operations: the ARB recommends avoiding siting new sensitive land uses within 300 feet of any dry cleaning operation that uses perchloroethylene. For operations with two or more machines, ARB recommends a buffer of 500 feet. For operations with three or more machines, ARB recommends consultation with the local air district. The proposed project does not include dry cleaning operations.

The project would include warehouse uses (approximately 180,000 square feet) that would have field trucks and shipping trucks that generate diesel particulate matter (DPM), a toxic air contaminant. As discussed in the Air Quality and Greenhouse Gas Report (Appendix B) that was prepared for this EIR, the applicant provided information on the number of field trucks and shipping trucks that would access the facilities. There would be a total of 52 shipping truck trips per day and 72 field truck trips per day. The SJVAPCD has a screening tool to determine if project impacts exceed the SJVAPCD threshold of 10 in one million probability of contracting cancer for the MEI. The screening tool requires information on the anticipated number of HDDT servicing the project site. The following assumptions were included in the modeling which was calculated by the SJVAPCD:

- 75 Field Truck trips per day, 6 days per week, 52 weeks per year = 23,400 trips/year;
- 52 Shipping Truck Trips per day, 6 days per week, 52 weeks per year = 16,224 trips/year; and
- Idling time of 2 hours for 50% of the shipping trucks.~~15 minutes.~~

~~Table 3.3-15 provides an estimate of the cancer risks to the MEI, who are the residential receptors located east of the northern boundary of the project site. As shown in the table,~~ According to the SJVAPCD, the proposed project would not exceed the ~~SJVAPCD~~ District's threshold of 10 in one million; therefore, the project would not expose sensitive receptors to substantial concentrations of DPM. Impacts would be ***less than significant***.

~~**Table 3.3-15**~~
~~**2015 Cancer Risks**~~

~~Project Year~~	~~Locations~~	~~Cancer Risk (Risk per Million)~~	~~Significance Threshold (Risk per Million)~~
~~2014~~	~~Maximum Exposed Residential Receptor~~	~~5.9~~	~~10~~

~~Source: Quad Knopf, 2013.~~
~~Note: See output file in Appendix B. Project impacts were analyzed using 2014 emission factors to provide a worst-case scenario of potential impacts.~~

Conclusion: Impacts would be ***less than significant***.

Mitigation Measures: No mitigation is necessary.

Impact #3.3-5 – Create objectionable odors affecting a substantial number of people.

If the proposed project were to result in a sensitive odor receptor being located in the vicinity of an undesirable odor generator, the impact would be considered significant. The SJVAPCD regulates odor sources through its nuisance rule, Rule 4102, but has no quantitative standards for odors. The SJVAPCD presents a list of project screening trigger levels for potential odor sources in its GAMAQI, which is displayed in Table 3.3-16. If the project were to result in sensitive receptors being located closer to an odor generator in the list in Table 3.3-16 than the recommended distances, a more detailed analysis including a review of SJVAPCD odor complaint records is recommended.

Table 3.3-16
Screening Levels for Potential Odor Sources

Odor Generator	Distance (Miles)
Wastewater Treatment Facilities	2
Sanitary Landfill	1
Transfer Station	1
Composting Facility	1
Petroleum Refinery	2
Asphalt Batch Plant	1
Chemical Manufacturing	1
Fiberglass Manufacturing	1
Painting/Coating Operations (e.g., auto body shop)	1
Food Processing Facility	1
Feed Lot/Dairy	1
Rendering Plant	1

Source: San Joaquin Valley Air Pollution Control District, 2002.

Odors from the Project

The proposed project would allow for the development of warehouse uses within the approximate 61.7 acre project area. This land use is not considered a source of objectionable odors. This impact would be ***less than significant.***

During construction, the various diesel-powered vehicles and equipment in use onsite would create localized odors. These odors would be temporary and would not likely be noticeable for extended periods of time beyond the project's site boundaries. The potential for diesel odor impacts would be ***less than significant***.

Odors from Surrounding Land Uses

The project site is not located within the Project Screening Levels distances from the common odor producing facilities presented in Table 3.3-16. This impact would be ***less than significant***.

Conclusion: The impact would be ***less than significant.***

Mitigation Measures: No mitigation measures are required.

Impact # 3.3-6 – Violate any air quality standard or contribute substantially to an existing or projected air quality violation associated with carbon monoxide hotspots.

This impact will evaluate the proposed project's potential to violate any air quality standard or contribute substantially to an existing or projected air quality violation as a result of the creation of carbon monoxide (CO) hot spots. Localized high levels of CO are associated with traffic congestion and idling or slow moving vehicles. The SJVAPCD provides screening criteria to determine when to quantify local CO concentrations based on impacts to the level of service (LOS) of roadways in the project vicinity. The Traffic Impact Study prepared by KD Anderson & Associates, Inc. did not identify any streets or intersections where the Level of Service (LOS) would be reduced to LOS E or F nor are there any existing LOS F streets or intersections in the project vicinity that would be worsened by the project. Therefore, the proposed project would not significantly contribute to an exceedance that will exceed State or federal CO standards.

Conclusion: The proposed project would not cause a CO violation; this impact would be ***less than significant***.

Mitigation Measures: None are required.

Disease Name	Description	Prevention
	Symptoms include chills, fever, malaise, headache and muscle pain. A rash can develop along with painful joints, abscesses, endocarditis, pneumonia, hepatitis pyelonephritis, and enteritis.	
Campylobacter	*Campylobacter* species can be found in pet and laboratory animal species. Transmission to humans is by the fecal-oral route and can produce an acute enteritis. Symptoms include diarrhea abdominal pain, fever, nausea, and vomiting.	*Prevention:* Use of personnel protective clothing, good personal hygiene, and sanitation measures will help to prevent the transmission of the disease.

Source: Centers for Disease Control and Prevention, 2011.

In a report released on June 27, 2013 by the Department of Pesticide Regulation (DPR), the California Department of Fish and Wildlife (CDFW) requested that the DPR designate all second generation anticoagulant rodenticides as restricted materials due to secondary poisoning of wildlife (Department of Pesticide Regulation 2013). To reduce impacts to surrounding wildlife, mitigation shall be applied to the proposed project which will require the owner to hire a biologist to complete a Pest Management Plan. The plan shall make recommendations for addressing both pest-birds and rodents.

In addition to mitigation, the proposed project would also be required to comply with the California Health and Safety Code, California Retail Food Code, Part 7. California Retail Food Code, Effective January 1, 2014~~2012~~. The code requires certain safety, building, and food handling predicts. Section 113947.1 will require the owner to become certified as follows:

a. Food facilities that prepare, handle, or serve non-prepackaged potentially hazardous food, except temporary food facilities, shall have an owner or employee who has successfully passed an approved and accredited food safety certification examination as specified in Sections 113947.2 and 113947.3. There shall be at least one food safety certified owner or employee at each food facility. No certified person at a food facility may serve at any other food facility as the person required to be certified pursuant to this subdivision. The certified owner or employee need not be present at the food facility during all hours of operation.

b. Food facilities that are not subject to the requirements of subdivision (a) that prepare, handle, or serve non-prepackaged, non-potentially hazardous foods, except temporary food facilities, shall do one of the following:

    1. Have an owner or employee who has successfully passed an approved and accredited food safety certification examination as specified in Sections 113947.2 and 113947.3.

    2. Demonstrate to the enforcement officer that the employees have an adequate knowledge of food safety principles as they relate to the specific operation involved in their assigned duties.

East Tuolumne Master Plan - Northeast quadrant of Turlock	100	3,000 potential		Tentative map extended to 2016.
Morgan Ranch - Southwest quadrant of Turlock		2,055	120,000	Master plan being prepared.
Dust Bowl – Fulkerth Rd. at Dianne Rd.			55,000	Potential brewery and warehouse.
Countryside Housing Project – Countryside Dr. at W. Tuolumne Rd.	15	105 potential		Potential residential development with a small commercial parcel.
Totals		6,251	1,153,182	

Source: City of Turlock, 2013

As shown in Table 5.2-1, over 1.1 million square feet of industrial and retail commercial development and over 6,000 dwelling units are expected to be constructed in Turlock, based on currently available data.

5.3 Cumulative Impacts Analysis

5.3.1 AESTHETICS

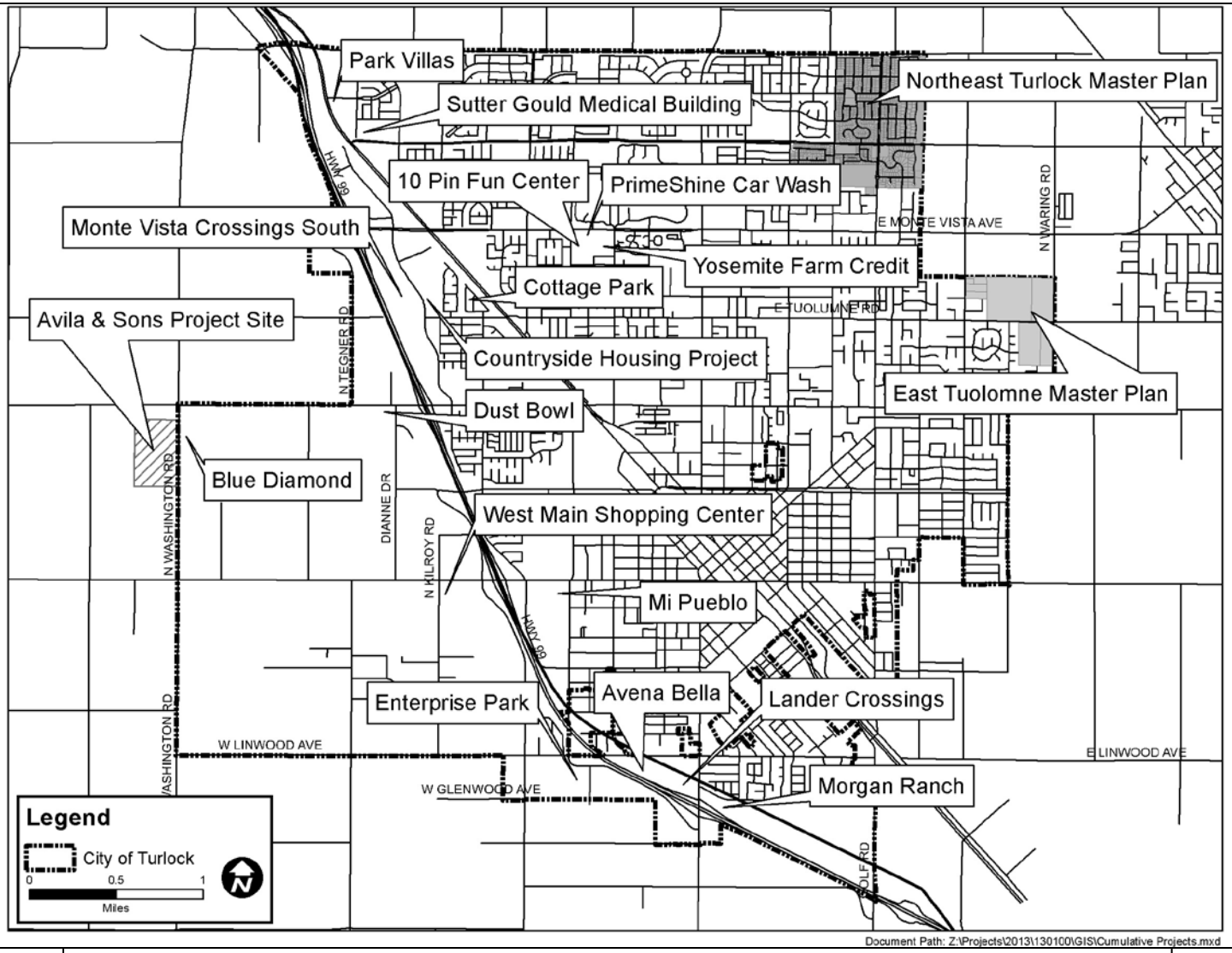
As seen in Table 5.1-1 (Chapter Five) a total of 18 proposed or accepted projects are expected to be constructed in the city of Turlock, which, with its immediate environs, is the area of geographical visual analysis for cumulative impacts.

When combined with proposed or accepted projects in Turlock, the project stands out as the only agricultural development on agricultural land. While the project includes improved street-side landscaping and the construction of a warehouse that could be aesthetically pleasing to many, these changes introduce a new source of light and glare that contribute to cumulative impacts in the area. However, with implementation of mitigation measures, these potentially significant impacts would be reduced to less than significant. Given the project's incremental contribution to cumulative impacts on aesthetics and visual resources the cumulative impact is ***less than cumulatively considerable***.

5.3.2 AGRICULTURAL RESOURCES

The proposed project is considered an agricultural use under the County's General Plan, as well as under the Williamson Act, and therefore, activities associated with the project would not result in the conversion of agricultural lands to a non-agricultural use.

The farmland map shown in Figure 3.2-1 in Chapter 3 identifies the project site and all surrounding land as "Farmland" by the State, with the majority of the sites designated as "Prime" farmland, and a smaller percentage designated "Farmland of Statewide Importance" or "Unique Farmland." This figure does not reflect recent changes to land use, including lands to the east



Quad Knopf

CUMULATIVE PROJECTS
AVILA & SONS WASHINGTON ROAD WAREHOUSE

Figure
5.2 - 1

which are within the City of Turlock. This area is within the City's Westside Industrial Specific Plan (WISP), and includes the Blue Diamond Almond processing facility directly east of the Project. Under the terms of the WISP, "agricultural activity will be allowed to continue on lands designated for urban use, until urban development is imminent." The City has incorporated mitigation measures in the WISP to ensure that farmland is not prematurely converted to other uses; however, lands within the WISP will eventually be developed, primarily for industrial purposes.

Inasmuch as the proposed project is a compatible use within the agricultural land use designation and will not result in the loss of agricultural land, the cumulative impact is ***less than cumulatively considerable***.

5.3.3 AIR QUALITY

The air quality analysis determined that air quality impacts associated with vehicle trips would be significant and unavoidable and that no feasible mitigation measures are available ~~could be applied to the proposed project~~ to fully reduce the impact to a less-than-significant level. As mentioned before, the SJVAB is in non-compliance with federal and State standards for ozone and PM10. It was concluded that the project will obstruct implementation of the SJVAPCD's plans, as well as violate both federal and State standards for ozone and PM10, and result in a cumulatively considerable net increase of pollutants. In connection with the air quality effects of past projects, other current projects, and probable future projects in Stanislaus County, the project contribution to air quality impacts is considered ***cumulatively considerable***. However, several features have been modified, or mitigation measures have been recommended which the proponent has agreed to, to lessen these impacts. This includes a voluntary trip reduction program that will reduce both air quality and greenhouse gas impacts, not allowing truck engines to idle while parked, incorporation of landscape plantings, watering for dust control during construction, and, in order to reduce dust, paved parking areas and accessways that were previously to have remained unpaved. These are listed in the Mitigation Monitoring and Reporting Program to assure their implementation.

5.3.4 BIOLOGICAL RESOURCES

This analysis of cumulative effects on biological resources considered other development projects within Turlock. Development projects result in land use changes that are typically associated with effects including, but not limited to, habitat loss, ground disturbance, and noise. These effects can negatively impact sensitive biological resources.

All of the projects listed in Table 5.1-1 that are proposed within Turlock collectively encompass approximately 468.53 acres. The proposed project is the only agricultural project identified. It represents approximately 13% of the proposed development area within the city.

No special-status wildlife species were observed on the project site during a reconnaissance-level survey, and none are likely to be present due to the intensive agricultural production that currently characterizes the project site and the surrounding lands. Although some special-status species could potentially occur on the project site as transients, direct and indirect project impacts would be precluded by implementing standard avoidance and minimization measures

that are recommended as mitigation. Given the low quality habitat that exists on the project site, the project will not result in a significant loss of habitat. Approximately ~~27~~ 14.5 acres of impervious surfaces will be created, but the majority of the site will remain in agricultural production.

Proposed developments represent approximately 4% of Turlock's 10,834 acres. Of these proposed developments, the proposed project represents approximately 0.57% of the city; the project-level contribution to habitat loss is negligible. When combined with impacts from other past, present and reasonably foreseeable future development projects within the city the loss and/or fragmentation of plant and wildlife habitat ~~is~~ may be ***cumulatively considerable***. While there is no obligation under CEQA to address impacts to non-listed wildlife in general, mitigation is proposed to reduce the cumulative impact, in the form of nest boxes, and is listed in the Mitigation Monitoring and Reporting Program.

5.3.5 CULTURAL RESOURCES

The proposed project would include grading and other short-term and long-term activities. Agricultural related ground disturbances have historically occurred at the proposed project site and are occurring presently. As a result, it is unlikely that cultural resources would be discovered aboveground. However, anything buried under the ground could be discovered during earthmoving activities. Due to the non-renewable nature and numerous locations of cultural resources, any loss would be considered a cumulative impact. To reduce such a loss, a standard migration measure has been incorporated into the proposed project. As a result, the project would not have a ***less than cumulatively considerable*** impact on cultural resources.

5.3.6 GEOLOGY AND SOILS

Cumulative impacts related to geology and soils would be site specific. All proposed structures will be constructed in accordance with building code requirements. The effect of this project is not of a nature to cause impacts on geologic or soils resources beyond the project site Cumulative impacts could occur in a seismic event if a potential hazard, such as a power plant or a dam, were located near a populated area and failed as a result of ground shaking. However, no such facilities exist or are planned within the development area where the proposed project activities are located. As a result, the project would not have a ***less than cumulatively considerable*** impact on geology and soils.

5.3.7 GREENHOUSE GASES

The greenhouse gas analysis in this EIR determined that project-related trips from the project would result in significant and unavoidable impacts associated with greenhouse gas emissions and that no feasible mitigation measures could be applied to the proposed project to reduce the impact to a less-than-significant level. As mentioned in the greenhouse gas analysis, the proposed project would not meet the State's 29% target reduction for GHG emissions by 2020.
An individual project cannot generate enough greenhouse gas emissions to significantly influence global climate change. Consequently, any project contributes to this potential impact through its incremental contribution, combined with cumulative contributions of greenhouse gases from other projects. Therefore, as proposed, the project would result in a cumulatively

CHAPTER SIX – OTHER CEQA REQUIREMENTS

6.1 Significant Unavoidable Environmental Effects

The CEQA Guidelines, Section 15126.2(b), requires a description of any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, not withstanding their effect, should be described. The project was evaluated with respect to specific resource areas to determine whether implementation would result in significant adverse impacts.

The potentially significant environmental impacts that would result from implementation of the proposed project are summarized in Table ES-1 in the Executive Summary of this Draft EIR. In some cases, impacts that have been identified would be less than significant. In other instances, incorporation of the mitigation measures proposed in this Draft EIR would reduce the impacts to levels that are less than significant. Although the proposed project contains policies and guidelines that mitigate certain impacts, no mitigation measures have been identified to reduce the following impacts to a less-than-significant level. Those impacts that cannot feasibly be mitigated to a less-than-significant level, or for which no mitigation measures are available, would remain as significant unavoidable adverse impacts, as described below.

~~6.1.1 AIR QUALITY~~

~~**Impact 3.3-1 – Conflict with or obstruct implementation of any applicable air quality plan.** The proposed project may conflict or obstruct implementation of the applicable AQAP. Impacts would be *potentially significant*. There are no feasible mitigation measures that can be applied to the project to reduce the impact to a less-than-significant level; accordingly, this impact would be ***significant and unavoidable*****.**~~

~~**Impact 3.3-2 – Violate any air quality standard or contribute substantially to an existing or projected air quality violation.** The project would exceed the SJVAPCD's regional thresholds during construction and operation for NOx; therefore, this would be considered a potentially significant impact. The project may contribute to a violation of ozone standards and nitrogen dioxide standards; this would be considered a potentially significant impact. There are no feasible mitigation measures that can be applied to the project to reduce the impact to a less-than-significant level; accordingly, this impact would be ***significant and unavoidable***.~~

~~**Impact 3.3-3b – Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable national or State ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).** There are no feasible mitigation measures that can be applied to the project to reduce the impact to a less-than-significant level; accordingly, this impact would be ***significant and unavoidable***.~~

Environmental Issues	Initial Study Determination
Impact 3.2-5 – Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	Less than Significant
Air Quality	
Impact 3.3-3a – Violate any air quality standard or contribute substantially to an existing or projected air quality violation associated with carbon monoxide hotspots.	~~No Impact~~ Less Than Significant
Impact 3.3-4 – Expose sensitive receptors to substantial pollutant concentrations.	Less Than Significant
Impact 3.3-5 – Create objectionable odors affecting a substantial number of people.	Less Than Significant
Impact # 3.3-6 – Violate any air quality standard or contribute substantially to an existing or projected air quality violation associated with carbon monoxide hotspots.	Less Than Significant
Biological Resources	
Impact 3.4-2 – Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	Less Than Significant
Impact 3.4-3 – Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	No Impact
Impact 3.4-5 – Interfere substantially with the movement of any native resident or migratory	No Impact

Environmental Issues	Initial Study Determination
fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	