

Notice of Determination

Appendix D

To:
[ ] Office of Planning and Research
U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113 Sacramento, CA 95814
[X] County Clerk
County of: Stanislaus
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From:
Public Agency: City of Patterson
Address: PO Box 667 Patterson, CA 95363
Contact: Joel Andrews, City Planner
Phone: 209-895-8020
Lead Agency (if different from above):
Address:
Contact:
Phone:

STANISLAUS CO. CLERK-RECORDED
20 DEC -3 PM 2:56
FILED
Joelynn Rodriguez

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2001022031

Project Title: Baldwin Ranch North Master Plan

Project Applicant: Baldwin Ranch Development Company, LLC

Project Location (include county): Sperry Avenue/Park Center Drive, Patterson, Stanislaus

Project Description:

The proposed project consists of the development of 445 single-family residential lots on 98.5 acres and up to 300,000 square feet of commercial uses on 32.9 acres. Four parks totaling 7.2 acres would be located in the residential portion of the project. An internal roadway network that would connect to Sperry Avenue and Baldwin Road would be developed. The City of Patterson processed an Addendum to the West Patterson Projects EIR. No new or more severe impacts were identified.

This is to advise that the City of Patterson has approved the above (X Lead Agency or [ ] Responsible Agency)

described project on 11-17-20 and has made the following determinations regarding the above described project.

- 1. The project [ ] will [X] will not have a significant effect on the environment.
2. [ ] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[ ] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [ ] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [ ] was not adopted for this project.
5. A statement of Overriding Considerations [ ] was [X] was not adopted for this project.
6. Findings [X] were [ ] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Patterson City Hall, 1 Plaza Circle, Patterson, CA 95363

Signature (Public Agency): [Signature] Title: City Planner

Date: 12-3-20 Date Received for filing at OPR:

# West Patterson Master Development Plan

## Summary

**SCH Number** 2001022031  
**Lead Agency** Patterson, City of (*City of Patterson*)  
**Document Title** West Patterson Master Development Plan  
**Document Type** NOD - Notice of Determination  
**Received** 1/13/2003  
**Posted** 1/13/2003  
**Present Land Use** Agricultural / Agricultural, Planned Industrial, Industrial, Medical-Professional Office, Highway Service Commercial, Public-Quasi Public, Low Density Residential

**Document Description**

1. Adoption of the City of Patterson Master Services Element;
2. Adoption of the West Patterson Business Park Master Development Plan, approval of a general plan amendment, sphere of influence amendment, an out-of-boundary service extension, and authorization of an application to the Stanislaus Local Agency Formation Commission;
3. Approval of a recommendation to the County regarding a preliminary/ final development plan, a vesting tentative subdivision map, and approval of an out-of-boundary service extension for the Keystone Pacific Business Park;
4. Approval of Addendum No. 1 to Development cooperation Agreement (West Patterson Business Park Master Development Plan) by and between the County of Stanislaus and the City of Patterson;
5. Approval of a general plan amendment, an amendment of the Bicycle Transportation Master Plan, preliminary/ final development plan and a vesting tentative subdivision map for the Patterson Gardens project; and
6. Approval of an authorization of an application to the Stanislaus County Local Agency Formation Commission for a reorganization of the 305-acre Patterson Gardens site.

**Contact Information** Barbara Sahm  
City of Patterson  
33 South Del Puerto Avenue  
Patterson, CA 95363  
Phone : (415) 536-2883

## Location

**Cities**

**Counties**

**Cross Streets** Rogers Road, Baldwin Road, Sperry Avenue, Ward Avenue and Interstate 5

**Total Acres** 1127

**Parcel #** 021-23-10; 021-26-01, 03 to 07, 11, 15, 17, 18, 24 to 26, 30 & 31, and 021-27-02, 11 to 13

**State Highways** I-5, SR-33

**Airports** Patterson Airport

**Waterways** San Joaquin River, Delta Mendota Canal, California Aqueduct

## Notice of Determination

**Approving Agency** City of Patterson  
**Approving Agency Role** Lead Agency  
**Approved On** 1/9/2003

**Final Environmental Document Available at**

City of Patterson Planning Department, 33 S. Del Puerto, Patterson, California

## Determinations

**(1) The project will have a significant impact on the environment**

Yes

**(2a) An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA**

Yes

**(2b) A Mitigated or a Negative Declaration was prepared for this project pursuant to the provisions of CEQA**

No

**(2c) An other document type was prepared for this project pursuant to the provisions of CEQA**

No

**(3) Mitigated measures were made a condition of the approval of the project**

Yes

**(4) A mitigation reporting or monitoring plan was adopted for this project**

N/A

**(5) A Statement of Overriding Considerations was adopted for this project**

Yes

**(6) Findings were made pursuant to the provisions of CEQA**

Yes

**Disclaimer:** The document was originally posted before CEQAnet had the capability to host attachments for the public. To obtain the original attachments for this document, please contact the lead agency at the contact information listed above. You may also contact the OPR via email at [state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov) or via phone at (916) 445-0613.

**FINAL**  
**Initial Study/Addendum**  
**Baldwin Ranch North Project**  
**City of Patterson, Stanislaus County, California**

Prepared for:  
**City of Patterson**  
Community Development Department  
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Date: October 28, 2020

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## SECTION 1: INTRODUCTION

This Addendum, checklist, and attached supporting documents have been prepared to determine whether and to what extent the West Patterson Projects Environmental Impact Report (prior EIR) (State Clearinghouse [SCH] No. 2001022031) prepared for the City of Patterson remains sufficient to address the potential impacts of the proposed Baldwin Ranch North Project (proposed project), or whether additional documentation is required under the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] § 21000, *et seq.*).

### 1.1 - Initial Study/Environmental Checklist

Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164, subd. (a), the attached initial study/checklist has been prepared to evaluate the proposed project. The attached initial study/checklist uses the standard environmental checklist categories provided in the 2019 Appendix G of the CEQA Guidelines, but provides answer columns for evaluation consistent with the considerations listed under CEQA Guidelines Section 15162, subd. (a).

### 1.2 - Environmental Analysis and Conclusions

CEQA Guidelines Section 15164, subd. (a) provides that the lead agency or a responsible agency shall prepare an Addendum to a previously certified Environmental Impact Report or Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR or Negative Declaration (ND) have occurred (CEQA Guidelines § 15164, subd. (a)).

An Addendum need not be circulated for public review but can be included in or attached to the Final EIR or ND (CEQA Guidelines § 15164, subd. (c)). The decision-making body shall consider the Addendum with the Final EIR and Mitigated Negative Declaration (MND) prior to making a decision on the project (CEQA Guidelines § 15164, subd. (d)). An agency must also include a brief explanation of the decision not to prepare a subsequent EIR or ND pursuant to Section 15162 (CEQA Guidelines § 15164, subd. (e)).

Consequently, once an EIR or ND has been certified for a project, no subsequent EIR or ND is required under CEQA unless, based on substantial evidence:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or ND . . . due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;<sup>1</sup>
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or ND . . . due to the

<sup>1</sup> CEQA Guidelines Section 15382 defines “significant effect on the environment” as “. . . a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance . . .” (see also PRC § 21068).



involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the ND was adopted. . . shows any of the following:
  - a) The project will have one or more significant effects not discussed in the previous EIR or ND or negative declaration;
  - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR or ND;
  - c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or ND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative (CEQA Guidelines § 15162, subd. (a); see also PRC § 21166).

This Addendum evaluates the Baldwin Ranch North Project (proposed project) as currently proposed in light of the conclusions of the West Patterson Projects EIR (prior EIR). This Addendum, checklist, and attached documents constitute substantial evidence supporting the conclusion that preparation of a supplemental or subsequent EIR or ND is not required prior to approval of the above-referenced permits by responsible and trustee agencies, and provides the required documentation under CEQA.

### **1.2.1 - Findings**

There are no substantial changes proposed by the project or in the circumstances in which the proposed project will be undertaken that require major revisions of the prior EIR. The proposed revisions do not require preparation of a new subsequent or supplemental EIR or MND, due to either the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. As illustrated herein, the proposed project is consistent with the prior EIR and would involve only minor changes; therefore, an Addendum is appropriate CEQA compliance for the project.

### **1.2.2 - Conclusions**

The City of Patterson may approve the proposed project based on this Addendum. The impacts of the proposed project remain within the impacts previously analyzed in the prior EIR (CEQA Guidelines § 15164).

### **1.3 - Mitigation Monitoring and Reporting Program**

As required by Public Resources Code Section 21081.6, subd. (a)(1), a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the proposed project in order to monitor the implementation of the mitigation measures that have been adopted for the project. Any long-term monitoring of mitigation measures imposed on the overall development will be implemented through the MMRP.

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## SECTION 2: PROJECT DESCRIPTION

### 2.1 - Location and Setting

#### 2.1.1 - Location

The 131.4-acre project site is located in the City of Patterson, in Stanislaus County, California (Exhibit 1). The project site is bounded by undeveloped land and the Delta-Mendota Canal (west); Sperry Avenue, California Department of Forestry and Fire Protection (CAL FIRE) Station 15 (Del Puerto), a California Department of Transportation (Caltrans) maintenance facility, and an entitled but unbuilt shopping center known as 'Palms Plaza' (north); Baldwin Road (east); and the Delta-Mendota Canal and Tank Road (south); (Exhibit 2). The project site is located on the *Patterson, California* 7.5-minute United States Geological Survey (USGS) Topographic Map, Township 5 South, Range 7 East, Section 35 (Latitude 37° 27' 49" North; Longitude 121° 9' 39" West).

### 2.2 - Existing Conditions

#### 2.2.1 - Environmental Setting

The project site contains agricultural land use activities (row crops) and a cluster of residential and agricultural structures. The project site contains flat relief. A drainage ditch parallels the west side of Baldwin Road then turns to the northwest towards Sperry Avenue. An unpaved road that extends north-south demarcates the boundary with the property to the west.

The center of the project site contains an approximately 2.5-acre cluster of residential and agricultural structures. At least six buildings are present including a primary residence. Additionally, outdoor storage of equipment, vehicles, and materials occurs within this area. This cluster of buildings is accessed from an unpaved road that connects to Sperry Avenue.

The project frontages with Sperry Avenue and Baldwin Road are unimproved. The project site adjoins the existing Sperry Avenue/Park Center Drive intersection, which is signalized. Exhibit 3 provides photographs of the project site.

#### 2.2.2 - General Plan and Zoning

The project site is designated 'Light Industrial' by the City of Patterson General Plan and zoned 'West Patterson Business Park' by the Patterson Zoning Ordinance.

### 2.3 - Project Background

#### 2.3.1 - West Patterson Projects

In 1999, Stanislaus County commissioned the 'I-5 Corridor Industrial/Business Park Feasibility Study.' The purpose and intent of the study was to identify feasible sites for business park development along the Interstate 5 (I-5) corridor within the western portion of the county. The study identified a location near the I-5/Sperry Avenue interchange as the preferred site for business park

development. At the time, the site was located in unincorporated Stanislaus County west of the Patterson city limits.

In 2003, the Patterson City Council approved the entitlements associated with the West Patterson Projects, which envisioned a master planned residential community (Patterson Gardens) and business park (West Patterson Business Park). Patterson Gardens occupies 305 acres between Baldwin Avenue and Ward Avenue. The West Patterson Business Park occupies 820 acres between Rogers Road and Baldwin Road on both sides of Sperry Avenue. The City of Patterson prepared an EIR that evaluated the impacts of the proposed residential and business park uses.<sup>2</sup> The City Council certified the prior EIR and adopted a Statement of Overriding Considerations as part of the entitlements process.

Following the approval of these entitlements, the Stanislaus County Local Agency Formation Commission (LAFCo) approved annexation of the Patterson Gardens and West Patterson Business Park sites into the City of Patterson. In 2005, the Patterson City Council, acting as the West Patterson Financing Authority, established Community Facilities District No. 2005-01 (West Patterson Business Park) to fund public infrastructure improvements associated with the business park.

The Keystone Pacific Business Park occupies approximately 225 acres of the northern portion of the West Patterson Business Park and was the first portion to break ground. Uses within the Keystone Pacific Business Park include distribution centers for CVS, Grainger, and Kohl's, Patterson Fire Station No. 2, and the Del Puerto Health Center. The southern portion of the West Patterson Business Park along the Sperry Avenue corridor includes the Amazon Fulfillment Center, the Flying J Travel Plaza, and Hampton Inn. As of Fall 2019, approximately one third of the West Patterson Business Park was developed, one third was entitled for development but no development had occurred, and the remaining one third was unentitled and actively marketed for future development.

## 2.4 - Project Characteristics

### 2.4.1 - Project Summary

The project applicant proposes to develop residential uses on 98.5 acres on the southern portion of the site and non-residential uses on 32.9 acres of the northern portion of the site adjacent to Sperry Avenue. Four neighborhood parks and one stormwater basin would be developed. An internal roadway network with connections to Sperry Avenue, Baldwin Road, and Tank Road would be developed. The conceptual site plan is shown in Exhibit 4.

### 2.4.2 - Residential Uses

Residential uses consisting of 445 single-family lots would be developed on 98.5 acres. Table 1 summarizes the residential uses.

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<sup>2</sup> West Patterson Projects EIR (SCH No. 2001032037).

**Table 1: Residential Use Summary**

Area	Lots
1—Northeast	118
2—Southeast	114
3—Northwest	111
4—Southwest	102
<b>Total</b>	<b>445</b>

Source: GDR Engineering, 2020.

### General Plan Amendment and Zoning

A General Plan Amendment and Zone Change would be required to re-designate the residential portion of the project site from commercial to residential use.

### 2.4.3 - Non-Residential Uses

Three parcels totaling 32.9 acres would be reserved for 300,000 square feet of non-residential uses. The three parcels would range in size from 5.8 to 16.9 acres. End uses may include warehouse/distribution, light industrial, general commercial, visitor-serving commercial, and related non-residential land use activities.

**Table 2: Non-Residential Use Summary**

Parcel	Acreage	Square Footage
6	5.8	
7	8.7	—
8	16.9	
<b>Total</b>	<b>32.9</b>	<b>300,000</b>

Parcels 1-5 are parks or stormwater basins.  
Source: GDR Engineering, 2020.

For the purposes of this Addendum, it is assumed that all or some of the non-residential uses would operate 24 hours a day, 7 days a week.

### 2.4.4 - Parks

Four parks totaling 7.2 acres would be developed within the residential area. The parks would range in size from 1 to 2.6 acres.

### 2.4.5 - Access and Circulation

The proposed project would extend both Park Center Drive and Calvinson Parkway into the project site. Calvinson Parkway would become Haggerty Drive, which would connect to Sperry Avenue.

These roadways would serve the commercial component. The circulation network incorporates traffic calming measures that discourage the use of Calvinson Parkway by heavy vehicles; refer to Exhibit 5.

An internal street network consisting of three collectors and residential streets and cul-de-sacs would serve the residential component. The residential street network would connect to the Calvinson Parkway extension, Baldwin Road, and Tank Road.

## **2.4.6 - Utilities**

### **Storm Drainage**

The proposed project would include installation of a storm drainage system consisting of bioretention swales, inlets, underground piping, and a stormwater basin located near Sperry Avenue. Runoff would be detained in the 4.1-acre basin and released at a rate no greater than the pre-development condition of the site.

### **Potable Water**

The proposed project would be served with potable water provided by the City of Patterson. A new looped water main would be provided within the project site. Service laterals to individual parcels would connect to the main.

### **Wastewater**

The proposed project would be served with wastewater collection and treatment service provided by the City of Patterson. A gravity sewer collection system would be installed within the project site that would connect to an existing sewer main within Sperry Avenue. Service laterals to individual parcels would connect to the main.

The proposed project requires rehabilitation of the North Sperry Trunk Sewer Line, which is currently out of service. The proposed project would bear the responsibility of the costs associated with bringing the line back into service.

### **Electricity**

Turlock Irrigation District would provide electricity service to the proposed project. Individual parcels would be served by laterals.

### **Natural Gas**

Pacific Gas and Electric Company (PG&E) would provide natural gas service to the proposed project. Individual parcels would be served by laterals.

## **2.4.7 - Grading**

The project site contains flat terrain that gently slopes to the northeast and, thus, earthwork activities would balance. No import or export of soil is anticipated.

## 2.4.8 - Implementation

For the purposes of this Addendum, the proposed project is assumed to be developed in one phase. As a practical matter, market forces will dictate the pace of development and it is likely that buildout would occur over a period of years. Evaluating the development of the entire project in one, 'front-loaded' phase provides for a conservative assessment of project impacts as the maximum amount of development that could potentially happen in the near-term is disclosed and analyzed.

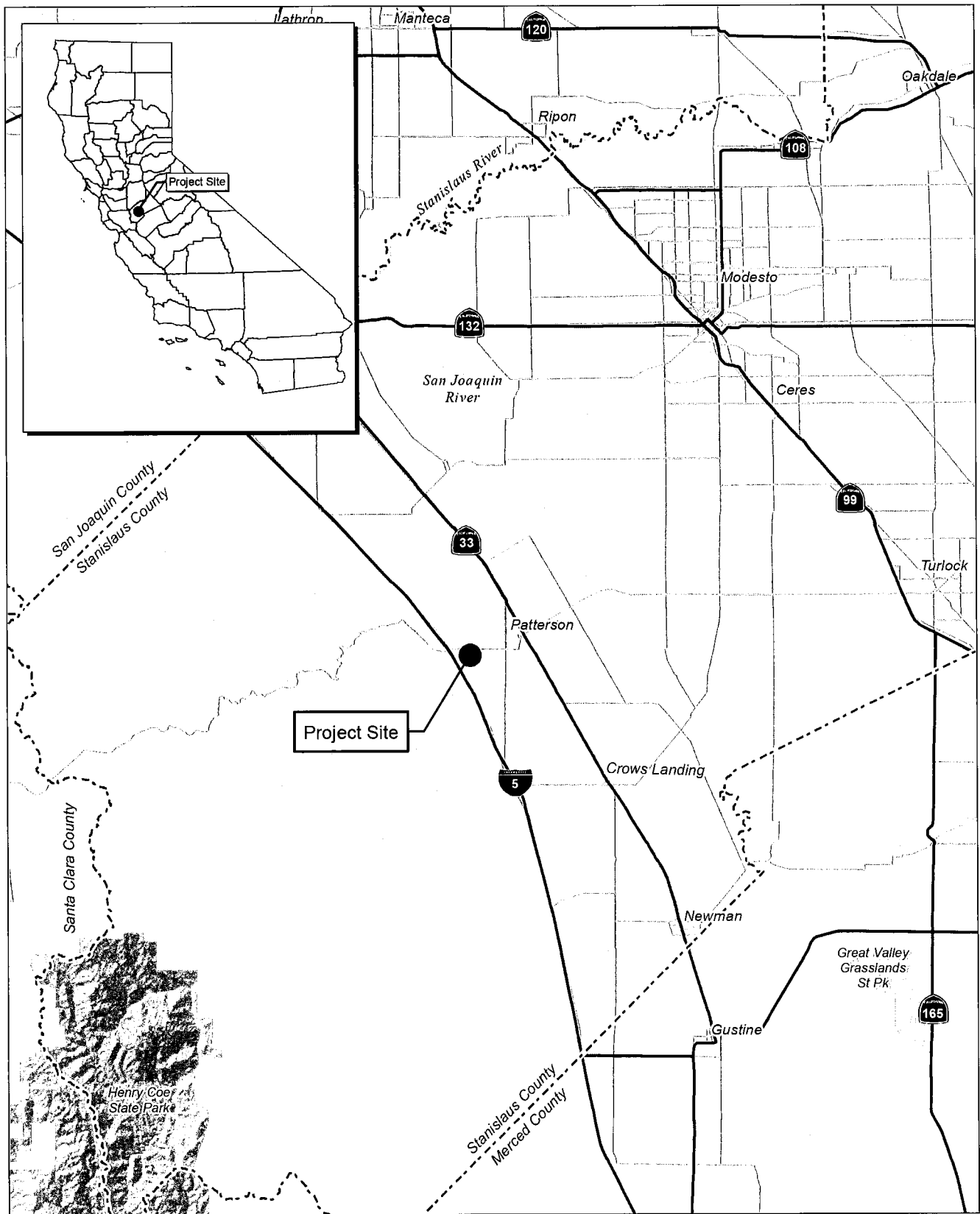
## 2.5 - Discretionary Approvals

The project requires the following discretionary approvals from the City of Patterson:

- Adoption of Addendum
- Approval of General Plan Amendment
- Approval of rezoning

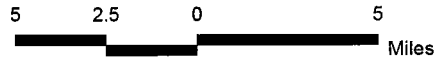


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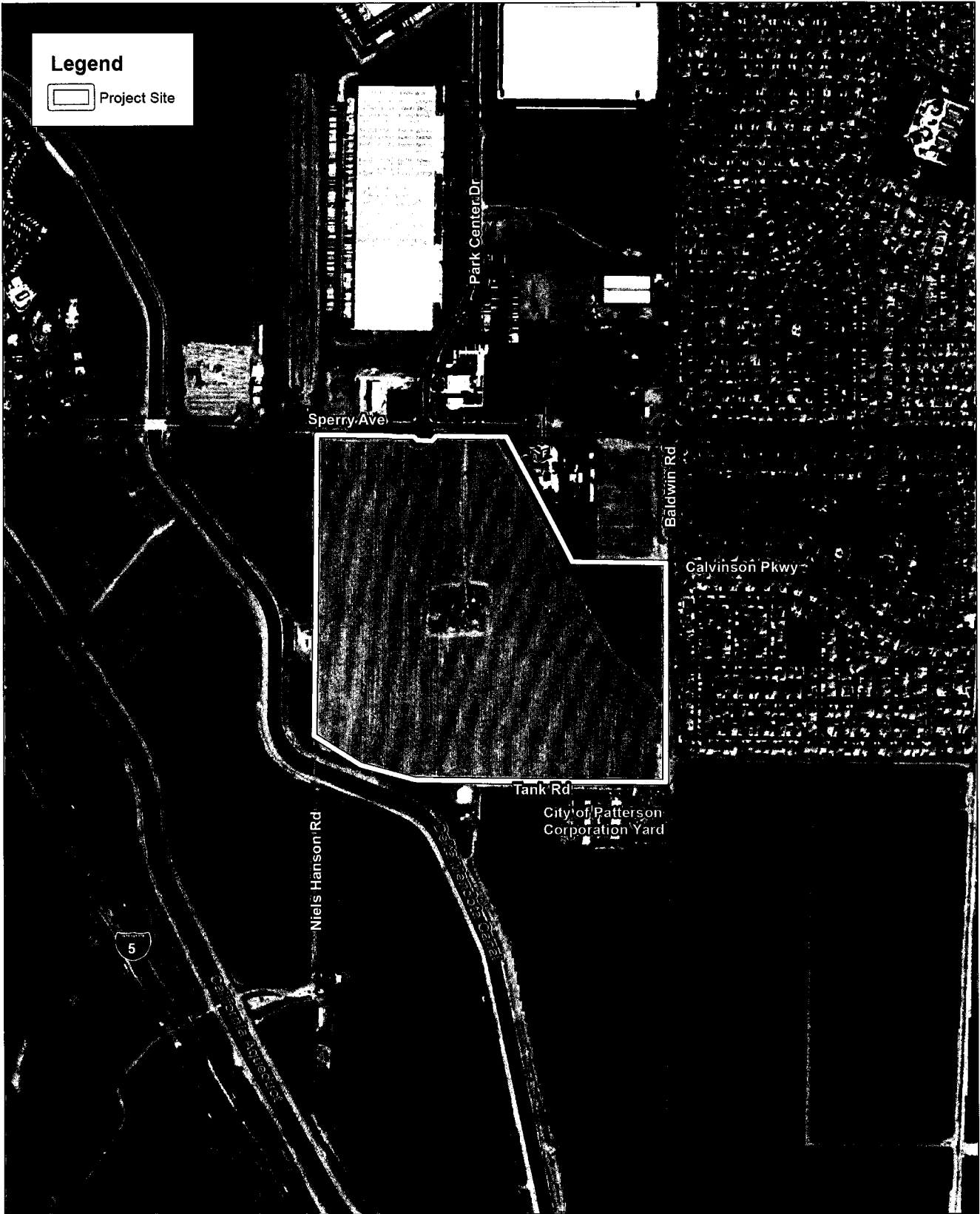
Source: Census 2000 Data, The CaSIL.

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**Exhibit 1**  
**Regional Location Map**

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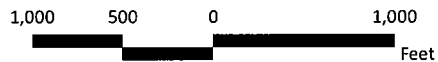
Source: ESRI Aerial Imagery.

Exhibit 2

Local Vicinity Map

Aerial Base

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View of the fallow agricultural land within the project site.



View of structures in the center of the project site.

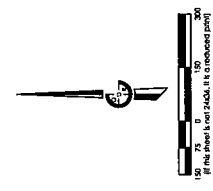
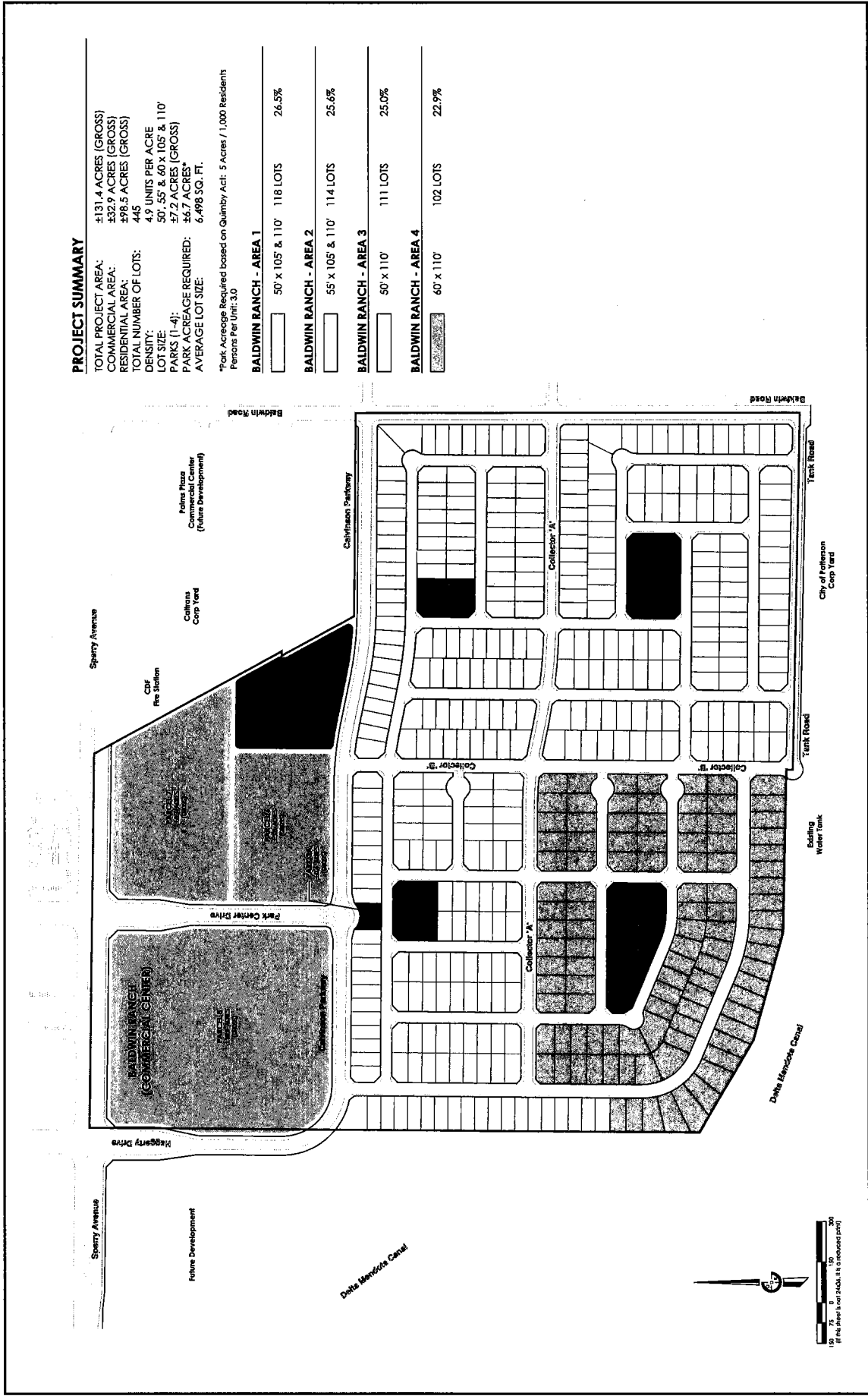
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**PROJECT SUMMARY**

TOTAL PROJECT AREA: ±131.4 ACRES (GROSS)  
 COMMERCIAL AREA: ±32.9 ACRES (GROSS)  
 RESIDENTIAL AREA: ±98.5 ACRES (GROSS)  
 TOTAL NUMBER OF LOTS: 445  
 DENSITY: 4.9 UNITS PER ACRE  
 LOT SIZE: 50', 55' & 60 x 105' & 110'  
 PARKS (1-4): ±7.2 ACRES (GROSS)  
 PARK ACREAGE REQUIRED: ±6.7 ACRES\*  
 AVERAGE LOT SIZE: 6,498 SQ. FT.

\*Park Acreage Required based on Quimby Act: 5 Acres / 1,000 Residents  
 Persons Per Unit: 3.0

<b>BALDWIN RANCH - AREA 1</b>	50' x 105' & 110'	118 LOTS	26.5%
<b>BALDWIN RANCH - AREA 2</b>	55' x 105' & 110'	114 LOTS	25.6%
<b>BALDWIN RANCH - AREA 3</b>	50' x 110'	111 LOTS	25.0%
<b>BALDWIN RANCH - AREA 4</b>	60' x 110'	102 LOTS	22.9%



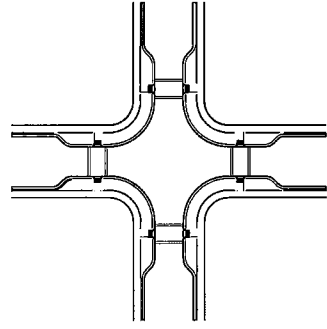
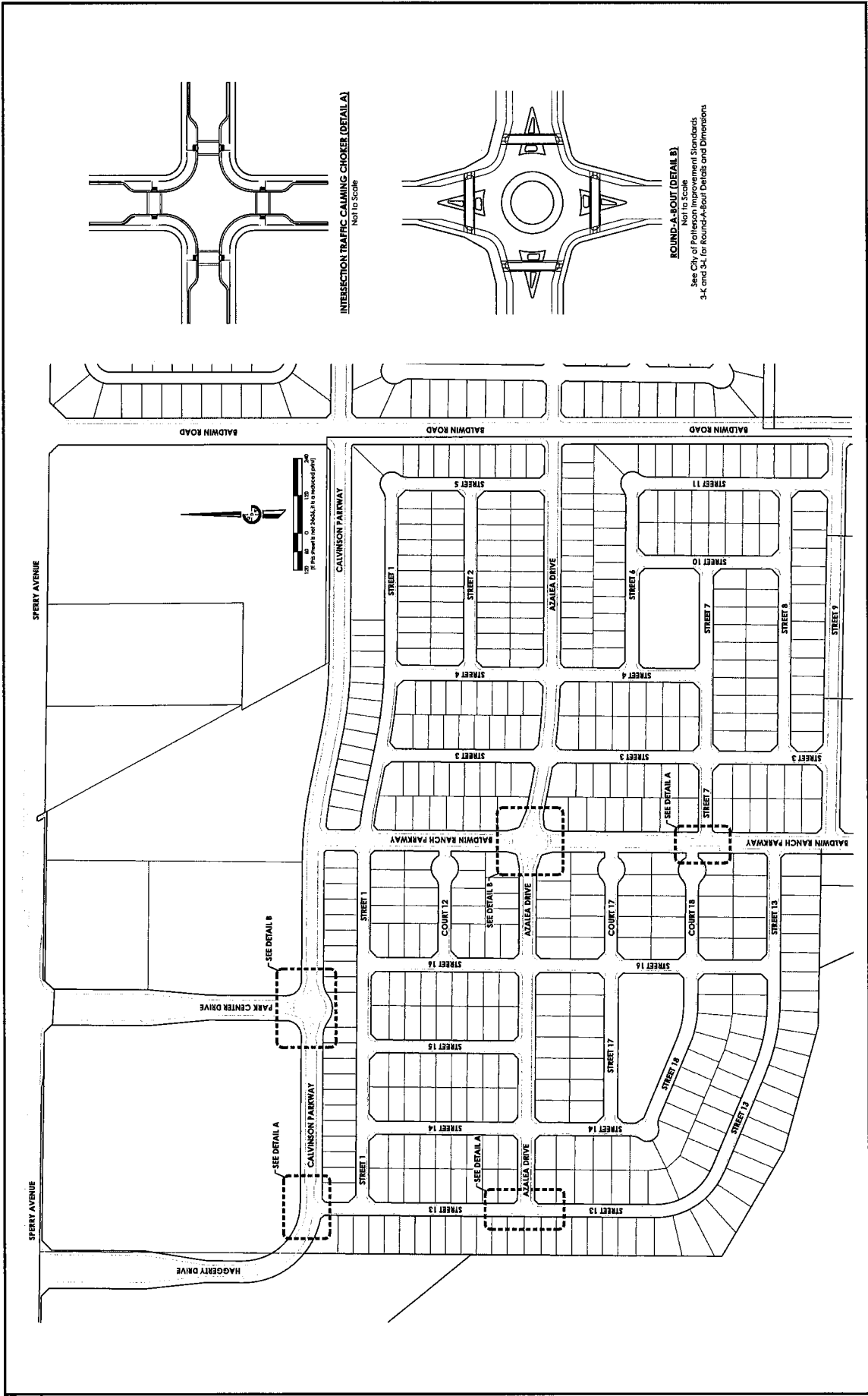
Source: GDR Engineering, Inc., July 28, 2020.



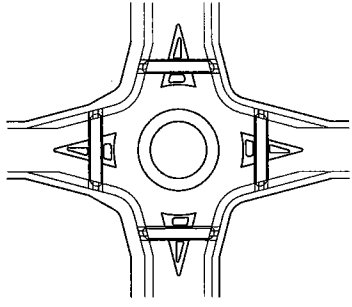
**Exhibit 4  
 Conceptual Site Plan**



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**INTERSECTION TRAFFIC CALMING CHOKER (DETAIL A)**  
Not to Scale



**ROUND-A-ROUT (DETAIL B)**  
Not to Scale  
See City of Patterson Improvement Standards 3-K and 3-L for Round-A-Rout Details and Dimensions.

Source: GDR Engineering, Inc., October 20, 2020.



# Exhibit 5 Traffic Calming Measures

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## SECTION 3: CEQA CHECKLIST

The purpose of the checklist is to evaluate the categories in terms of any changed condition (e.g., changed circumstances, project changes, or new information of substantial importance) that may result in a changed environmental result (e.g., a new significant impact or substantial increase in the severity of a previously identified significant effect) (CEQA Guidelines § 15162).

The questions posed in the checklist come from the 2019 Appendix G of the CEQA Guidelines. A “no” answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact since it was analyzed and addressed with mitigation measures in the Final EIR or MND. These environmental categories might be answered with a “no” in the checklist, since the proposed project does not introduce changes that would result in a modification to the conclusion of the prior EIR.

This Addendum addresses the project as currently proposed in light of the conclusions of the prior EIR .

### 3.1 - Explanation of Checklist Evaluation Categories

#### (1) Conclusion in West Patterson Projects EIR and Related Documents

This column summarizes the conclusion of the prior EIR relative to the environmental issue listed under each topic.

#### (2) Do the Proposed Changes Involve New Impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(1), this column indicates whether the changes represented by the revised project will result in new significant environmental impacts not previously identified or mitigated by the prior EIR or whether the changes will result in a substantial increase in the severity of a previously identified significant impact.

#### (3) New Circumstances Involving New Impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(2), this column indicates whether there have been substantial changes with respect to the circumstances under which the project is undertaken that will require major revisions to the prior EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

#### (4) New Information Requiring New Analysis or Verification?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3)(A–D), this column indicates whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the prior EIR was certified, shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

- (B) Significant effects previously examined will be substantially more severe than shown in the prior EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous prior EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If the additional analysis completed as part of this environmental review were to find that the conclusions of the prior EIR remain the same and no new significant impacts are identified, or identified impacts are not found to be substantially more severe, or additional mitigation is not necessary, then the question would be answered “no” and no additional environmental document would be required.

### **(5) Mitigation Measures Implemented or Address Impacts**

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3), this column indicates whether the prior EIR provides mitigation measures to address effects in the related impact category. Any previously adopted mitigation measures will be identified on the checklist; however, not all identified mitigation measures will be applicable to the proposed project. Mitigation measures that are not applicable to the proposed project will be identified. The response will also address proposed revisions to previously adopted mitigation measures. These mitigation measures will be implemented with the construction of the project, as applicable. If “NA” is indicated, the prior EIR has concluded that the impact either does not occur with this project or is not significant, and therefore no additional mitigation measures are needed.

## **3.2 - Discussion and Mitigation Sections**

### **(1) Discussion**

A discussion of the elements of the checklist is provided under each environmental category in order to clarify the answers. The discussion provides information about the particular environmental issue, how the proposed project relates to the issue, and the status of any mitigation that may be required or that has already been implemented.

### **(2) Mitigation Measures**

Applicable mitigation measures from the prior EIR that apply to the proposed project are listed under each environmental category.

### **(3) Conclusions**

A discussion of the conclusion relating to the analysis is contained in each section.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>I. Aesthetics, Light, and Glare</b>					
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>					
a) Have a substantial adverse effect on a scenic vista?	Less than significant impact	No	No	No	None
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?	Less than significant impact	No	No	No	None
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less than significant impact	No	No	No	None
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant impact	No	No	No	None

**Discussion**

- a) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would not alter public views of the Diablo Range because buildings would be setback from roadways and property lines. The prior EIR noted the views of the Diablo Range would be preserved and concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. Building envelopes would be setback a minimum of 20 feet from Sperry Avenue, thereby preserving views of the Diablo Range from this roadway. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would not alter scenic views from I-5 because the freeway sits on a raised embankment that is 150 to 200 feet higher than the development area. The prior EIR noted I-5 motorists would see rooftops and landscaping and concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. Building rooftops and landscaping may be visible from I-5 but would not obstruct more distant views of the San Joaquin Valley from the freeway. As such, the project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- c) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would alter the visual character of the project area but noted that design guidelines, landscaping and other decorative elements would provide a high quality visual appearance. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The proposed project would employ contemporary architecture and landscaping, and would be similar to and compatible with other development within the West Patterson Business Park. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- d) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would introduce new sources of lighting but noted that full cutoff fixtures or shielding would prevent light trespass on to adjacent properties. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The proposed project would employ full cutoff fixtures or shielding to prevent light trespass on to adjoining roadways or land uses. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

## Mitigation Measures

None.

## Conclusion

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>II. Agricultural and Forest Resources</b>					
<i>Would the project:</i>					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Significant unavoidable impact	No	No	No	C.1
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	N/A	No	No	No	None
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	N/A	No	No	No	None
d) Result in the loss of forest land or conversion of forest land to non-forest use?	N/A	No	No	No	None



Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
e) 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 impact	No	No	No	None

**Discussion**

- a) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would permanently convert prime farmland to non-agricultural use. The prior EIR set forth Mitigation Measure (MM) C.1 requiring applicants that convert Prime Farmland to contribute to the California Farmland Conservancy Fund. The prior EIR found that the cumulative loss of farmland would represent a significant and unavoidable impact after implementation of mitigation.

The project site is mapped as ‘Farmland of Local Importance’ by the California Department of Conservation’s Farmland Mapping and Monitoring Program. Thus, the development of the proposed project would not convert Important Farmland (including Prime Farmland) to non-agricultural use. Accordingly, MM C.1 would not apply to the proposed project. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b) The prior EIR did not evaluate conflicts with agricultural zoning or Williamson Act contract. The project site is zoned ‘West Patterson Industrial Business Park’ by the Patterson Zoning Ordinance, a non-agricultural zoning designation. A 98.5-acre portion of the site would be rezoned to residential use, which also a non-agricultural zoning designation. In addition, the project site is not encumbered by an active Williamson Act contract. No conflicts would occur. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.
- c) The prior EIR did not evaluate conflicts with forest zoning. The project site is zoned ‘West Patterson Industrial Business Park’ by the Patterson Zoning Ordinance, a non-forest zoning designation. A 98.5-acre portion of the site would be rezoned to residential use, which also a non-forest zoning designation. No conflicts would occur. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- d) The prior EIR did not evaluate conversion of forestland to non-forest use. The project site contains fallow agricultural land. No forestland exists on-site. No conflicts would occur. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.
- e) The prior EIR found that buildout of the 820-acre West Patterson Business Park would not create land use compatibility impacts with surrounding agricultural uses because urban uses would employ fencing, barriers, or buffers to delineate boundaries and persons purchasing property would be advised to the Right to Farm Ordinance. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The southern boundary of the project site abuts an orchard. Fencing or landscaping would be installed along the southern property line as appropriate to prevent trespassing into the orchard. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

## Mitigation Measures

- MM C.1** Development agreements established pursuant to the West Patterson Projects shall provide for the following prior to issuance of any building permit: an applicant seeking a building permit shall supply documentation acceptable to the City or County that the applicant has contributed to the California Farmland Conservancy Fund for the purposes of funding projects in Stanislaus County under the California Farmland Conservancy Program, to encourage the preservation of prime farmland in Stanislaus County. The amount of each contribution shall reflect the value of an agricultural conservation easement on comparable prime agricultural land of comparable size in the project vicinity as that for which a permit is being sought. The per acre valuation of such easement shall be determined by both the Patterson and Stanislaus County Planning Directors. **(Does not apply to project).**

## Conclusion

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>III. Air Quality</b>					
<i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.</i>					
<i>Would the project:</i>					
a) Conflict with or obstruct implementation of the applicable air quality plan?	Significant unavoidable impact	No	No	No	MMs F.1, F.3, F.6, and Condition of Approval AQ-1
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Significant unavoidable impact	No	No	No	MMs F.1, F.6, and Condition of Approval AQ-1
c) Expose sensitive receptors to substantial pollutant concentrations?	Less than significant impact with mitigation	No	No	No	MMs F.1, F.3, and F.6, and Condition of Approval AQ-1
d) Result in other emissions (such as those leading to odors or) adversely affecting a substantial number of people?	Less than significant impact with mitigation	No	No	No	MM F.3 and Condition of Approval AQ-1

## Discussion

a–b) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would generate construction and operation emissions that would exceed San Joaquin Valley Air Pollution Control District (Valley Air District) thresholds for ozone precursors and particulate matter. The prior EIR set forth MMs F.1, F.3, and F.6 that require emissions control measures during construction and operation for individual projects. MM F.1 requires the implementation of particulate matter and fugitive dust control measures during construction activities, MM F.3 requires sufficient buffer distances between centers of intense diesel vehicle activity or odor sources and existing or planned residences, schools, or other sensitive uses during project operation, and MM F.6 requires the implementation of various motor vehicle emission reduction measures during project operation. Because the emissions control measures

identified in MMs F.1, F.3, and F.6 would not reduce project emissions—specifically emissions of ozone precursors (ROG and NO<sub>x</sub>)—to below Valley Air District thresholds, the prior EIR concluded that impacts would be significant and unavoidable.

### Construction

The proposed project would construct 445 single-family residences and 300,000 square feet of retail and commercial uses on a 131.4-acre site within the West Patterson Business Park. For a conservative assessment of anticipated development, construction of the entire site is assumed to occur concurrently over 12 months. For the purpose of estimating emissions, no overlap of project construction and operation was assumed. Project emissions were modeled using the California Emissions Estimator Model (CalEEMod Version 2016.3.2). See Appendix A for a detailed explanation of the methodology and model inputs used to estimate project emissions. The construction emissions shown below in Table 3 incorporate implementation of applicable provisions of MM F.1, such as reducing traffic on unpaved roads to 15 mph and watering unpaved areas to reduce fugitive dust. The emissions displayed in Table 3 do not incorporate reductions associated with implementation of Condition of Approval AQ-1, which is further described below.

**Table 3: Annual Construction Emissions (Tons/Year)**

Parameter	Air Pollutants					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub> (Total)	PM <sub>2.5</sub> (Total)
Total Emissions (tons/year)	16.93	44.20	38.69	0.08	4.65	2.83
Significance Threshold (tons/year)	10	10	100	27	15	15
Exceeds Significance Threshold?	Yes	Yes	No	No	No	No

Notes:  
 Calculations use unrounded totals.  
 lbs=pounds                      ROG=reactive organic gases    NO<sub>x</sub>=oxides of nitrogen  
 SO<sub>x</sub>=oxides of sulfur    CO=carbon monoxide    PM<sub>10</sub>=particulate matter 10 microns in diameter  
 PM<sub>2.5</sub>=particulate matter 2.5 microns in diameter  
 Emissions Source: CalEEMod Output (Appendix A).  
 Thresholds Source: San Joaquin Valley Air Pollution Control District. 2015. Air Quality Thresholds of Significance – Criteria Pollutants. March. Website: <http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf>. Accessed September 22, 2020.

As illustrated in Table 3, during project construction, the proposed project would result in an exceedance of significance thresholds for ROG and NO<sub>x</sub>—ozone precursors—and would not result in an exceedance of significance thresholds for emissions of the remaining criteria pollutants. Furthermore, implementation of Condition of Approval AQ-1 would further reduce criteria pollutant and ozone precursor emissions during project construction beyond what is shown in Table 3. Therefore, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR during project construction.

## Operation

Operation of both the proposed project and existing land use would generate emissions of criteria pollutants and ozone precursors due to electricity use, natural gas consumption, water consumption, architectural coating application, landscaping equipment operation, and solid waste generation during operation. In addition, mobile emissions would be generated during operation of the proposed project and existing land use from resident, employee, and visitor vehicle trips. See Appendix A for a detailed explanation of the methodology and model inputs used to estimate project emissions. Criteria pollutant and ozone precursor emissions generated during project operation, after taking into account avoided emissions from operation of the existing land use, are compared against the Valley Air District significance thresholds in Table 4. The operational emissions shown therein do not incorporate implementation of MM F.6 provisions as none of the provisions contained therein can be accurately represented in the emissions model.

**Table 4: Annual Operational Emissions (Tons/Year)**

Parameter	Air Pollutants (tons/year)					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub> (Total)	PM <sub>2.5</sub> (Total)
Total Proposed Project Emissions	12.8	36.1	62.5	0.2	14.1	5.4
<i>Existing Emissions</i>	<i>0.1</i>	<i>&lt;0.1</i>	<i>0.1</i>	<i>&lt;0.1</i>	<i>&lt;0.1</i>	<i>&lt;0.1</i>
Net Operational Emissions	12.7	36.1	62.4	0.2	14.1	5.4
<b>Significance Threshold (tons/year)</b>	<b>10</b>	<b>10</b>	<b>100</b>	<b>27</b>	<b>15</b>	<b>15</b>
<b>Exceeds Significance Threshold?</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Notes:  
 Calculations use unrounded totals.  
 lbs=pounds                      ROG=reactive organic gases NO<sub>x</sub>=oxides of nitrogen  
 SO<sub>x</sub>=oxides of sulfur CO=carbon monoxide      PM<sub>10</sub>=particulate matter 10 microns in diameter  
 PM<sub>2.5</sub>=particulate matter 2.5 microns in diameter  
 Emissions de: CalEEMod Output (Appendix A).  
 Thresholds Source: San Joaquin Valley Air Pollution Control District. 2015. Air Quality Thresholds of Significance – Criteria Pollutants. March. Website: <http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf>. Accessed September 22, 2020.

As illustrated in Table 4, the proposed project would result in an exceedance of significance thresholds for ROG and NO<sub>x</sub>—ozone precursors—and would not result in an exceedance of significance thresholds for emissions of criteria pollutants during project operation. In addition, implementation of applicable provisions of MM F.6 and Condition of Approval AQ-1 would serve to further minimize the generation of criteria pollutant and ozone precursor emissions during project operation. Therefore, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR during project operation.

- c) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would result in emissions of toxic air contaminants (TAC) during construction and operation that may expose nearby sensitive receptors to unhealthful levels of pollution. The prior EIR set forth MMs F.3 and F.5 that require buffer zones between land uses that would be sources of diesel emissions and sensitive receptors (e.g., residential) and the implementation of various motor vehicle emission reduction measures during project operation, respectively. The prior EIR concluded that impacts would be reduced to less than significant after incorporation of mitigation.

### Construction

The proposed project would construct 445 single-family residences and 300,000 square feet of retail and commercial uses on a 131.4-acre site within the West Patterson Business Park. For a conservative assessment of anticipated development, construction of the entire site was assumed to occur concurrently over 12 months. Due to the uncertainty of project implementation and timing, no overlap of project construction and operation was assumed. Annual average TAC concentrations during project construction were modeled using the American Meteorological Society and United States Environmental Protection Agency (EPA) Regulatory Model (AERMOD Version 19191) air dispersion model. PM<sub>10</sub> exhaust emissions were used in AERMOD as a surrogate pollutant to estimate concentrations of diesel particulate matter (DPM) during project construction. See Appendix A for a detailed explanation of the methodology and model inputs used to estimated project emissions.

As DPM is the TAC of greatest concern for nearby sensitive receptors during typical construction activity, the implementation of certain provisions contained in MM F.1(b) would serve to further reduce emissions of DPM and subsequent exposure to nearby sensitive receptors. Specifically, the first provision of MM F.1(b) states, "Alternative fueled or catalyst equipped diesel construction equipment, or NO<sub>x</sub> or PM<sub>10</sub> controlled equipment shall be used, where possible." Therefore, Condition of Approval AQ-1, which stipulates the use of electric construction equipment to the greatest extent feasible, would be required to ensure implementation of applicable provisions contained in MM F.1. Implementation of Condition of Approval AQ-1 would ensure that the proposed project complies with the provisions of the prior EIR's applicable mitigation and reduces potential impacts to sensitive receptors to less than significant.

Table 5 displays the annual construction PM<sub>10</sub> exhaust emissions, assuming compliance with all applicable mitigation contained in the prior EIR, and project construction specifically with incorporation of Condition of Approval AQ-1. Table 6 and Table 7 illustrate the calculated cancer risk and non-cancer hazard index for the maximally impacted receptor (MIR), a single-family residence approximately 75 feet east of the project site across from Baldwin Road, during project construction with and without implementation of Condition of Approval AQ-1.

**Table 5: Annual DPM Construction Emissions (Tons/Year)**

Construction Scenario	On-Site DPM (as PM <sub>10</sub> Exhaust)	Off-Site DPM <sup>1</sup> (as PM <sub>10</sub> Exhaust)
Construction	1.99	0.02
Construction with Condition of Approval AQ-1	0.00	0.02

Notes:  
<sup>1</sup> The off-site emissions were estimated over construction vehicle travel routes within approximately two kilometers of the project site; see Off-Site PM<sub>10</sub> Exhaust Adjustment sheet in Appendix A for calculations.  
 Source: Appendix A.

**Table 6: Estimated Health Risks and Hazards during Project Construction Without Condition of Approval AQ-1**

HARP2 Scenario	TAC Concentration (from AERMOD) <sup>1</sup>	Risk Sum (from HARP2)	Cancer Risk (risk per million) <sup>2</sup>	Chronic Non-Cancer Hazard Index <sup>3</sup>
70 Year, Cancer Risk, High End, Inhalation, FAH, 3 <sup>rd</sup> Trimester to 70	0.82856	7.07E-04	707.45	0.166
<b>Thresholds of Significance</b>			<b>20</b>	<b>1</b>
<b>Exceeds Individual Source Threshold?</b>			<b>Yes</b>	<b>No</b>

Notes:  
<sup>1</sup> TAC concentration taken from AERMOD is always at the MIR identified during the original construction air dispersion model (a single-family residence approximately 75 feet east of the project site, across from Baldwin Road).  
<sup>2</sup> Cancer risk is identified by multiplying the risk sum from HARP2 by 1,000,000.  
<sup>3</sup> Chronic non-cancer hazard indices were estimated by dividing the annual DPM concentration (as PM<sub>10</sub> exhaust) by the reference exposure level of 5 µg/m<sup>3</sup>.  
 REL=reference exposure level    MIR=maximally impacted receptor  
 Emissions Source: Appendix A.  
 Thresholds Source: San Joaquin Valley Air Pollution Control District. 2015. Air Quality Thresholds of Significance – Toxic Air Contaminants. June. Website: <http://www.valleyair.org/transportation/0714-GAMAQI-TACs-Thresholds-of-Significance.pdf>. Accessed September 22, 2020.

**Table 7: Estimated Health Risks and Hazards during Project Construction With Condition of Approval AQ-1**

HARP2 Scenario	TAC Concentration (from AERMOD) <sup>1</sup>	Risk Sum (from HARP2)	Cancer Risk (risk per million) <sup>2</sup>	Chronic Non-Cancer Hazard Index <sup>3</sup>
70 Year, Cancer Risk, High End, Inhalation, FAH, 3 <sup>rd</sup> Trimester to 70	0.00025	2.13E-07	0.21	0.000
<b>Thresholds of Significance</b>			<b>20</b>	<b>1</b>
<b>Exceeds Individual Source Threshold?</b>			<b>No</b>	<b>No</b>

Notes:  
<sup>1</sup> TAC concentration taken from AERMOD is always at the MIR identified during the original construction air dispersion model (a single-family residence approximately 75 feet east of the project site, across from Baldwin Road).  
<sup>2</sup> Cancer risk is identified by multiplying the risk sum from HARP2 by 1,000,000.

HARP2 Scenario	TAC Concentration (from AERMOD) <sup>1</sup>	Risk Sum (from HARP2)	Cancer Risk (risk per million) <sup>2</sup>	Chronic Non-Cancer Hazard Index <sup>3</sup>
<p><sup>3</sup> Chronic non-cancer hazard indices were estimated by dividing the annual DPM concentration (as PM<sub>10</sub> exhaust) by the reference exposure level of 5 µg/m<sup>3</sup>. REL=reference exposure level MIR=maximally impacted receptor Emissions Source: Appendix A. Thresholds Source: San Joaquin Valley Air Pollution Control District. 2015. Air Quality Thresholds of Significance – Toxic Air Contaminants. June. Website: <a href="http://www.valleyair.org/transportation/0714-GAMAQI-TACs-Thresholds-of-Significance.pdf">http://www.valleyair.org/transportation/0714-GAMAQI-TACs-Thresholds-of-Significance.pdf</a>. Accessed September 22, 2020.</p>				

As displayed above, implementation of Condition of Approval AQ-1 would ensure that construction of the proposed project would not expose sensitive receptors to substantial pollutant concentrations during construction. Therefore, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR during project construction.

### Operation

As previously mentioned, the proposed project would involve the operation of 300,000 square feet of commercial and retail land uses. Because the specific commercial and retail uses are unknown at this time, operation of future retail and commercial uses part of the proposed project has the potential to expose existing and planned sensitive receptors to substantial concentrations of TACs. MM F.3 would apply to future commercial and retail development to ensure that existing and planned sensitive receptors are not exposed to substantial concentrations of TACs. In addition, MM F.6 would apply to future businesses developed as part of the proposed project to help reduce mobile source emissions during vehicular operation. Incorporation of MMs F.3 and F.6 would ensure that the proposed project would not introduce new or more severe impacts than those analyzed in the prior EIR.

- d) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens could generate objectionable odors for new wastewater conveyance and treatment facilities. The prior EIR set forth MM F.5 that requires odor management practices to be implemented at new wastewater conveyance and treatment facilities. The prior EIR concluded that impacts would be significant and unavoidable after incorporation of MM F.5.

### Construction

The proposed project would develop a 131.4-acre site with residential, commercial, and retail land uses. Project construction would involve the operation of construction equipment and vehicles throughout the project site that would generate diesel exhaust, which would be considered an objectionable odor to nearby receptors. In addition, architectural coating activities during project construction would generate objectionable odors to nearby receptors. However, project construction would be periodic and temporary in nature and would not substantiate a major source of objectionable odors for an extended period of time. In addition, implementation of Condition of Approval AQ-1 would further reduce potential odor impacts



during project construction by requiring the use of electric construction equipment, thereby reducing the volume and concentration of diesel exhaust generated during project construction. As such, the proposed project would not introduce new or more severe odor impacts than those analyzed in the prior EIR during construction.

### Operation

Project operation would involve the operation of residential uses, which are not considered to be substantial sources of objectionable odors, and commercial and retail uses on a 131.4-acre site within the West Patterson Business Park. The future commercial and retail uses would not include industrial and manufacturing land uses which may generate objectionable odors to existing or planned residences. In addition, the proposed project does not involve the expansion of the City's Wastewater Treatment Plant, which would require the incorporation of MM F.5 of the prior EIR. Therefore, impacts would be less than significant, and MM F.5 would not apply to the proposed project. The proposed project would not introduce new or more severe odor impacts than those analyzed in the prior EIR during operation.

### Conditions of Approval

The following Condition of Approval would be required to ensure the proposed project complies with all applicable provisions contained in the West Patterson Business Park EIR Mitigation Measures. While MM F.1 of the prior EIR targets emissions of ozone precursors, it serves an additional purpose of reducing emissions of DPM through the implementation of NO<sub>x</sub> and PM<sub>10</sub> controlled construction equipment and the use of alternative fuels. Therefore, implementation of this Condition of Approval would expand the provisions of MM F.1 and would ensure that the proposed project does not introduce any new or greater impacts than what was previously analyzed in the prior EIR.

- AQ-1** In compliance with MM F.1(b) of the West Patterson Business Park EIR, the construction contractor shall ensure that construction equipment be electric powered, to the greatest extent feasible. In the event that electric construction equipment is not available, the construction contractor shall maintain a record of no less than three businesses contacted for electric construction equipment requests. Alternatively, the construction contractor may attempt to use alternative fueled or catalyst equipped diesel construction equipment, or NO<sub>x</sub> or PM<sub>10</sub> controlled equipment that show an average 99.6-percent reduction in daily construction emissions of PM<sub>10</sub> exhaust across the construction fleet.

### Mitigation Measures

The following mitigation measures contained in the prior EIR would apply to the proposed project to ensure that project construction and operation would not introduce any new or greater impacts than what was previously analyzed in the prior EIR.

- MM F.1(a)** The developers, and the City for infrastructure improvements, shall implement the following measures to control construction emissions of PM<sub>10</sub>:

- All disturbed areas, including storage piles, which are not being actively used for construction purposes, shall be effectively stabilized to limit dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.
- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized to limit dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled to limit fugitive dust emissions utilizing application of water or by presoaking.
- When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized to limit fugitive dust emissions utilizing sufficient water or chemical stabilizer or suppressant.
- Traffic speeds on unpaved roads shall be limited to 15 mph.
- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.

When construction covers a site that is large in area or located near residences, schools, or other sensitive receptors, the developers, and/or the City shall implement the following additional measures to control construction emissions of PM<sub>10</sub>:

- Wheel washers shall be installed for all exiting trucks or wash off all trucks and equipment leaving the site.
- Wind breaks shall be installed at windward side(s) of construction areas.
- Excavation and grading activity shall be suspended when winds exceed 20 mph.
- The area subject to excavation, grading, or other construction activity at any one time shall be limited.

**MM F.1(b)**

The developers shall implement the following measures to control construction emissions of ozone precursors:

- Alternative fueled or catalyst equipped diesel construction equipment, or NO<sub>x</sub> or PM<sub>10</sub> controlled equipment shall be used, where possible.
- Idling time for all equipment shall be minimized (e.g., to less than 10 minutes).
- The hours of operation of heavy duty equipment and/or the amount of equipment in use shall be limited, where possible.
- Fossil-fueled equipment shall be replaced with electrically driven equivalents, where possible (provided they are not run by a portable generator set).
- Construction during periods of high ambient pollutant concentrations shall be curtailed (e.g., this may include ceasing construction activity during the peak hour of vehicular traffic on adjacent roadways).

- MM F.3** The West Patterson Business Park Master Development Plan shall include adequate buffer zones for TACs and odors by prohibiting centers of intense diesel vehicle activity or odor sources from locating near existing or planned residences, schools, or other sensitive uses.
- MM F.5** The City's wastewater treatment plant expansion project shall incorporate the following measures to reduce the occurrence of objectionable odors **(does not apply to project)**:
- a.) Prior to final design, the City of Patterson will ensure that appropriate engineering controls have been incorporated into the design and construction of the proposed wastewater treatment and conveyance facilities to minimize the production of objectionable odors. Engineering controls to diminish odors could include, but would not be limited to, covering the headworks and/or prechlorinating at the headworks use of chemical additives to mask odors, or installing systems to collect odiferous air and remove objectionable odors (e.g., air scrubber).
  - b.) During operation of the expanded wastewater treatment and conveyance facilities, the City of Patterson shall ensure that engineering controls designed to suppress odors are functioning properly by periodically evaluating odor levels adjacent to the facilities. Should objectionable odors be present, the City shall take appropriate action to correct them to the extent practical.
- MM F.6(a)** The West Patterson Business Park Master Development Plan shall incorporate, if feasible, the following features to reduce motor vehicle emissions **(does not apply to project)**:
- Development of the Business Park Plan area shall incorporate park-and-ride lots as determined by the City at the time of project approvals.
  - New uses/occupants requiring a discretionary approval and employing 100 or more full-time-equivalent employees shall submit to the reviewing authority (the City of Patterson or Stanislaus County) an employee trips reduction plan. Such a plan may include, but need not be limited to, the following:
    - Incentives for carpooling, bicycling, and/or walking;
    - Provision of secured bicycle storage and employee showers;
    - Disincentives for single occupant vehicle ridership;
    - Provision of shuttle service to food and/or commercial centers during lunch hours;
    - Development of park-and-ride lots;
    - Use of low-emission vehicles by business in the Business Park shall be encouraged by permitting additional parking exclusively for use by alternative fuel vehicles; and
    - Clean-fuel fueling stations, such as electric charging stations or natural gas fueling stations, open to the public, shall be permitted as an allowable use in the Business Park.
- MM F.6(b)** The West Patterson Business Park Master Development Plan shall incorporate, if feasible, the following features to reduce motor vehicle emissions **(does not apply to project)**:

- Providing pedestrian amenities such as benches, water fountains, and shelters;
- Providing street trees and plants that would create an effective canopy; and
- Providing sidewalks with an unobstructed path at least five feet wide throughout the development, including at the Patterson Sports Complex and the potential school site.

**MM F.6(c)** The West Patterson projects shall incorporate, if feasible, the following features to reduce motor vehicle emissions:

- Commercial and light industrial development projects shall incorporate measures to reduce vehicle trips and on-site parking demand for the review and approval of the City. Such measures may include, but need not be limited to, the following:
  - Providing pedestrian amenities such as benches, water fountains, and shelters;
  - Providing bicycle parking and connections to bicycle features in the Patterson Gardens proposal and elsewhere;
  - Including canopy trees in the parking lots of neighborhood commercial development to shade parked cars and reduce evaporation of fuel; and
  - Provisions for carpooling.

**MM F.6(d)** The West Patterson projects shall incorporate, if feasible, the following features to reduce area source emissions:

- Energy-efficient heating and cooling systems and lighting shall be used throughout the project.
- Energy efficiency measures shall be incorporated into the design of new or substantially remodeled structures (including new residential structures) to increase energy efficiency. Such measures may include, but need not be limited to:
  - The use of insulation in attics and walls that exceeds Title 24 requirements;
  - Orientation of buildings to maximize heating and cooling;
  - Planting of deciduous trees on south- and west-facing sides of buildings;
  - The use of double-paned windows; and
  - The use of solar water heaters.
- New wood-burning fireplaces or stoves shall be prohibited.
- Natural gas lines or electrical outlets shall be installed in patio areas when feasible to discourage use of charcoal or wood barbeques.

## Conclusion

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>IV. Biological Resources</b>					
<i>Would the project:</i>					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Less than significant impact with mitigation	No	No	No	MMs D.1, D.2, D.3, D.5
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Less than significant impact with mitigation	No	No	No	MM D.8
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant impact with mitigation	No	No	No	MM D.4
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory	Less than significant impact	No	No	No	None

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
wildlife corridors, or impede the use of wildlife nursery sites?					
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	N/A	No	No	No	None
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	N/A	No	No	No	None

This section was based on a biological survey of the project site conducted by FCS. Supporting information is provided in Appendix B.

## Discussion

- a) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may impact special-status wildlife species including San Joaquin kit fox (*Vulpes macrotis mutica*), Swainson’s hawk (*Buteo swainsoni*), western burrowing owl (*Athene cunicularia*), western pond turtle (*Actinemys marmorata*), and nesting birds. The prior EIR set forth MMs D.1, D.2, D.3, and D.5 that require pre-construction surveys for these species and, if found, the implementation of protective measures. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The project site contains two residences and barns with associated ornamental and horticultural trees, surrounded by agricultural land (hay fields, disked at the time of the survey) and a small number of trees. An FCS Biologist surveyed the project site on August 18, 2020, and determined that western burrowing owl and nesting birds including Swainson’s hawk have the potential to nest and forage on and directly adjacent to the project site. Many burrows of suitable size for burrowing owl were observed during the August 18, 2020, field survey, predominantly along the edges of the fields. However, no direct evidence of presence of burrowing owl was observed.

The row of eucalyptus trees found at the eastern boundary of the project site, located on the adjacent fire station property, can be considered typical nesting trees for raptors, including Swainson's hawk. The agricultural fields provide habitat for small mammals that form Swainson's hawk prey base. Other trees present, including those surrounding the residence in the center of the project site and the barns, could serve as suitable nesting habitat for native resident or migrating nesting birds, including many listed in the prior EIR. Accordingly, MM D.2, MM D.3, and MM D.5 apply to the proposed project.

Additionally, the prior EIR found no special-status plant species were likely to occur within the project site due to past and present agricultural disturbance. Additionally, the FCS survey occurred during the blooming period for big tarplant (*Blepharizona plumosa*), which was not observed to occur on the project site.

No additional special-status wildlife or plant species were identified as having the potential to be impacted significantly by the proposed project, and thus, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b) The prior EIR found that the development of a wastewater treatment facility had the potential to impact riparian habitat. The prior EIR set forth MM D.8, which requires establishment of a 100-foot setback around the riparian habitat. The prior EIR concluded that impacts would be less than significant.

The proposed project does not contain any sensitive communities including riparian habitat. Therefore, MM D.8 does not apply to the project. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- c) The prior EIR found that excavation activities within Salado Creek as part of storm drainage improvements would impact 0.36 acre of jurisdictional features. The prior EIR set forth MM D.4, which requires the Creek to be restored following excavation. The prior EIR concluded that impacts would be less than significant.

The Salado Creek storm drainage improvements were completed, and MM D.4 was implemented. The proposed project does not require any further improvements to Salado Creek and, therefore, MM D.4 does not apply.

FCS Biologists surveyed the project site on August 18, 2020, and identified an abandoned artificial irrigation channel running diagonally along parts of the eastern boundary of the project site. No hydrology or wetland indicators were present, e.g., no ordinary high water mark or hydrophytic species were present. Vegetation in the channel was dominated by typical upland species including wild oats (*Avena sp.*). Therefore, impacts to this feature would not have a substantial adverse effect on State or federally protected wetlands. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- d) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may impact movement for San Joaquin kit fox. The prior EIR set forth MM D.1, which requires compensation for the loss of kit fox habitat and movement corridors. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The project site located east of both the Delta-Mendota Canal and the adjacent California Aqueduct. These features in combination with traffic on I-5 impede San Joaquin kit fox movement from the west onto the project site. All recorded occurrences of kit fox in Stanislaus County are to the west of the aforementioned canals and I-5, indicating that the combined effects of these features at this location limit kit fox movement to the site. Accordingly, MM D.1 does not apply to the proposed project, and the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- e) The prior EIR did not evaluate conflicts with local biological ordinances. However, the City of Patterson does not have a Tree Ordinance<sup>3</sup> applicable to the trees on the project site, and thus, no conflicts would occur.
- f) The prior EIR did not evaluate conflicts with conservation plans. The project site is not located within the boundaries of an adopted habitat conservation plan.<sup>4</sup> No conflicts would occur.

## Mitigation Measures

- MM D.1** Either purchase or dedication of a permanent easement, at a ratio of 2:1 (2 acres replaced for each acre developed), of land west of I-5 in Stanislaus County, OR payment of an in-lieu fee of \$2,000 per developed acre to either the County, the Center for Natural Lands Management, the California Wildlife Foundation, or CDFG to establish a free movement corridor in Western Stanislaus County. Land selected shall be approved by USFWS. Although kit foxes are not known to currently occupy the project area, the following measures will be undertaken to minimize impacts: pre-construction surveys and employee education will be conducted. A 20 mph speed limit will be imposed, off-road traffic prohibited, and nighttime construction shall be minimized. All excavated holes or trenches, more than two feet deep, shall be covered after each working day or equipped with escape ramps. All construction pipes stored at the site overnight shall be inspected for kit foxes. All food related trash items shall be removed at least once a week from construction sites. **(Does not apply to project).**
- MM D.2** **A)** A qualified ornithologist shall conduct pre-construction surveys for Swainson's hawk nests at appropriate sites. If a nest site is found, consultation with the CDFW shall be required.

<sup>3</sup> City of Patterson. 2020. Patterson Municipal Code. Website: <https://www.codepublishing.com/CA/Patterson/#1/Patterson12/Patterson1216.html>. Accessed August 19, 2020.

<sup>4</sup> California Department of Fish and Wildlife (CDFW). 2020. NCCP Plan Summaries Website: <https://wildlife.ca.gov/Conservation/Planning/NCCP/Plans>. Accessed August 19, 2020.



- B)** For each acre of Swainson's hawk foraging habitat developed within 5 miles of an active nest tree, but greater than 1 mile from the nest tree, 0.75 acres of 'Habitat Management' land shall be provided. For projects within 1 mile, the ratio is 1:1. Land selected for conservation shall be approved by CDFW. Habitat Management lands shall be protected either by placement of a permanent conservation easement on agricultural lands or other suitable foraging habitat, or by payment of an in-lieu fee of \$600 per developed acre to be held by an agency approved by CDFG for the ultimate purpose of purchasing permanent conservation easements over Swainson's hawk foraging habitat.
- MM D.3** Pre-construction surveys for burrowing owl shall be conducted by a qualified biologist per CDFG guidelines, prior to any soil-altering activity. If burrowing owls are found, consultation with and authorization by CDFW shall be required. Mitigation proposed for Swainson's hawk and/or kit foxes would benefit burrowing owls, and more than compensate for any potential impacts to owls.
- MM D.4** The channel and banks of Salado Creek shall be restored and enhanced. The creek shall be buffered on both sides. The creek shall be buffered on both sides with an oak savannah and other landscaping. The bottom and lower banks shall be seeded and/or planted with wet meadow species. Water in the channel during construction shall be temporarily diverted using a cofferdam, and shall be piped around the work areas. Standard best management practices shall be used during construction for erosion and sedimentation control. **(Does not apply to project).**
- MM D.5** **A)** If feasible, demolition and construction shall be scheduled to avoid the raptor nesting season from January to August.  
**B)** If not feasible, pre-construction surveys for nesting raptors shall be conducted by a qualified ornithologist or biologist to ensure that no raptor nests will be disturbed during project implementation. With approval of the CDFW, tree containing known or potential raptor nests sites may be removed to discourage future nesting attempts on the condition that no raptor pair is currently utilizing the site. If a nest is found close enough to a construction/demolition area to be disturbed, the ornithologist, in consultation with CDFG, shall determine the extent of construction-free buffered zone to be established around the nest.
- MM D.6** Prior to the start of any construction activities within a percolation pond, the pond shall be drained. A qualified biologist shall be present to survey for western pond turtles during pond draining. If any turtles are found, they shall be captured and moved to suitable habitat outside of the construction area. **(Does not apply to project).**
- MM D.7** The biological mitigation site at the north edge of the existing wastewater treatment plant shall be avoided during construction so that its function as a mitigation site is not adversely affected. **(Does not apply to project).**
- MM D.8** No construction activities may occur within a 100-foot setback from the riparian woodland adjacent to the northeast-most percolation pond site. The setback area shall be fenced with high visibility fencing to prevent access. All grading plans shall include appropriate control measure to minimize runoff into riparian woodland. **(Does not apply to project).**

## Conclusion

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>V. Cultural and Tribal Cultural Resources</b>					
<i>Would the project:</i>					
a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?	Less than significant impact	No	No	No	None
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than significant impact	No	No	No	None
c) Disturb any human remains, including those interred outside of formal cemeteries?	N/A	No	No	No	None
<i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>					
d) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	N/A	No	No	No	None
e) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.	N/A	No	No	No	None

This section was based on a report, prepared by Holman and Associates, that consisted of archival research and field inspection of the West Patterson project area (Appendix C) as well as an updated records search and pedestrian survey conducted by FCS in 2020. These studies examined the potential for the existence of cultural resources on the project site through an examination of the available archival record and a systematic visual reconnaissance of the project area. All non-confidential (pursuant to Public Resources Code [PRC], § 21082.3(c)(2)) reports and records searches are provided in Appendix C.

## Discussion

### Cultural Resources

- a) The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. Based on the 2002 Holman and Associates Report, the prior EIR identified one potential historic period resource within the currently proposed development area. This potential resource was identified as the Ranch Complex at the Bizanelli Property. The complex is located at 2300 Sperry Avenue in the center of the parcel, measures approximately 400 feet by 400 feet (120 by 120 meters) and on the east side stands on a pad of earth approximately 2 feet (0.6 meters) above the grade of the surrounding fields. The complex includes a cement brick residence located in the northwest quarter of the compound and another older residence of wood located in the northeast quarter. This structure is L-shaped and is sided in vertical board and batten painted Hunter's Green, with a wood shingle roof. A tall, weathered wooden barn is located on the south side of the compound, which sits on a poured concrete foundation. Other structures include a small, corrugated metal-sided and -roofed structure whose interior wooden supports exhibit round nails, and what may be square nail holes, suggestive of an older structure or reuse from another source. An old redwood possible wagon shed, several sheds, and a collapsed structure are also present. In addition, the compound includes four metal "silos" with conical roofs apparently converted to other uses. Various kinds of modern and older farm equipment also lie scattered about (Holman 2002).

The Holman and Associates report determined that the ranch complex may qualify as a significant historic resource based upon its age or association with people and/or events of historical importance, and may contain buried archaeological deposits whose contents could contribute to our understanding of the history of habitation and farming at this location. They determined specific buildings inside the complex may also have architectural significance. The report recommended that the location should be the subject of expanded archival research and oral interviews to better document the age, periods of use, owners and residents who were associated with the resource. The report states that an Architectural Historian should inspect the structures to determine if any qualify as significant under CEQA guidelines on the basis of their state of preservation, unique design qualities, or as examples of historically important structures typical of this portion of California. The report also states that appropriate Department of Parks and Recreation (DPR) site forms should be prepared for the complex and should be submitted to the regional office of the California Historical Resources Information System (CHRIS).

There is no record that these recommended evaluations were performed. The prior EIR concluded that “with respect to the buildings within the West Patterson project area, substantial evidence in light of the whole record does not currently support a lead agency determination that existing buildings within the West Patterson project area qualify as historic resources for the purposes of CEQA.” The substantial evidence underlying this conclusion, which is contrary to the findings of Holman and Associates Report, was not provided in the prior EIR.

Regardless, as stated in the prior EIR, this conclusion was based on information that was currently available in 2002. In the intervening 18 years, many elements of the historic period ranch complex that did not initially meet the 45-year threshold to be considered potential historic resources under CEQA may have since become eligible, and warrant consideration. An updated records search and pedestrian survey conducted by FCS in September 2020 confirmed the ranch complex remains unevaluated and in the same condition as reported in the 2002 Holman and Associates report. As such the City will apply the following standard condition of approval to the project in keeping with the recommendations of the 2002 Holman and Associates Report:

Prior to the issuance of grading permits, the applicant shall hire an architectural historian who meets the Secretary of Interior’s qualification standards to inspect the structures to determine if any qualify as significant under CEQA guidelines on the basis of their state of preservation, unique design qualities, or as examples of historically important structures typical of this portion of California. Appropriate DPR site forms shall be prepared for the complex and shall be submitted to the regional office of the CHRIS. If the ranch complex proves to possess historic significance and integrity such that it is found eligible for inclusion on the California Register of Historic Resources, the applicant will be required to develop and implement a plan to protect the resource that meets the Secretary of the Interior’s Standards of the Treatment of Historic Properties. This includes potential historical archaeological resources that may be located at the site. These measures are contingent on the results of the assessment, and may include, but are not limited to:

- a program of presence/absence testing for buried archaeological resources associated with the ranch complex. If such deposits are discovered, an archaeological salvage program may be required to remove archaeological deposits for analysis and reporting.
- preservation in place of significant structures, and/or rehabilitation for re-use appropriate for the proposed development.
- removal of significant structures to locations outside of the project area, and/or renovation for re-use.
- complete photo documentation and architectural recording for archival purposes, salvage of elements of the structures for re-use elsewhere or for display at local historical venues prior to destruction.

In keeping with the findings of the 2002 Holman and Associates assessment conducted for the prior EIR, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b) The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. Based on the 2002 Holman and Associates Report, the prior EIR identified one potential archaeological resource within the currently proposed development area. The resource is a potential historic trash dump associated with the Ranch Complex at the Bizanelli Property located at 2300 Sperry Avenue. The prior EIR concluded that impacts to archaeological resources would be less than significant.

The potential archaeological component of the ranch complex identified by the 2002 Holman and Associates report will be addressed as part of the overall historic assessment of the property required by the project conditions of approval. This falls under California Register of Historical Resources (CRHR) Criterion D: Data potential for this specific potential resource. The Holman and Associates report found that there were no records of known archaeological resources within the project boundaries and no additional resources were observed over the course of their survey. An updated records search and pedestrian survey conducted by FCS in September of 2002 confirmed the findings of the previous report. As such, the City will apply the following standard condition of approval to the project:

In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until a qualified archaeologist has evaluated the situation. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resource, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Any previously undiscovered resources found during construction within the Project Site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the City of Patterson, the Northwest Information Center, and the State Historic Preservation Office, as required.

As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- c) The prior EIR did not evaluate impacts on human remains. The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. All previous studies found that there were no records of known burial sites within the project boundaries. Nonetheless, the City will apply the following standard condition of approval to the project:

In the event of an accidental discovery or recognition of any human remains, Public Resources Code Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Stanislaus County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendent or on the project area in a location not subject to further subsurface disturbance:
  - The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being given access to the site;
  - The descendent identified fails to make a recommendation; or
  - The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

### **Tribal Cultural Resources**

d–e) The prior EIR did not evaluate impacts on tribal cultural resources.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The 2002 Holman and Associates report did not identify any Native American archaeological resources within the project area. FCS conducted an updated records search in September of 2002 that included a review of the California Register of Historical Resources, local registers of historic resources, a CHRIS records search, and a Native American Heritage Commission Sacred Lands File (NAHC-SLF) search, all of which failed to identify any listed Tribal Cultural Resources (TCRs) that may be adversely affected by the proposed project. As such, no eligible or potentially eligible TCRs will adversely affected by the proposed project. Additionally, the City of Patterson in its capacity as lead agency has not

identified any additional TCRs meeting the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

### **Mitigation Measures**

None.

### **Conclusion**

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>VI. Energy</b>					
<i>Would the project:</i>					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	N/A	No	No	No	None
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	N/A	No	No	No	None

## Discussion

a-b) Chapter IV (Other CEQA Considerations) of the prior EIR considered the energy impacts associated with the buildout of the West Patterson Business Park and Patterson Gardens. The prior EIR stated that development of buildings and infrastructure, and occupancy of these buildings, would use energy resources. However, the prior EIR concluded that through compliance with California Code of Regulations Title 24 energy regulations, energy would not be used in a wasteful, inefficient or unnecessary manner. The prior EIR further noted that energy consumption for treatment of groundwater in the future would increase demand for power generation in the region by 2020, but not in excess of expected future capacity.

The proposed project would involve energy consumption associated with construction and operational activities. The overall construction schedule and process is already designed to be efficient in order to avoid excess monetary costs. For example, equipment and fuel are not typically used wastefully due to the added expense associated with renting the equipment, maintaining it, and fueling it. The proposed project’s buildings would be designed and constructed in accordance with the City’s latest adopted energy efficiency standards, which are based on the State’s Building Energy Efficiency Standards. These are widely regarded as the most advanced building energy efficiency standards and compliance would ensure that building energy consumption would not be wasteful, inefficient, or unnecessary. Additionally, the proposed single-family residences would include solar panels to produce on-site renewable energy.



Project-related vehicle trips would consume an estimated 1,358,771 gallons of gasoline and diesel annually. Current estimated operational vehicle trips from existing on-site uses consume an estimated 2,366 gallons of fuel (gasoline and diesel combined) annually. Vehicle trips generated from on-site uses would consume an additional 1,356,405 gallons of fuel (gasoline and diesel combined) annually based on estimated operations for the proposed project. The project would provide high-density residential development close to jobs, amenities, and services.

The proposed project is within the boundaries of the West Patterson Business Park and, thus, its energy consumption would be within the energy budget established in conjunction with that project. Thus, energy consumption would not be wasteful, inefficient, or unnecessary. The City of Patterson Sustainability Plan, prepared in 2009, provides energy goals of and policies for the community (details of this plan are provided in Appendix A).<sup>5</sup> Many of the goals and policies of the Sustainability Plan have been accomplished through State regulations described earlier. For example, solar panels are required by 2019 Title 24, Renewable Portfolio Standards (RPS) standards have resulted in large scale construction of renewable energy projects to meet the RPS renewables mandate. The project would comply with the applicable policies of the Sustainability Plan. The project will be designed to include energy conservation measures to meet or exceed the regulatory requirements. The proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

## Mitigation Measures

None.

## Conclusion

The conclusions from the prior EIR remain unchanged.

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<sup>5</sup> City of Patterson. 2009. City of Patterson Sustainability Plan. June. Website: <https://pdfs.semanticscholar.org/2bf8/0829dd89f54544afc12f6876b19f38e04011.pdf>. Accessed September 17, 2020.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>VII. Geology, Seismicity, and Soils</b>					
<i>Would the project:</i>					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Less than significant impact	No	No	No	None
ii) Strong seismic ground shaking?	Less than significant impact	No	No	No	None
iii) Seismic-related ground failure, including liquefaction?	Less than significant impact	No	No	No	None
iv) Landslides?	Less than significant impact	No	No	No	None
b) Result in substantial soil erosion or the loss of topsoil?	Less than significant impact	No	No	No	None
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than significant impact	No	No	No	None

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	N/A	No	No	No	None
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	N/A	No	No	No	None
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	N/A	No	No	No	None

## Discussion

- a) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may result in exposure to seismic hazards such as fault rupture, ground shaking, liquefaction, and landsliding. The prior EIR noted that compliance with California Building Standards Code (CBC) seismic safety requirements would ensure that new development is not exposed to geologic hazards. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. There are no active faults within the project site. In addition, the project site is not within a designated Alquist-Priolo Earthquake Fault Zone. Standard earthwork, soil engineering, and construction practices (e.g., grading, placement of engineered fill, pouring of slab foundations, etc.) would serve to abate any strong ground shaking hazards. The project site is underlain by clayey alluvium deposits derived from sedimentary rock. Additionally, groundwater occurs at depths greater than 10 feet. Implementation of standard earthwork and soil engineering practices during construction would serve to abate any ground-failure or liquefaction-related hazards. The project site abuts the Delta-Mendota Canal, which is set atop an embankment. The slopes associated with the embankments are engineered and are not susceptible to landslides. Thus, the proposed project would not be exposed to landsliding during a seismic event. As such, the proposed

project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may result in erosion and sedimentation. The prior EIR noted that implementation of Stormwater Pollution Prevention Plans would ensure that new development does not create erosion or sedimentation. The prior EIR concluded that impacts would be less than significant

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The proposed project would implement a Stormwater Pollution Prevention Plan during construction to prevent erosion into downstream waterways. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- c) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may result in exposure to unstable soils and geologic units. The prior EIR noted that compliance with CBC seismic safety requirements would ensure that new development would not be exposed to geologic hazards. The prior EIR concluded that impacts would be less than significant.

The project site is underlain by clayey alluvium deposits derived from sedimentary rock. Additionally, groundwater occurs at depths greater than 10 feet. Implementation of standard earthwork and soil engineering practices during construction would serve to abate any unstable soil or geologic unit hazards. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- d) The prior EIR did not evaluate impacts on expansive soils. The project site is underlain by Capay clay and Stomar clay loam soils, which contain clay and, thus, would be considered expansive. Implementation of Standard earthwork and soil engineering practices (e.g., excavation of native soils and replacement with engineered fill) during construction would serve to abate any expansive soils hazards. Impacts would be less than significant.
- e) The prior EIR did not evaluate associated with septic tanks. The proposed project would be served with wastewater collection and treatment service provided by the City of Patterson. No septic or alternative wastewater disposal systems would be employed. No impact would occur.
- f) The prior EIR did not evaluate impacts on paleontological resources. Patterson is underlain by Pleistocene alluvium, which has a high sensitivity for paleontological deposits. The proposed project's grading activities are expected to be limited to the upper soil layers, which avoids disturbance of native soils that may contain paleontological resources. Nonetheless, the City will apply the following standard condition of approval to the project:

All soil disturbance in excess of 10 feet in depth should be monitored by a qualified paleontological monitor. In the event that fossils or fossil-bearing deposits are

discovered during construction activities, excavations within a 100-foot radius of the find shall be temporarily halted or diverted. The project contractor shall notify a qualified paleontologist to examine the discovery. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If the applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The plan shall be submitted to the City of Patterson for review and approval prior to implementation, and the applicant shall adhere to the recommendations in the plan.

With the implementation of this condition of approval, impacts would be less than significant.

### **Mitigation Measures**

None.

### **Conclusion**

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>VIII. Greenhouse Gas Emissions</b>					
<i>Would the project:</i>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	N/A	No	No	No	MM F.6(d) and Condition of Approval GHG-1
b) Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	N/A	No	No	No	MM F.6(d) and Condition of Approval GHG-1

## Discussion

- a) The prior EIR did not evaluate greenhouse gas (GHG) emissions. The proposed project would generate GHG emissions during temporary (short-term) construction activities such as demolition, site preparation and grading, running of construction equipment engines, movement of on-site heavy-duty construction vehicles, hauling of materials to and from the project site, asphalt paving, and construction worker motor vehicle trips. Long-term, operational GHG emissions would result from project generated vehicular traffic, on-site combustion of natural gas, operation of any landscaping equipment, off-site generation of electrical power over the life of the project, the energy required to convey water to and wastewater from the project site, the emissions associated with the hauling and disposal of solid waste from the project site. See Appendix A for a detailed explanation of and supporting information for the GHG emission impact analysis of the proposed project.

### *Construction*

Total GHG emissions generated during all phases of construction were combined and are presented in Table 8. The Valley Air District does not recommend assessing the significance of construction-related emissions. However, other jurisdictions, such as the South Coast Air Quality Management District (SCAQMD) and the Sacramento Metropolitan Air Quality Management District (SMAQMD), have concluded that construction emissions should be included since they may remain in the atmosphere for years after construction is complete. In order to account for the construction emissions, amortization of the total emissions generated during construction were based on the life of the development (residential—30 years) and added to the operational emissions.

**Table 8: Construction Greenhouse Gas Emissions**

Activity	Total MT CO <sub>2</sub> e per year
<b>2021 Construction</b>	
Demolition	19
Site Preparation	209
Grading	871
Building Construction	5,912
Architectural Coating	122
Paving	185
<b>Total</b>	<b>7,318</b>
<b>Amortized over 30 years</b>	<b>244</b>
Notes:	
Due to rounding, total MT CO <sub>2</sub> e may be marginally different from CalEEMod output. MT CO <sub>2</sub> e=metric tons of carbon dioxide equivalents	
Source: CalEEMod output; Appendix A.	

### Operation

Operational or long-term emissions occur over the life of the project. Sources of emissions may include motor vehicles and trucks, energy usage, water usage, waste generation, and area sources, such as landscaping activities and residential wood burning.

### Business as Usual Operational Emissions

Operational emissions under the Business as Usual (BAU) scenario were modeled using CalEEMod 2016.3.2. Modeling assumptions for the year 2005 were used to represent 2022 and 2030 BAU conditions (without the benefit of regulations adopted to reduce GHG emissions). The Valley Air District guidance recommends using emissions in 2002–2004 in the baseline scenario to represent conditions—as if regulations had not been adopted -to allow the effect of projected growth on achieving reduction targets to be clearly defined. CalEEMod defaults were used for project energy usage, water usage, waste generation, and area sources (architectural coating, consumer products, and landscaping). The vehicle fleet mix was revised to reflect the residential fleet mix approved by Valley Air District for the 2022 buildout year.

### 2022 and 2030 Operational Emissions

Operational emissions were modeled for the years 2022 and 2030 using CalEEMod. CalEEMod assumes compliance with some, but not all, applicable rules and regulations regarding energy efficiency, vehicle fuel efficiency, renewable energy usage, and other GHG reduction policies, as described in the CalEEMod User's Guide.<sup>6</sup> The reductions obtained from each regulation and the source of the reduction amount used in the analysis are described below.

<sup>6</sup> South Coast Air Quality Management District (SCAQMD). 2017. User's Guide for CalEEMod Version 2016.3.2. Website: <http://www.aqmd.gov/caleemod/user-s-guide>. Accessed September 24, 2020.

### *Emissions Accounting for Applicable Regulations*

The following regulations are incorporated into the CalEEMod emission factors:

- Pavley I and Pavley II (LEV III) motor vehicle emission standards
- ARB Medium and Heavy-Duty Vehicle Regulation
- 2005, 2008, 2013, and 2016 Title 24 Energy Efficiency Standards

The following regulations have not been incorporated into the CalEEMod emission factors and require alternative methods to account for emission reductions provided by the regulations:

- Renewable Portfolio Standards
- Low Carbon Fuel Standard
- 2019 Title 24 Energy Efficiency Standards
- Green Building Code Standards (indoor water use)
- California Model Water Efficient Landscape Ordinance (Outdoor Water)

Pavley II/LEV III standards have been incorporated in the latest version of CalEEMod. The California Air Resources Board (ARB) estimates a 3 percent reduction in 2020 and a 19 percent reduction from the vehicle categories subject to the regulation by 2030.<sup>7,8</sup>

The ARB GHG Regulation for Medium and Heavy-Duty Engines and Vehicles applies to trucks that will be accessing the project site. The benefits of the regulation were incorporated into CalEEMod 2016.3.2. The ARB estimates that this regulation will reduce GHG emissions from the affected vehicles by 7.2 percent.<sup>9</sup>

The Low Carbon Fuel Standard (LCFS) is estimated to achieve a 10 percent reduction in emissions by 2020 and an 18 percent reduction by 2030 (ARB 2010). CalEEMod does not include credit for the LCFS, so the reduction is calculated off-model based on reductions required by the regulation.

Title 24 reductions for 2013 and 2016 updates are included in CalEEMod 2016.3.2. Compliance with 2019 Title 24 is expected to reduce residential energy use by 7 percent beyond 2016 Title 24.<sup>10</sup>

RPS is not accounted for in CalEEMod 2016.3.2. Reductions from RPS are addressed by revising the electricity emission intensity factor in CalEEMod to account for the utility RPS rate forecast for 2022 and 2030.<sup>11</sup> Turlock Irrigation District provides emission factors for the electricity it

<sup>7</sup> California Air Resources Board (ARB). 2010. Pavley 1 + Low Carbon Fuel Standard Postprocessor Version 1.0 User's Guide. Website: <https://www.arb.ca.gov/cc/sb375/tools/pavleylcfuserguide.pdf>. Accessed February 5, 2020.

<sup>8</sup> California Air Resources Board (ARB). 2013. Clean Car Standards—Pavley, Assembly Bill 1493. Website: <http://www.arb.ca.gov/cc/ccms/ccms.htm>. Accessed February 5, 2020.

<sup>9</sup> California Air Resources Board (ARB). 2013. Initial Statement of Reasons for Proposed Rulemaking, Proposed GHG Regulations for Medium and Heavy-Duty Engines and Vehicles. Website: <https://www.arb.ca.gov/regact/2013/hdghg2013/hdghg2013isor.pdf>. Accessed February 5, 2020.

<sup>10</sup> California Energy Commission (CEC). 2018. 2019 Building Energy Efficiency Standards Frequently Asked Questions. Website: [https://www.energy.ca.gov/title24/2019standards/documents/2018\\_Title\\_24\\_2019\\_Building\\_Standards\\_FAQ.pdf](https://www.energy.ca.gov/title24/2019standards/documents/2018_Title_24_2019_Building_Standards_FAQ.pdf). Accessed February 5, 2020.

<sup>11</sup> California Public Utilities Commission. (CPUC). 2016. Renewable Portfolio Standard Quarterly Report. Website:



provides to customers and projections for its energy portfolio for each year through 2030 that is used to estimate project emissions.<sup>12</sup>

Energy savings from water conservation resulting from the Green Building Code Standards for indoor water use and California Model Water Efficient Landscape Ordinance for outdoor water use are not included in CalEEMod. The Water Conservation Act of 2009 mandates a 20 percent reduction in urban water use that is implemented with these regulations.<sup>13</sup>

Reductions in emissions from solid waste are based on the City achieving the CalRecycle 75 Percent Initiative by 2020 compared with a 50 percent baseline for 2005.

Regulations applicable to project sources and the percent reduction anticipated from each source are shown in Table 9. The percentage reductions are only applied to the specific sources subject to the regulations. For example, the Pavley LEV Standards apply only to light duty cars and trucks.

**Table 9: Summary of Applicable Greenhouse Gas Regulations**

Regulation	Project Applicability
Pavley Low Emission Vehicle Standards	Light duty cars and trucks accessing the site are subject to the regulation.
Truck and Bus Regulation	Heavy-duty trucks accessing the site for deliveries and services are subject to the regulation.
Low Carbon Fuel Standard (LCFS)	Vehicles accessing the site will use fuel subject to the LCFS.
Title 24 Energy Efficiency Standards	Project buildings will be constructed to meet the latest version of Title 24 (currently 2019). Reduction applies only to energy consumption subject to the regulation.
Green Building Code Standards	The project will include water conservation features required by the standard.
Water Efficient Land Use Ordinance	The project landscaping will comply with the regulation.
Renewable Portfolio Standard (RPS)	Electricity purchased for use at the project site is subject to the 33 percent RPS mandate.
Solid waste	The solid waste service provider will need to provide programs to increase diversion and recycling to meet the 75 percent mandate.

[https://www.cpuc.ca.gov/uploadedFiles/CPUC\\_Website/Content/Utilities\\_and\\_Industries/Energy/Reports\\_and\\_White\\_Papers/Q4\\_2016\\_RPS\\_Report\\_to\\_the\\_Legislature\\_FINAL.pdf](https://www.cpuc.ca.gov/uploadedFiles/CPUC_Website/Content/Utilities_and_Industries/Energy/Reports_and_White_Papers/Q4_2016_RPS_Report_to_the_Legislature_FINAL.pdf). Accessed February 5, 2020.

<sup>12</sup> California Energy Commission (CEC). 2019. Review of Turlock Irrigation District's 2018-2030 Integrated Resource Plan. August. Website: <https://www.energy.ca.gov/filebrowser/download/1905>. Accessed September 30, 2020.

<sup>13</sup> California Department of Water Resources (DWR). 2013. California Water Plan Update 2013, Chapter 3 Urban Water Use Efficiency. Website: [http://www.water.ca.gov/calendar/materials/vol3\\_urbanwue\\_apr\\_release\\_16033.pdf](http://www.water.ca.gov/calendar/materials/vol3_urbanwue_apr_release_16033.pdf). No longer available on the DWR website.

In addition to rules and regulations, the proposed project would incorporate design features and would obtain benefits from its location and infrastructure that would reduce project Vehicle Miles Traveled (VMT) compared with default values. The proposed project would locate residences in close proximity to commercial areas.

Note that CalEEMod nominally treats these design elements and conditions as “mitigation measures,” despite their inclusion in the project description. Therefore, reported operational emissions are considered to represent unmitigated project conditions. Full assumptions and model outputs are provided in Appendix A and results of this analysis for 2022 are presented in Table 10. A second analysis for 2030 is presented in Table 11.

**Table 10: Project Operational Greenhouse Gases 2022**

Source	Emissions (MT CO <sub>2</sub> e per year)	
	Business as Usual	2022 (with Regulation and Design Features)
Area	499	499
Energy	3,077	797
Mobile	17,857	14,387
Waste	389	389
Water	115	103
Amortized Construction Emissions	244	244
<b>Total</b>	<b>22,182</b>	<b>16,175</b>
Reduction from BAU		5,763
Percent Reduction		29.9%
Significance Threshold		29%
<b>Are emissions significant?</b>		<b>No</b>
Notes:		
MT CO <sub>2</sub> e=metric tons of carbon dioxide equivalents		
The project achieves the Valley Air District 29 percent reduction from BAU threshold and the 21.7 percent required to show consistency with AB 32 targets.		
Source of BAU emissions: CalEEMod output using 2005 modeling year to represent emissions in 2020 without regulations (Appendix A).		
Source of 2022 emissions: CalEEMod output (Appendix A).		

As shown in Table 10, the proposed project would achieve a reduction of 29.9 percent from BAU by the year 2022 with regulations and design features incorporated, including net zero electricity as required in Condition of Approval GHG-1.<sup>14</sup> This is above the 29 percent reduction required by the Valley Air District threshold, and the 21.7 percent average reduction from all sources of GHG emissions now required to achieve AB 32 targets. The ARB originally identified a reduction of 29 percent from BAU as needed to achieve AB 32 targets. The 2008

<sup>14</sup> Without net zero electricity, the project would achieve a 13.1 percent reduction from BAU, thus failing to meet the 29 percent reduction required by the Valley Air District threshold.

recession and slower growth in the years since 2008 have reduced the growth forecasted for 2020, and the amount needed to be reduced to achieve 1990 levels as required by AB 32. The California Department of Finance population forecast for 2020 to 2030 predicts growth in the State of 8.1 percent by the 2030 target year or 0.8 percent per year.<sup>15</sup>

The proposed project includes design features that would result in reductions in energy use. Measures that are part of the project design do not require additional mitigation measures to ensure they are accomplished.

The 29.9 percent reduction from BAU is 8.2 percent beyond the average reduction required by the State from all sources to achieve the AB 32 2020 target and therefore addresses the concern expressed in Newhall Ranch that projects should likely do more than the average to ensure they are providing a fair share of emission reductions (see Appendix A).

Since the proposed project buildout would occur after 2020, additional analysis summarized in Table 11 was prepared to show consistency with SB 32 2030 target.

**Table 11: Project Operational Greenhouse Gases 2030**

Source	Emissions (MT CO <sub>2</sub> e per year)	
	Business as Usual	2030 (with Regulation and Design Features)
Area	499	499
Energy	2,024	797
Mobile	13,079	10,725
Waste	389	389
Water	102	102
Amortized Construction Emissions	244	244
<b>Total</b>	<b>16,338</b>	<b>12,756</b>
Reduction from BAU		9,426
Percent Reduction		42.5%
Significance Threshold		29%
<b>Are emissions significant?</b>		<b>No</b>
Notes:		
MT CO <sub>2</sub> e=metric tons of carbon dioxide equivalents		
The project achieves the Valley Air District 29 percent reduction from BAU threshold and the 21.7 percent required to show consistency with AB 32 targets.		
Source of BAU emissions: CalEEMod output using 2005 modeling year to represent emissions in 2020 without regulations (Appendix A).		
Source of 2030 emissions: CalEEMod output (Appendix A).		

<sup>15</sup> State of California, Department of Finance. 2017. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. May. Website: <http://dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>. Accessed September 25, 2020.

As shown in Table 11, the proposed project would achieve a reduction of 42.5 percent from BAU by the year 2030 with regulations and design features incorporated, including net zero electricity as required in Condition of Approval GHG-1. No new threshold has been adopted by the City of Patterson for the 2030 target, so in the interim the project must make continued progress toward the 2030 goal.

In conclusion, the proposed project would achieve reductions 8.2 percent beyond the ARB 2020 21.7 percent target and 0.9 percent beyond the Valley Air District 29 percent reduction from BAU requirements from adopted regulations and on-site design features, including net zero electricity as required in Condition of Approval GHG-1, in the 2022 operational year. No new threshold has been adopted by the City for the SB 32 2030 target. Based on this progress and the 2017 Scoping Plan Update, it is reasonable to conclude that the project is consistent with the 2017 Scoping Plan and will contribute a reasonable fair-share contribution to achieving the 2030 target. The fair share may very well be achieved through compliance with increasingly stringent State regulations that apply to new development, such as Title 24 and CALGreen; regulations on energy production, fuels, and motor vehicles that apply to both new and existing development; and voluntary actions to improve energy efficiency in existing development. In addition, compliance with the VMT targets adopted to comply with SB 375 and implemented through the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) may be considered to adequately address GHG emissions from passenger cars and light-duty trucks. As shown in Table 12, the State strategy relies on the Cap-and-Trade Program to make up any shortfalls that may occur from the other regulatory strategies. The costs of Cap-and-Trade emission reductions will ultimately be passed on to the consumers of fuels, electricity and products produced by regulated industries which include future residents of development projects and other purchasers of products and services. Therefore, the impact in terms of Considerations No. 1 and No. 2, explained in further detail in Appendix A, would be less than significant.

- b) The following analysis assesses the project's compliance with Consideration No. 3 regarding consistency with adopted plans to reduce GHG emissions. The City of Patterson has not adopted a GHG reduction plan. In addition, the City has not completed the GHG inventory, benchmarking, or goal-setting process required to identify a reduction target and take advantage of the streamlining provisions contained in the CEQA Guidelines amendments adopted for SB 97 and clarifications provided in the CEQA Guidelines amendments adopted on December 28, 2018. The Valley Air District has adopted a Climate Action Plan, but it does not contain measures that are applicable to development projects. Therefore, the Valley Air District Climate Action Plan cannot be applied to the project. Since no other local or regional Climate Action Plan is in place, the project is assessed for its consistency with ARB's adopted Scoping Plans. This would be achieved with an assessment of the project's compliance with Scoping Plan measures contained in the 2008 Scoping Plan and the 2017 Scoping Plan Update.

Although the Patterson Sustainability Plan does not meet the CEQA Guidelines 15064.4(b)(3) requirements for an applicable plan to reduce GHG emissions, it contains goals and policies intended to reduce energy use that would support GHG reductions.

**AB 32 Scoping Plan**

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing GHGs (carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, the ARB adopted the Climate Change Scoping Plan (Scoping Plan) in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan calls for an “ambitious but achievable” reduction in California’s GHG emissions, cutting approximately 30 percent from BAU emission levels projected for 2020, or about 10 percent from 2008 levels. On a per-capita basis, that means reducing annual emissions of 14 tons of carbon dioxide for every man, woman, and child in California down to about 10 tons per person by 2020. As stated earlier, the ARB has updated its emission inventory forecasts and now estimates a reduction of 21.7 percent is required from BAU in 2020 to achieve AB 32 targets.

The Scoping Plan contains a variety of strategies to reduce the State’s emissions. As shown in Table 12, the proposed project is consistent with most of the strategies, while others are not applicable to the proposed project. As discussed earlier, the 2017 Scoping Plan Update strategies primarily rely on increasing the stringency of existing regulations with which the proposed project would continue to comply, and support through the project’s design.

**Table 12: Project Consistency with AB 32 Scoping Plan**

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Transportation	California Cap-and-Trade Program Linked to Western Climate Initiative	Regulation for the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanism October 20, 2015 (CCR 95800)	<b>Consistent.</b> The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers. However, the regulation indirectly affects people who use the products and services produced by these industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects’ electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
	California Light-Duty Vehicle Greenhouse Gas Standards	<p>Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles</p> <p>2012 LEV III Amendments to the California Greenhouse Gas and Criteria Pollutant Exhaust and Evaporative Emission Standards</p>	<p>address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period.</p> <p><b>Consistent.</b> This measure applies to all new vehicles starting with model year 2012. The proposed project would not conflict with its implementation as it would apply to all new passenger vehicles purchased in California. Passenger vehicles, model year 2012 and later, associated with construction and operation of the project would be required to comply with the Pavley emissions standards.</p>
	Low Carbon Fuel Standard.	2009 readopted in 2015. Regulations to Achieve Greenhouse Gas Emission Reductions Subarticle 7. Low Carbon Fuel Standard CCR 95480	<p><b>Consistent.</b> This measure applies to transportation fuels utilized by vehicles in California. The proposed project would not conflict with implementation of this measure. Motor vehicles associated with construction and operation of the proposed project would utilize low carbon transportation fuels as required under this measure.</p>
	Regional Transportation-Related Greenhouse Gas Targets.	SB 375. California Public Resources Code Sections 21155, 21155.1, 21155.2, 21159.28	<p><b>Consistent.</b> The proposed project will provide residential development in the region that is consistent with the increased development densities promoted in the 2018 Regional Transportation Plan/Sustainable Communities Strategy (SCS). The proposed project is not within an SCS priority area and so is not</p>

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
	Goods Movement	Goods Movement Action Plan January 2007.	subject to requirements applicable to those areas. <b>Not applicable.</b> The project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.
	Medium/Heavy-Duty Vehicles	2010 Amendments to the Truck and Bus Regulation, the Drayage Truck Regulation and the Tractor-Trailer Greenhouse Gas Regulation	<b>Consistent.</b> This measure applies to medium- and heavy-duty vehicles that operate in the State. The proposed project would not conflict with implementation of this measure. Medium and heavy-duty vehicles associated with construction and operation of the proposed project would be required to comply with the requirements of this regulation.
	High Speed Rail	Funded under SB 862	<b>Not applicable.</b> This is a Statewide measure that cannot be implemented by a project applicant or lead agency.
Electricity and Natural Gas	Energy Efficiency	Title 20 Appliance Efficiency Regulation Title 24 Part 6 Energy Efficiency Standards for Residential and Non-Residential Building Title 24 Part 11 California Green Building Code Standards	<b>Consistent.</b> The proposed project would not conflict with implementation of this measure. The project will comply with the latest energy efficiency standards and incorporate applicable energy efficiency features designed to reduce project energy consumption.
	Renewable Portfolio Standard/Renewable Electricity Standard.	2010 Regulation to Implement the Renewable Electricity Standard (33% 2020) SB 350 Clean Energy and Pollution Reduction Act of 2015 (50% 2030)	<b>Consistent.</b> Turlock Irrigation District obtained 32 percent of its power supply from renewable sources such as solar, wind, eligible hydroelectric, and geothermal in 2018. The owners of residences within the project site would purchase power that consists of a greater percentage of renewable sources and could install renewable solar power systems that will assist the utility in achieving exceeding the renewable mandate.

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
	Million Solar Roofs Program	Tax incentive program	<b>Consistent.</b> This measure is intended to increase solar throughout California by means of a variety of electricity providers and existing solar programs. Projects within the plan area will be able to take advantage of incentives that are in place at the time of construction.
Water	Water	Title 24 Part 11 California Green Building Code Standards SBX 7-7—The Water Conservation Act of 2009 Model Water Efficient Landscape Ordinance	<b>Consistent.</b> The proposed project will comply with the California Green Building Standards Code, which requires a 20 percent reduction in indoor water use. The proposed project will also comply with the MWEL as required by the City's development code and water ordinance.
Green Buildings	Green Building Strategy	Title 24 Part 11 California Green Building Code Standards	<b>Consistent.</b> The State will increase the use of green building practices. The proposed project would implement required green building strategies through existing regulation that requires the project to comply with various CALGreen requirements. The proposed project includes sustainability design features that support the Green Building Strategy.
Industry	Industrial Emissions	2010 ARB Mandatory Reporting Regulation	<b>Not applicable.</b> The proposed project is not an industrial land use.
Recycling and Waste Management	Recycling and Waste	Title 24 Part 11 California Green Building Code Standards AB 341 Statewide 75 Percent Diversion Goal	<b>Consistent.</b> The proposed project would not conflict with implementation of these measures. The proposed project is required to achieve the recycling mandates via compliance with the CALGreen code. The proposed project would utilize City of Patterson recycling services.
Forests	Sustainable Forests	Cap-and-Trade Offset Projects	<b>Not applicable.</b> The project site is in an area designated for



Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
High Global Warming Potential	High Global Warming Potential Gases	ARB Refrigerant Management Program CCR 95380	urban uses. No forested lands exist on-site. <b>Not applicable.</b> The regulations are applicable to refrigerants used by large air conditioning systems and large commercial and industrial refrigerators and cold storage system. Homes do not use large systems subject to the refrigerant management regulations adopted by ARB.
Agriculture	Agriculture	Cap-and-Trade Offset Projects for Livestock and Rice Cultivation	<b>Not applicable.</b> The project site is designated for urban development. No grazing, feedlot, or other agricultural activities that generate manure occur currently exist on-site or are proposed to be implemented by the proposed project.

Source of ARB Scoping Plan Reduction Measures: California Air Resources Board (ARB). 2008. (includes edits made in 2009) Climate Change Scoping Plan, a framework for change. Website: [http://www.arb.ca.gov/cc/scopingplan/document/adopted\\_scoping\\_plan.pdf](http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf). Accessed February 5, 2020.

In summary, the proposed project incorporates a number of features that would minimize GHG emissions. These features are consistent with project-level strategies identified by the ARB’s Scoping Plan. As demonstrated in the impact analysis above, the proposed project would achieve an approximately 29.9 percent reduction from the BAU inventory by 2022 and a 42.5 percent reduction by 2030 and, therefore, would not significantly hinder or delay the State’s ability to meet the reduction targets contained in AB 32 or SB32 or conflict with implementation of the Scoping Plan. The proposed project promotes the goals of the Scoping Plan through implementation of design measures that reduce energy consumption, water consumption, and reduction in VMT. Therefore, the proposed project does not conflict with any plans to reduce GHG emissions. The impact would be less than significant.

*Consistency with California’s Post-2020 Targets*

The State’s Executive Branch adopted several Executive Orders related to GHG emissions. Executive Orders S-3-05 and B-30-15 are two examples. Executive Order S-3-05 sets goals to reduce emissions to 1990 levels by 2020 and 80 percent below 1990 levels by 2050. The goal of Executive Order S-3-05 to reduce GHG emissions to 1990 levels by 2020 was codified by AB 32. The proposed project, as analyzed above, is consistent with AB 32. Therefore, the proposed project does not conflict with this component of Executive Order S-3-05. Executive Order B-30-15 establishes an interim goal to reduce GHG emissions to 40 percent below 1990 levels by 2030.

The 2030 goal was codified under SB 32 and is now addressed by the 2017 Scoping Plan Update. The new plan provides a strategy that is capable of reaching the SB 32 target if the measures included in the plan are implemented and achieve reductions within the ranges expected. Under the Scoping Plan Update, local government plays a supporting role through its land use authority and control over local transportation infrastructure. The Plan Update includes reductions from implementation of SB 375 that applies to VMT from passenger vehicles. Stanislaus County targets for SB 375 are a 5 percent per capita reduction by 2020 and a 10 percent per capita reduction by 2035 relative to 2005 levels. SB 375 is implemented with the Stanislaus Council of Governments (StanCOG) RTP/SCS. The RTP/SCS envisions an increase in development density that would encourage fewer and shorter trips and more trips by transit, walking, and bicycling in amounts sufficient to achieve the SB 375 targets.

Now that the 2017 Scoping Plan has been adopted, new methodologies and threshold approaches are required to determine the fair-share contributions City development projects would need to make to achieve the 2030 target. In the meantime, however, the discussion under “Consistency with SB 32” below addresses the consistency of the proposed project with SB 32, which provides the statutory underpinning of the 2017 Scoping Plan. The SB 32 target requires GHG emissions to be reduced from 1990 levels. No consensus has been reached around the State on a new quantitative target for new development based on consistency with the SB 32 targets.

The Executive Order S-3-05 2050 target has not been codified by legislation. Studies have shown that, in order to meet the 2050 target, aggressive pursuit of technologies in the transportation and energy sectors, including electrification and the decarbonization of fuel, will be required. Because of the technological shifts required and the unknown parameters of the regulatory framework in 2050, quantitatively analyzing the project’s impacts further relative to the 2050 goal is speculative for purposes of CEQA.<sup>16</sup>

The ARB recognizes that AB 32 establishes an emissions reduction trajectory that will allow California to achieve the more stringent 2050 target: “These [greenhouse gas emission reduction] measures also put the State on a path to meet the long-term 2050 goal of reducing California’s GHG emissions to 80 percent below 1990 levels. This trajectory is consistent with the reductions that are needed globally to stabilize the climate.” In addition, the ARB’s First Update “lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050,” and many of the emission reduction strategies recommended by ARB would serve to reduce the proposed project’s post-2020 emissions level to the extent applicable by law:

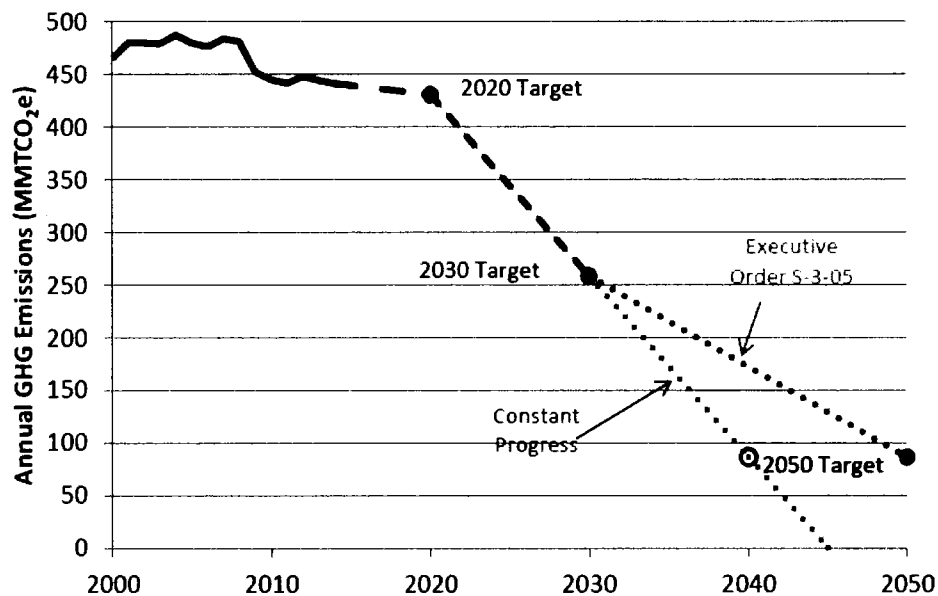
- **Energy Sector:** Continued improvements in California’s appliance and building energy efficiency programs and initiatives, such as the State’s zero net energy building goals, would serve to reduce the proposed project’s emissions level. Additionally, further additions to California’s renewable resource portfolio would favorably influence the project’s emissions level.

<sup>16</sup> California Air Resources Board (ARB). 2014. First Update to the Climate Change Scoping Plan. Website: <http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm>. Accessed February 5, 2020.

- **Transportation Sector:** Anticipated deployment of improved vehicle efficiency, zero emission technologies, lower carbon fuels, and improvement of existing transportation systems all will serve to reduce the project’s emissions level.
- **Water Sector:** The project’s emissions level will be reduced as a result of further desired enhancements to water conservation technologies.
- **Waste Management Sector:** Plans to further improve recycling, reuse and reduction of solid waste will beneficially reduce the project’s emissions level.

For the reasons described above the project’s post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets. The trajectory required to achieve the post-2020 targets is shown in Figure 1.

**Figure 1: California’s Path to Achieving the 2050 Target**



Source: California Air Resources Board (ARB). 2017. The 2017 Climate Change Scoping Plan Update. January 20. Website: [https://www.arb.ca.gov/cc/scopingplan/2030sp\\_pp\\_final.pdf](https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf). Accessed February 5, 2020.

In his January 2015 inaugural address, Governor Brown expressed a commitment to achieve “three ambitious goals” that he would like to see accomplished by 2030 to reduce the State’s GHG emissions:

- Increasing the State’s Renewable Portfolio Standard from 33 percent in 2020 to 50 percent in 2030;
- Cutting the petroleum use in cars and trucks in half; and
- Doubling the efficiency of existing buildings and making heating fuels cleaner.

These expressions of the Executive Branch policy may be manifested in adopted legislative or regulatory action through the State agencies and departments responsible for achieving the State's environmental policy objectives, particularly those relating to global climate change.<sup>17</sup>

Further, recent studies show that the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40 percent below 1990 levels by 2030, and to 80 percent below 1990 levels by 2050. Even though these studies did not provide an exact regulatory and technological roadmap to achieve the 2030 and 2050 goals, they demonstrated that various combinations of policies could allow the statewide emissions level to remain very low through 2050, suggesting that the combination of new technologies and other regulations not analyzed in the studies could allow the State to meet the 2050 target.<sup>18</sup>

Given the proportional contribution of mobile source-related GHG emissions to the State's inventory, recent studies also show that relatively new trends—such as the increasing importance of web-based shopping, the emergence of different driving patterns by the “millennial” generation, and the increasing effect of web-based applications on transportation choices—are beginning to substantially influence transportation choices and the energy used by transportation modes. These factors have changed the direction of transportation trends in recent years and will require the creation of new models to effectively analyze future transportation patterns and the corresponding effect on GHG emissions. For the reasons described above the proposed project's post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets.

#### *Consistency with SB 32*

The 2017 Climate Change Scoping Plan Update (2017 Scoping Plan) includes the strategy that the State intends to pursue to achieve the 2030 targets of Executive Order S-3-05 and SB 32. The 2017 Scoping Plan includes the following summary of its overall strategy for reaching the 2030 target:

- SB 350
  - Achieve 50 percent Renewables Portfolio Standard (RPS) by 2030.
  - Doubling of energy efficiency savings by 2030.
- Low Carbon Fuel Standard
  - Increased stringency (reducing carbon intensity 18 percent by 2030, up from 10 percent in 2020).
- Mobile Source Strategy (Cleaner Technology and Fuels Scenario)
  - Maintaining existing GHG standards for light- and heavy-duty vehicles.
  - Put 4.2 million zero-emission vehicles (ZEVs) on the roads.
  - Increase ZEV buses, delivery and other trucks.
- Sustainable Freight Action Plan
  - Improve freight system efficiency.

<sup>17</sup> Brown, Edmund G. Jr. 2015. Press Release: California Establishes Most Ambitious Greenhouse Gas Goal in North America. April 29. Website: <https://www.gov.ca.gov/news.php?id=18938>. Accessed January 6, 2018.

<sup>18</sup> Energy and Environmental Economics. 2015. Pathways to Deep Decarbonization in the United States. Website: [http://deepdecarbonization.org/wp-content/uploads/2015/11/US\\_Deep\\_Decarbonization\\_Technical\\_Report\\_Exec\\_Summary.pdf](http://deepdecarbonization.org/wp-content/uploads/2015/11/US_Deep_Decarbonization_Technical_Report_Exec_Summary.pdf). Accessed February 5, 2020.

- Maximize use of near-zero emission vehicles and equipment powered by renewable energy.
- Deploy over 100,000 zero-emission trucks and equipment by 2030.
- Short-Lived Climate Pollutant (SLCP) Reduction Strategy
  - Reduce emissions of methane and hydrofluorocarbons 40 percent below 2013 levels by 2030.
  - Reduce emissions of black carbon 50 percent below 2013 levels by 2030.
- SB 375 Sustainable Communities Strategies
  - Increased stringency of 2035 targets.
- Post-2020 Cap-and-Trade Program
  - Declining caps, continued linkage with Québec, and linkage to Ontario, Canada.
  - ARB will look for opportunities to strengthen the program to support more air quality benefits, including specific program design elements. In Fall 2016, ARB staff described potential future amendments including reducing the offset usage limit, redesigning the allocation strategy to reduce free allocation to support increased technology and energy investment at covered entities and reducing allocation if the covered entity increases criteria or toxics emissions over some baseline.
- By 2018, develop Integrated Natural and Working Lands Action Plan to secure California’s land base as a net carbon sink.

Table 13 provides an analysis of the project’s consistency with the 2017 Scoping Plan Update measures.

**Table 13: Consistency with SB 32 2017 Scoping Plan Update**

Scoping Plan Measure	Project Consistency
<p><b>SB 350 50% Renewable Mandate.</b> Utilities subject to the legislation will be required to increase their renewable energy mix from 33% in 2020 to 50% in 2030.</p>	<p><b>Consistent:</b> The proposed project will purchase electricity from a utility subject to the SB 350 Renewable Mandate.</p>
<p><b>SB 350 Double Building Energy Efficiency by 2030.</b> This is equivalent to a 20 percent reduction from 2014 building energy usage compared to current projected 2030 levels.</p>	<p><b>Not Applicable.</b> This measure applies to existing buildings. New structures are required to comply with Title 24 Energy Efficiency Standards that are expected to increase in stringency until residential housing achieves zero net energy.</p>
<p><b>Low Carbon Fuel Standard.</b> This measure requires fuel providers to meet an 18 percent reduction in carbon content by 2030.</p>	<p><b>Consistent.</b> Vehicles accessing the project site will use fuel containing lower carbon content as the fuel standard is implemented.</p>
<p><b>Mobile Source Strategy (Cleaner Technology and Fuels Scenario).</b> Vehicle manufacturers will be required to meet existing regulations mandated by the LEV III and Heavy-Duty Vehicle programs. The strategy includes a goal of having 4.2 million ZEVs on the road by 2030 and increasing numbers of ZEV trucks and buses.</p>	<p><b>Consistent.</b> Project residents can be expected to purchase increasing numbers of more fuel efficient and zero emission cars and trucks each year. The 2016 CALGreen Code requires electrical service in new single-family housing to be EV charger-ready. Home deliveries will be made by increasing numbers of ZEV delivery trucks.</p>

Scoping Plan Measure	Project Consistency
<p><b>Sustainable Freight Action Plan.</b> The plan's target is to improve freight system efficiency 25 percent by increasing the value of goods and services produced from the freight sector, relative to the amount of carbon that it produces by 2030. This would be achieved by deploying over 100,000 freight vehicles and equipment capable of zero emission operation and maximize near-zero emission freight vehicles and equipment powered by renewable energy by 2030.</p>	<p><b>Not Applicable.</b> The measure applies to owners and operators of trucks and freight operations. However, home deliveries are expected to be made by increasing number of ZEV delivery trucks.</p>
<p><b>Short-Lived Climate Pollutant (SLCP) Reduction Strategy.</b> The strategy requires the reduction of SLCPs by 40 percent from 2013 levels by 2030 and the reduction of black carbon by 50 percent from 2013 levels by 2030.</p>	<p><b>Consistent.</b> The proposed project will include only natural gas hearths that produce very little black carbon compared with wood burning fireplaces and heaters.</p>
<p><b>SB 375 Sustainable Communities Strategies.</b> Requires Regional Transportation Plans to include a sustainable communities strategy for reduction of per capita vehicle miles traveled.</p>	<p><b>Consistent.</b> The proposed project will provide residential development in the region that is consistent with the Regional Transportation Plan/Sustainable Communities Strategy (SCS) strategy to increase development densities to reduce VMT. The proposed project is not within an SCS priority area and so is not subject to requirements applicable to those areas.</p>
<p><b>Post-2020 Cap-and-Trade Program.</b> The Post 2020 Cap-and-Trade Program continues the existing program for another 10 years. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers.</p>	<p><b>Consistent.</b> The post-2020 Cap-and-Trade Program indirectly affects people who use the products and services produced by the regulated industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the program's first compliance period.</p>
<p><b>Natural and Working Lands Action Plan.</b> The ARB is working in coordination with several other agencies at the federal, state, and local levels, stakeholders, and with the public, to develop measures as outlined in the Scoping Plan Update and the governor's Executive Order B-30-15 to reduce GHG emissions and to cultivate net carbon sequestration potential for California's natural and working land.</p>	<p><b>Not Applicable.</b> The proposed project is residential development and will not be considered natural or working lands.</p>
<p>Source: California Air Resources Board (ARB). 2017c. The 2017 Climate Change Scoping Plan Update. January 20. Website: <a href="https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf">https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf</a>. Accessed February 5, 2020.</p>	

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the proposed project would comply with whatever measures are enacted that state lawmakers decide would lead to an 80 percent reduction below 1990 levels by 2050. In its 2008 Scoping Plan, the ARB acknowledged that the “measures needed to meet the 2050 are too far in the future to define in detail.” In the First Scoping Plan Update; however, the ARB generally described the type of activities required to achieve the 2050 target: “energy demand reduction through efficiency and activity changes; large scale electrification of on-road vehicles, buildings, and industrial machinery; decarbonizing electricity and fuel supplies; and rapid market penetration of efficiency and clean energy technologies that requires significant efforts to deploy and scale markets for the cleanest technologies immediately.” The 2017 Scoping Plan provides an intermediate target that is intended to achieve reasonable progress toward the 2050 target.

Accordingly, taking into account the proposed project’s emissions, project design features, and the progress being made by the State towards reducing emissions in key sectors such as transportation, industry, and electricity, the project would be consistent with State GHG Plans and would further the State’s goals of reducing GHG emissions to 1990 levels by 2020, 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050, and does not obstruct their attainment. Impacts would be less than significant.

## Conditions of Approval

The following Condition of Approval would be required to ensure the proposed project complies with all applicable provisions contained in the West Patterson Business Park EIR Mitigation Measures. Implementation of the following Condition of Approval would ensure that the proposed project meets the 29 percent reduction required by the Valley Air District threshold and would have less-than-significant impacts related to GHG emissions.

**GHG-1** In compliance with MM F.6(d) of the West Patterson Business Park EIR, the project shall achieve net zero electricity use equivalence through any combination of on-site generation and the purchase of renewable electricity from the utility provider.

## Mitigation Measures

As previously discussed, the prior EIR did not evaluate GHG emissions; however, several of the applicable EIR air quality mitigation measures would have co-benefits that would serve to reduce project-generated GHG emissions. The applicable air quality mitigation measures from the prior EIR are provided in Section III, Air Quality.

## Conclusion

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>IX. Hazards and Hazardous Materials</b>					
<i>Would the project:</i>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant impact with mitigation	No	No	No	MM L.2
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than significant impact with mitigation	No	No	No	MM L.2
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than significant impact	No	No	No	None
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant impact	No	No	No	None
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport,	Less than significant impact	No	No	No	None



Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
would the project result in a safety hazard or excessive noise for people residing or working in the project area?					
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	N/A	No	No	No	None
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	N/A	No	No	No	None

## Discussion

a–b) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would result in exposure of hazardous materials such as asbestos and lead-based paint from demolition activities. The prior EIR set forth MM L.2 that requires pre-demolition investigations for asbestos and lead-based paint in buildings constructed prior to 1978 and proper removal of such materials if found to be present. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The project site contains at least six agricultural and residential structures that were constructed prior to 1978. Thus, MM L.2 would apply to the proposed project. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

c–d) The prior EIR found that the Patterson Gardens residential and school uses would be located on land previously used for agriculture and may have elevated levels of organochlorides and metals. The prior EIR noted that soil testing found that concentrations of these substances are within acceptable levels for residential and school land uses. The prior EIR concluded that impacts would be less than significant.

The Patterson Gardens residential and school uses were developed in the mid-2000s. The proposed project does not involve residential or school uses. As such, the proposed project

would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- e) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may increase exposure to agricultural spraying operations associated with the Patterson Airport. The prior EIR noted that buildout of the business park would reduce agricultural land use activities and associated aerial spraying. The prior EIR concluded that impacts were less than significant.

The Patterson Airport closed in 2010 and agricultural spraying no longer occurs within the West Patterson Business Park boundaries. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- f) The prior EIR did not evaluate impacts associated with emergency evacuation. The proposed project would take vehicular access from Sperry Avenue, Baldwin Road, and an extension of Calvinson Parkway. All of these roads are currently truck routes or would be designed as truck routes and, thus, are suitable for emergency response vehicles and evacuation. As individual parcels develop, they will be required to demonstrate consistency with the applicable Fire Code emergency access requirements, including providing two points of connection. Impacts would be less than significant.
- g) The prior EIR did not evaluate impacts associated with wildfire. The project site is surrounded by urban infrastructure and agricultural land uses, which are not susceptible to wildfires. Thus, the proposed project would not expose occupants to significant risk of loss, injury, or death involving wildland fire. Impacts would be less than significant.

## Mitigation Measures

- MM L.2** An investigation shall be made of each structure scheduled for demolition, focusing on asbestos and lead-based paint. Removal must be conducted according to OSHA and other regulations.

## Conclusion

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>X. Hydrology and Water Quality</b>					
<i>Would the project:</i>					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than significant impact with mitigation	No	No	No	MMs H.4, H.5, I.3, I.4
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than significant impact with mitigation	No	No	No	MMs H.5, I.3, I.5
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
(i) result in substantial erosion or siltation on- or off-site;	Less than significant impact with mitigation	No	No	No	MMs H.2, H.4,
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	Less than significant impact with mitigation	No	No	No	MMs H.1, H.2, H.4,
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Less than significant impact with mitigation	No	No	No	MMs H.1, H.2, H.4,

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
(iv) impede or redirect flood flows?	Less than significant impact with mitigation	No	No	No	MMs H.1, H.2, H.4,
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less than significant impact with mitigation	No	No	No	None
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than significant impact with mitigation	No	No	No	MMs H.5, I.3, I.5

## Discussion

- a) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may diminish water quality from construction and operational stormwater pollution. The prior EIR set forth MMs H.4, H.5, I.3, and I.4 that require implementation of stormwater pollution prevention measures. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. Construction activities would involve ground disturbance, which has the potential to generate polluted runoff. The proposed project would create new impervious surfaces, which also have the potential to generate polluted runoff. Additionally, the existing well(s) on the property would be abandoned in accordance with Patterson Municipal Code requirements. Accordingly, MM H.4 and H.5 apply to the proposed project, which require implementation of a Storm Water Pollution Prevent Plan (SWPPP) during construction and proper well abandonment. The other MMs do not apply to the project. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b, e) The prior EIR found that buildout of West Patterson Business Park and Patterson Gardens would increase demand for potable water by 3,018 acre-feet annually. The City of Patterson relies exclusively on groundwater for potable water supply. The prior EIR noted that citywide demand (including existing development and the proposed projects) would total 7,589 acre-feet. The prior EIR found that the City of Patterson had plans to increase local groundwater production and that the increase would be with the safe yield of the basin (9,300 acre-feet). The prior EIR set forth MMs H.5, I.3, and I.5, which require groundwater management

measures to reduce impacts to a level of less than significant. The prior EIR concluded that impacts would be less than significant.

The proposed project's potable water demand is estimated to be 213 acre-feet/year and its non-potable water demand is estimated to be 71 acre-feet/year. This value is within the citywide water demand projections estimated by the prior EIR, as well as the City's Urban Water Management Plan. Furthermore, existing agricultural and domestic pumping would cease as a result of the proposed project. Finally, the City of Patterson will require the applicant to use non-potable water from the upper aquifer for landscape irrigation, which would ease the burden on the lower aquifer. Accordingly, the proposed project would not represent 'new' demand on groundwater resources and, thus, would not require implementation of MMs H.5, I.3, and I.5. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- c) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may place housing or other structures into 100-year flood hazard areas and create new impervious surfaces that would increase the amount of runoff. The prior EIR set forth MMs H.1 and H.2 that require new buildings within flood hazard areas to be elevated to 1-foot above the flood elevation, and for applicants to install new storm drainage infrastructure as the area builds out. The prior EIR concluded that impacts would be less than significant.

The backbone storm drainage infrastructure within the West Patterson Business Park and Patterson Gardens was installed in the 2000s. The project applicant would install storm drainage infrastructure that would connect to the City's system in Sperry Avenue, in compliance with the provisions of MM H.2. The project site is not within a 100-year flood hazard area and, thus, MM H.1 does not apply. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- d) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may place housing or other structures into 100-year flood hazard areas. The prior EIR set forth MM H.1, which requires new buildings within flood hazard areas to be elevated to 1-foot above the flood elevation. The prior EIR concluded that impacts would be less than significant.

The project site is not within a 100-year flood hazard area and, thus, MM H.1 does not apply. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

## Mitigation Measures

- MM H.1** New construction and substantial improvement of any structure in Zone B shall have the lowest floor elevation, including basement, elevated above the highest adjacent grade at least two feet. Upon completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered professional engineer or surveyor, or verified by a community building inspector to be properly

- elevated. Certifications shall be provided to the floodplain administrator. **(Does not apply to project).**
- MM H.2** Each phase of development must design and install drainage systems in compliance with the intent of the recommended drainage plan detailed in the 2001 Master Storm Drainage Plan, City of Patterson, Western Expansion Area. The detention basins shall be designed so that flow to the creek could be interrupted when insufficient capacity was available in the creek for conveyance of the flows. Design-level drainage plans for each phase of the development of the West Patterson projects shall be submitted to the City of Patterson for review.
- MM H.4** Each developer who proposes to construct a project within the project area, shall prepare a SWPPP designed to reduce potential impacts to surface water quality through the construction and life of the project whether or not the development site is over five acres. The City shall also prepare a SWPPP for its wastewater facility expansion project. The SWPPP would act as the overall document designed to provide measures to mitigate water quality impacts. At a minimum, BMPs shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies with stormwater. Regular tailgate meetings shall be held to educate personnel on pollution prevention. An independent monitoring program shall be implemented to prevent pollution from construction runoff. BMPs to reduce erosion of exposed soils shall be implemented. The SWPPP shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development. The final design team for each development shall review and incorporate the concepts included in the Start at the Source, Design Guidance Manual for Stormwater Quality Protection.
- MM H.5** Prior to approval of a grading plan for development of a particular parcel or subarea of the project area, a well survey shall be conducted to determine the location and characteristics of each well. The water supply wells shall either be properly abandoned in compliance with the California Department of Water Resources, California Wells Standards, and Stanislaus County Code, or inspected by a qualified professional to determine whether each well is properly sealed to prevent infiltration of water-borne contamination into the well casing or surrounding gravel pack. If any of the wells are found not to comply with this requirement, the applicant shall retain a qualified well driller to install the required seal.
- MM I.3**
- a) The City shall sample groundwater semiannually to assess water quality, and shall conduct additional studies to better understand direction and rate of groundwater flow in the confined aquifer. This will allow the City to optimize the arrangement of new wells to maximize water quality, and minimize the severity of the resulting cone of depression.
  - b) If, in the unlikely event that an existing user of the confined aquifer finds its well affected by the City's pumping, the City shall compensate the user for the cost of deepening the pump setting and the increased cost of Operating the well to draw water from greater depths and shall be reimbursed by developers.

- c) Subsidence shall be monitored annually as described in the groundwater study.  
**(Does not apply to project).**

**MM I.5** To avoid contaminating the aquifer, the City shall comply with all aspects of the County's water well ordinance. **(Does not apply to project).**

## **Conclusion**

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XI. Land Use and Planning</b>					
<i>Would the project:</i>					
a) Physically divide an established community?	Less than significant impact	No	No	No	None
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less than significant impact	No	No	No	None

## Discussion

- a) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would not divide established communities or create land use conflicts with surrounding agricultural uses. The prior EIR noted that setbacks, berms, fences, and other land use compatibility measures, as well as application of the Right to Farm Ordinance, would avoid land use conflicts. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The project’s residential and non-residential uses would be separated by the Calvinton Parkway extension (including landscaping and fences), which would serve as a buffer between the two uses. As such, the project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would be consistent with the City of Patterson General Plan and Zoning Ordinance. The prior EIR evaluated amendments to the General Plan and pre-zoning of affected properties to reflect their proposed use, thereby achieving consistency with the respective plans. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The proposed project would include a General Plan Amendment and Rezone to change 98.5 acres of the project site from commercial to residential uses. This change is a component of the proposed project itself and would achieve consistency with the General Plan and Zoning Ordinance.



Furthermore, as shown in Table 14, the proposed project advances a number of General Plan goals and policies. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

**Table 14: General Plan Consistency Analysis**

Goal/Policy	General Plan	Consistency Determination
Goal LU-1	To provide for orderly, well-planned, and balanced growth consistent with the limits imposed by the city’s infrastructure and environmental constraints.	<b>Consistent:</b> The proposed project contemplates the development of 445 dwelling units, 300,000 square feet of non-residential uses, 7.2 acres of parks, a 4.1-acre stormwater basin, and roads that would connect to Sperry Avenue and Baldwin Road. Therefore, it would be considered orderly, well-planned and balanced growth.
Policy LU-1.1	Development strategy. The development strategy embodied in the Patterson General Plan is based on the premise that the outward urban expansion of the City will occur through the incremental annexation and development of “complete” neighborhoods, incorporating the following characteristics: <ul style="list-style-type: none"> <li>a. A mix of housing products and densities serving the broadest range of households, incomes and ages;</li> <li>b. A neighborhood center containing higher density residential development, retail, restaurants, entertainment, office, and public uses within a short walk or bicycle ride of surrounding residences;</li> <li>c. Parks, schools and other public/quasi-public uses within a short walk or bicycle ride;</li> <li>d. A complete and interconnected system of mobility consisting of roadways, bicycle and pedestrian paths, and transit stops;</li> <li>e. Short blocks with a substantial tree canopy shading the street and sidewalk;</li> <li>f. Connectivity to surrounding neighborhoods, regional retail centers and employment;</li> <li>g. A sense of personal safety;</li> <li>h. Elements that foster the sustainable use of scarce or non-renewable resources.</li> <li>i. Mixed-use development in which complementary uses are placed on a single building site one above the other (vertically) or in close proximity (horizontally).</li> </ul>	<b>Consistent:</b> The proposed project would consist of single-family residential dwelling units, light industrial uses, commercial uses, parks, and a roadway system. As such, it would be a complete neighborhood.
Policy LU-1.3	Planned development requirement—Residential Expansion Areas. Development of	<b>Consistent:</b> Although the project site is within the Patterson city limits and would amend the

Goal/Policy	General Plan	Consistency Determination
	<p>areas outside the current (2010) City limits designated Low Density Residential shall be accompanied by an application for a general plan amendment, tentative subdivision map, pre-zoning and reorganization, as necessary, consistent with a planned development which sets forth the following:</p>	<p>existing Light Industrial land use designation to allow for residential land use activities, it does comply with the provisions of this policy:</p>
a.	<p>Land use plan. Each planned development application shall include a land use diagram that clearly identifies the uses allowed in each neighborhood based on the land use designations described in Part I – Land Use Diagrams and Standards. The qualities desired in residential expansion areas shall include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• A mix of housing products and densities serving the broadest range of households, incomes and ages;</li> <li>• A neighborhood center containing higher density residential development, retail, restaurants, entertainment, office, and public uses within a short walk or bicycle ride of surrounding residences;</li> <li>• Parks, schools and other public/quasi-public uses within a short walk or bicycle ride;</li> <li>• A complete and interconnected system of mobility consisting of roadways, bicycle and pedestrian paths, and transit stops;</li> <li>• Short blocks with a substantial tree canopy shading the street and sidewalk;</li> <li>• Connectivity to surrounding neighborhoods, regional retail centers and employment;</li> <li>• A sense of personal safety;</li> <li>• Elements that foster the sustainable use of scarce or non-renewable resources; The appropriate qualities for a given project will be determined by the City Council on a case-by-case basis consistent with the policies and implementation measures of the General Plan.</li> </ul>	<p>A land use plan with diagram; Refer to Exhibit 4</p>
b.	<p>A description of housing products. Each planned development application shall describe the range of housing products allowed within the project. The description shall include:</p> <ol style="list-style-type: none"> <li>i. Building type (single-family detached, single family attached, apartments, townhome, etc.);</li> </ol>	<p>The proposed project would develop single-family residential dwelling units</p>

Goal/Policy	General Plan	Consistency Determination
	<ul style="list-style-type: none"> <li>ii. Gross residential density for each product type;</li> <li>iii. Building elevations;</li> <li>iv. Number of bedrooms;</li> <li>v. Colors and materials;</li> <li>vi. Tenure (for-sale, for rent);</li> <li>vii. Target income group by product type.</li> </ul>	
c.	<p>General development standards. These standards shall be applied to all development regardless of land use category and shall address such topics as site access, energy efficiency and sustainability, fences/screening, noise mitigation, outdoor lighting standards, and the placement of utilities.</p>	<p>General development standards</p>
d.	<p>Land use-specific development standards. The planned development application shall describe the site development standards to be applied to new development by each land use category.</p>	<p>Land use-specific development standards</p>
e.	<p>Services and infrastructure plans. Infrastructure plans for water supply, wastewater collection and treatment, storm water runoff, and circulation shall be required. In addition, the planned development shall describe the provision of necessary facilities, equipment and staffing for police and fire protection, parks and recreation, and schools.</p>	<p>Services and infrastructure plans</p>
f.	<p>Infrastructure financing program. Each planned development shall be accompanied by an infrastructure financing program which sets forth the method of revenue generation (e.g., special district, etc.), the obligations of the project and the City towards the cost of infrastructure necessary to serve the project.</p>	<p>Infrastructure financing program</p>
g.	<p>Phasing plan. Each planned development application shall be accompanied by a phasing plan which describes the following:</p> <ul style="list-style-type: none"> <li>i. The boundaries of each phase reflecting a logical order of development;</li> <li>ii. The number of dwelling units in each phase by tenure and target income group, and the acreage and estimated building floor area for each non-residential land use type;</li> <li>iii. Infrastructure plans for each phase, including water supply, wastewater collection, storm drainage and circulation,</li> </ul>	<p>Phasing plan</p>

Goal/Policy	General Plan	Consistency Determination
	<p>along with the location and acreage designated for other public facilities required for each phase. Such facilities may include, but is not limited to, school sites, police and fire protection facilities and parks.</p>	
Policy LU-1.6	<p>Small town character. The City shall seek to preserve Patterson’s traditional small-town qualities and agricultural heritage, while increasing its residential and employment base.</p>	<p><b>Consistent:</b> The proposed project would employ a design theme that incorporates historic and contemporary elements that are locally recognizable as unique to Patterson. This is consistent with the objective of preserving small-town qualities and agricultural heritage while increasing its residential and employment base.</p>
Policy LU-1.7	<p>Preferences for the timing of urban development. In general, the preferred timing of urban development in accordance with the General Plan is as follows:</p> <ul style="list-style-type: none"> <li>a. First Priority—Vacant or underutilized areas within the current City limits;</li> <li>b. Second Priority—Vacant or underutilized areas within the City’s current adopted sphere of influence;</li> <li>c. Third priority—Vacant or underutilized areas within the General Plan area.</li> </ul>	<p><b>Consistent:</b> The project site is an underutilized area within the current city limits.</p>
Policy LU-8	<p>Managing the pace of development. The City shall link the rate of growth in Patterson to the provision of adequate services and infrastructure, including schools. The City shall, through specific plans and/or planned development plans for major projects, ensure that urban development proceeds in an orderly fashion and in pace with the expansion of public facilities and services.</p>	<p><b>Consistent:</b> The proposed project includes a planned development that would ensure development proceeds in an orderly fashion and in pace with economic conditions. The project includes the development of urban roadways and utility infrastructure. As such, the proposed project would be served with adequate facilities and services, and therefore, would constitute orderly growth.</p>
Policy LU-1.9	<p>Managing the relationship between jobs and housing. The City shall monitor residential and non-residential development and encourage adjustments as necessary in land use designations and the rate of project approvals to promote a reasonable citywide balance between new employment-generating development and housing development and to minimize traffic impacts.</p>	<p><b>Consistent:</b> The proposed project would develop up to 445 dwelling units and 300,000 square feet of non-residential uses. The project would add 1,749 residents and 600 jobs at buildout. The proposed project’s residential uses would be well suited for its own employees, as well as those from the nearby West Patterson Business Park and Arambel Business Park, which would facilitate jobs-housing balance.</p>
Policy LU-1.11	<p>Protect the downtown. The City shall promote growth that complements, and does not adversely compete with, the downtown.</p>	<p><b>Consistent:</b> The proposed Master Plan is located on the west side of Patterson, more than 1.5 miles from downtown. The proposed Master Plan would have a commercial/industrial area located along Sperry Avenue. The proposed end uses would be expected to be similar to those</p>

Goal/Policy	General Plan	Consistency Determination
		currently found in the West Patterson Business Park (e.g., warehouse, visitor-serving commercial, food and beverage, etc.). As such, they would be complementary to downtown and therefore, further the policy of protecting the downtown area.
Policy LU-1.12	Status of land prior to urban development. Land within the General Plan Area shall ultimately be developed to urban standards described in Part I – Land Use and Development Standards. Pending connection to City services, such land shall remain in agricultural, open space, or other low intensity uses.	<b>Consistent:</b> The project site is within the Patterson city limits and is located within an area served by utilities and infrastructure. The proposed project would install new infrastructure to serve it end uses that would connect to the City’s utility systems and roadway network.
Policy LU-1.15	Provision of public services. Consistent with the policies and implementation measures of this General Plan, the City shall consider the adequacy of public services prior to approving new development.	<b>Consistent:</b> The project site is within the Patterson city limits and is located within an area served by police and fire protection. The proposed project would develop 7.2 acres of new parks to add to the City’s parkland system.
Goal LU-2	To designate adequate land in a range of residential densities to address the housing needs of all income groups expected to reside in Patterson.	<b>Consistent:</b> The proposed project’s single-family residential uses are intended to cater to persons seeking a traditional housing option at a more affordable price than in the Bay Area or San Joaquin County. Thus, it would be affordable to a wide variety of income groups.
Policy LU-2.1	Adequate supply of residential land. The City shall maintain an adequate supply of residential land in appropriate land use designations and zoning categories to accommodate projected household growth, maintain normal vacancy rates, and minimize residential land costs.	<b>Consistent:</b> The proposed project would rezone 98.5 acres of Light Industrial zoned land that is within the city limits to residential use. This reflects the demand for residential use and is consistent with the policy of maintaining an adequate supply of residential land.
Policy LU-2.2	Affordable housing. The City shall promote the development of affordable housing to meet the needs of low -and moderate-income households.	<b>Consistent:</b> The proposed project would provide inclusionary affordable housing.
Policy LU-2.4	Protect existing neighborhoods. The City shall promote the preservation of existing stable residential neighborhoods	<b>Consistent:</b> The proposed project is on the opposite side of Baldwin Road from the Patterson Gardens neighborhood. Baldwin Road would be improved with curb, gutter, sidewalk, landscaping, which would provide a clear demarcation between the two neighborhoods.
Policy LU-2.5	Residential development and public services. The City shall ensure that new residential development pays its share in financing public facilities and services.	<b>Consistent:</b> The proposed project would pay the full cost of infrastructure necessary to provide adequate levels of service delivery.

Goal/Policy	General Plan	Consistency Determination
Goal LU-3	To designate adequate land and provide support for the development of commercial uses providing goods and services to Patterson residents and to become the commercial service hub for western Stanislaus County.	<b>Consistent:</b> The proposed project contemplates 300,000 square feet of commercial/industrial uses along Sperry Avenue. This would advance the goal of establishing Patterson as the commercial service hub for western Stanislaus County.
Policy LU-3.1	Promotion of commercial sector. The City shall promote, and assist with the maintenance and expansion of, Patterson’s commercial sector to meet the needs of Patterson residents, employees, and visitors. The City shall continue to gather market information to inform decisions regarding efforts to promote local businesses and attract new businesses.	<b>Consistent:</b> The proposed project contemplates 300,000 square feet of commercial/industrial uses along Sperry Avenue. As such, the proposed project would be well positioned to meet the needs of local residents, employees, and visitors, and attract new business to the Patterson area.
Policy LU-3.2	Retail development. The City shall promote the establishment, maintenance, and expansion of businesses in Patterson that generate high retail sales taxes as important contributors to the local economy.	<b>Consistent:</b> The proposed project contemplates 300,000 square feet of commercial/industrial uses along Sperry Avenue that would create jobs and generate taxable sales.
Policy LU-3.3	Regional centers. The City shall encourage regional shopping malls/centers at sites capable of support by a full range of transportation options.	<b>Consistent:</b> The proposed project contemplates 300,000 square feet of commercial/industrial uses along Sperry Avenue, approximately 1 mile from Interstate 5.
Goal LU-7	To designate adequate land and provide support for light and heavy industrial uses that create jobs and enhance the economy of Patterson.	<b>Consistent:</b> The proposed project contemplates 300,000 of commercial/industrial uses within the existing West Patterson Business Park.
Policy LU-7.2	Location of industrial development. New industrial development shall be located along arterials with easy freeway or rail access and shall be served by full City services.	<b>Consistent:</b> The proposed project contemplates 300,000 square feet of commercial/industrial uses along Sperry Avenue, approximately 1 mile from Interstate 5.
Goal LU-8	To designate adequate land for development of public and quasi-public uses to support existing and new residential, commercial, and industrial land uses.	<b>Consistent:</b> The proposed project contemplates 7.2 acres of parks, a 4.1-acre stormwater basin, and a circulation network for vehicles, bicycles, and pedestrians.

## Mitigation Measures

None.

## Conclusion

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XII. Mineral Resources</b>					
<i>Would the project:</i>					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	N/A	No	No	No	None
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	N/A	No	No	No	None

**Discussion**

a–b) The prior EIR did not evaluate loss of mineral resources. The project site contains fallow agricultural land. No mineral extraction activities occur or have occurred on-site. In addition, the City of Patterson General Plan does not identify the project site as a mineral resource zone. No conflicts would occur. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

**Mitigation Measures**

None.

**Conclusion**

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XIII. Noise</b>					
<i>Would the project:</i>					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than significant impact with mitigation	No	No	No	MMs G.1, G.2, G.3, G.6, G.7, G.9
b) Generation of excessive groundborne vibration or groundborne noise levels?	N/A	No	No	No	None
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Less than significant impact	No	No	No	None

## Discussion

- a) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may expose sensitive receptors to noise associated with construction activities and operational activities (e.g., truck traffic). The prior EIR set forth MMs G.1, G.2, G.3, G.6, G.7, and G.9 that require noise abatement measures during construction, roadway design standards to minimize noise exposure, and construction of sound walls along Baldwin Road and Sperry Avenue. The prior EIR concluded that impacts would be less than significant.



The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. Development of the proposed project would generate noise during the construction and operational phases.

### Construction Noise

The transport of workers and construction equipment and materials to the project site would incrementally increase noise levels on access roads leading to the site. Because workers and construction equipment would use existing routes, noise from passing trucks would be similar to existing vehicle-generated noise on these local roadways. Typically, a doubling of the Average Daily Traffic (ADT) hourly volumes on a roadway segment is required in order to result in an increase of 3 A-weighted decibel (dBA) in traffic noise levels, which is the lowest change that can be perceptible to the human ear in outdoor environments. Project-related construction trips would not be expected to double the hourly traffic volumes along any roadway segment in the project vicinity. For this reason, short-term intermittent noise from construction trips would be minor when averaged over an hour or longer time-period would not result in a perceptible increase in hourly- or daily-average traffic noise levels in the project vicinity.

Noise would also be generated during construction on the project site. The loudest phase of construction is typically the site preparation and grading phase as that is when the loudest pieces of heavy construction equipment would operate. Assuming that each piece of construction equipment operates at some distance from the other equipment, a reasonable worst-case combined noise level during this phase of construction would be 90 dBA maximum noise/sound level ( $L_{max}$ ) at a distance of 50 feet from the acoustic center of a construction area. The acoustical center reference is used because construction equipment must operate at some distance from one another on a project site, and the combined noise level as measured at a point equidistant from the sources (acoustic center) would be the worst-case maximum noise level. These operations would be expected to result in a reasonable worst-case hourly average of 86 dBA equivalent sound level ( $L_{eq}$ ) at a distance of 50 feet from the acoustic center of a construction area.

The closest sensitive-noise receptor to the project site are residential land uses located east of the site across Baldwin Road. The closest residential land would be located approximately 160 feet from the nearest acoustic center of the construction footprint where the heaviest construction equipment would be operating. At this distance, and taking into account shielding from the sound wall along the east side of Baldwin Road, these residential land uses may be exposed to noise levels ranging up to approximately 74 dBA  $L_{max}$  with a relative worst-case hourly average of 70  $L_{eq}$  when construction activities occur at the portion of the project site nearest these homes. These are the reasonable worst-case instantaneous maximum and the reasonable worst-case hourly average noise levels that could occur at the nearest receiving land use during the loudest phase of construction. Typical hourly and daily average construction noise levels would be significantly lower as equipment moves over the site further from these receptors.

Although there could be a relatively high single event noise exposure potential causing an intermittent noise nuisance, the effect of construction activities on longer-term (hourly or daily) ambient noise levels would be small but could result in a temporary increase in ambient noise levels in the project vicinity that could result in annoyance or sleep disturbance of nearby sensitive receptors. However, Section 6.44.090 of the City of Patterson Municipal Code restricts construction activities to between the hours of 7:00 a.m. and 10:00 p.m. The proposed project would comply with this restriction of construction activities to these stated time-periods which would ensure that construction noise would not result in a substantial temporary increase in ambient noise levels that would result in annoyance or sleep disturbance of nearby sensitive receptors. MM G.1 of the prior EIR requires construction noise abatement, including restricting construction activities to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday (excluding federal and state holidays), with no construction on Sundays. MM G.1 also requires that mufflers be provided for all heavy construction equipment and all stationary noise sources, prohibits stationary construction noise sources being located near occupied dwelling units, requires contractors to provide appropriate noise-reducing engine housings or screens, and requires staging areas being placed as far from existing residences as possible. Therefore, similar to the overall conclusion of the prior EIR, implementation of the aforementioned mitigation measures would reduce temporary construction noise impacts to less than significant.

## **Operational Noise**

### **Traffic**

The proposed project would generate new vehicle trips that would travel on local roadways including Sperry Avenue and Baldwin Road. The existing residences in the project vicinity would experience gradually increased traffic noise as the development proceeds. The City of Patterson Noise Policy VII.E.6 guides the response to this impact. The policy requires that project-related traffic noise be mitigated so as to not exceed the City's daytime noise standard of 50 dBA  $L_{eq}$  respectively, as measured at the outdoor activity areas; nor exceed the nighttime noise standards of 45 dBA  $L_{eq}$  as measured in the interior spaces of noise sensitive land uses.

Traffic noise levels along selected roadway segments in the project vicinity were modeled using the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108). Site-specific information is entered, such as roadway traffic volumes, roadway active width, source-to-receiver distances, travel speed, noise source and receiver heights, and the percentages of automobiles, medium trucks, and heavy trucks that the traffic is made up of throughout the day, amongst other variables. The daily traffic volumes were obtained from the traffic analysis prepared for the proposed project by Advanced Mobility Group.<sup>19</sup> The traffic volumes described here correspond to the existing, existing plus project, existing plus background, and existing plus background plus project conditions traffic scenarios as described in the transportation analysis. The model inputs and outputs—including the 60 dBA, 65 dBA, and 70 dBA  $L_{eq}$  noise contour distances—are provided in Appendix D.

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<sup>19</sup> Advanced Mobility Group. 2020. Traffic Impact Study for the Proposed Baldwin Ranch Project in Patterson, California. September 11.

Table 15 shows a summary of the traffic noise levels for existing and existing plus project, daytime and nighttime hourly average traffic noise levels as measured at 50 feet from the centerline of the outermost travel lane. Table 16: shows a summary of the traffic noise levels for existing plus background, and existing plus background plus project daytime and nighttime hourly average traffic noise levels as measured at 50 feet from the centerline of the outermost travel lane.

**Table 15: Existing Traffic Noise Summary**

Roadway Segment	Existing (dBA) Leq		Existing Plus Project (dBA) Leq	
	Daytime	Nighttime	Daytime	Nighttime
Sperry Avenue-west of Park Center Drive	64.6	56.3	65.2	57.0
Sperry Avenue-Park Center Drive to Baldwin Road	64.7	56.5	65.4	57.1
Baldwin Road - Sperry Avenue to Calvinson Parkway	50.7	42.4	57.0	48.8
Baldwin Road-Calvinson Parkway to Azalea Drive	48.1	39.9	54.8	46.5
Baldwin Road-south of Azalea Drive	48.1	39.9	49.1	40.9

Notes:  
Modeling results do not take into account mitigating features such as topography, vegetative screening, fencing, building design, or structure screening. Rather it assumes a worst case of having a direct line of site on flat terrain. Nighttime noise levels represent unweighted hourly average noise levels.  
Source: FCS 2020.

**Table 16: Existing Plus Background Traffic Noise Summary**

Roadway Segment	Existing Plus Background (dBA) Leq		Existing Plus Background Plus Project (dBA) Leq	
	Daytime	Nighttime	Daytime	Nighttime
Sperry Avenue-west of Park Center Drive	65.7	57.5	66.2	58.0
Sperry Avenue-Park Center Drive to Baldwin Road	65.3	57.0	65.9	57.6
Baldwin Road-Sperry Avenue to Calvinson Parkway	52.4	44.2	57.5	49.2
Baldwin Road-Calvinson Parkway to Azalea Drive	52.0	43.7	56.0	47.8
Baldwin Road-south of Azalea Drive	52.0	43.7	52.6	44.4

Notes:  
Modeling results do not take into account mitigating features such as topography, vegetative screening, fencing, building design, or structure screening. Rather it assumes a worst case of having a direct line of site on flat terrain. Nighttime noise levels represent unweighted hourly average noise levels.  
Source: FCS 2020.

The modeled roadway segments of Sperry Avenue do not have any existing (or any proposed as part of the project) noise sensitive land uses adjacent to them. Therefore, the standards of Policy VII.E.6 do not apply to these segments. It should be noted that for these segments, the increase of plus project traffic noise levels over those that would exist without the proposed project would be less than a 1 dBA increase and would be considered a less than significant increase in traffic noise levels.

The modeled segments of Baldwin Road have existing noise sensitive land uses adjacent to them. Therefore, the standards of Policy VII.E.6 do apply to these segments. As shown in these tables, the highest traffic noise levels would occur along the segment of Baldwin Road from Sperry Avenue to Calvinson Parkway, under existing plus background plus project conditions. Along this roadway segment, the proposed project would result in daytime hourly average traffic noise levels ranging up to 57.5 dBA  $L_{eq}$  as measured at 50 feet from the centerline of the nearest travel lane. With distance attenuation and the shielding provided by the existing sound wall, resulting daytime hourly average traffic noise levels would range up to approximately 49 dBA  $L_{eq}$  as measured at the outdoor activity areas (backyards) of the adjoining existing residential land uses. This is below the City's daytime noise performance standard of 50 dBA  $L_{eq}$  and would be a less than significant impact.

Nighttime hourly average traffic noise levels along this segment would range up to 49.2 dBA  $L_{eq}$  as measured at 50 feet from the centerline of the nearest travel lane. With distance attenuation and the shielding provided by the existing sound wall, resulting daytime hourly average traffic noise levels would range up to approximately 40 dBA  $L_{eq}$  as measured at the outdoor activity areas (backyards) of the adjoining existing residential land uses. This is below the City's nighttime noise performance standard of 45 dBA  $L_{eq}$  and would be a less than significant impact.

However, to reduce traffic noise impacts to the proposed residential land uses that would be located along the west side of Baldwin Road, a similar sound wall as the sound wall that exists along the east side of Baldwin Road would need to be constructed. Compliance with MM G.6 of the prior EIR for this roadway segment of Baldwin Road from Sperry Road to the southern portion of the project site would ensure traffic noise impacts to the proposed project would be reduced to less than significant.

Therefore, with implementation of MM G.6, impacts from project-related traffic noise levels would be less than significant.

### ***Parking Lot Activity***

The proposed project could include parking lot activity on the proposed commercial lots. Typical parking lot activities include vehicles cruising at slow speeds, doors shutting, or cars starting, and can generate noise levels of approximately 60 dBA to 70 dBA  $L_{max}$  at 50 feet.

The closest noise-sensitive receptor to the potential parking areas at the project site are the residential land uses located on the east side of Baldwin Road. The closest of these residences is located approximately 1,100 feet from the acoustic center of the nearest potential parking

area on the project site. At this distance and with shielding provided by the existing sound wall along Baldwin Road, parking lot activity would result in intermittent noise levels ranging up to 37 dBA  $L_{max}$  at the nearest receiving residential property. These noise levels are below the City's daytime and nighttime noise performance thresholds of 50 dBA and 45 dBA  $L_{eq}$ , respectively.

Therefore, potential parking lot activity noise levels as measured at the nearest off-site sensitive receptor, would not result in a substantial increase in ambient noise levels above the City's established noise performance thresholds as measured at nearby sensitive receptors; and the impact would be less than significant.

### ***Mechanical Equipment Operation***

The proposed project would also generate operational noise from rooftop mechanical ventilation equipment. At the time of preparation of this analysis, details were not available pertaining to proposed residential mechanical ventilation systems for the project. Therefore, a reference noise level for typical residential mechanical ventilation systems was used. Noise levels from typical residential mechanical ventilation equipment range from 50 dBA to 60 dBA  $L_{eq}$  at a distance of 25 feet. Proposed residential mechanical ventilation systems could be located as close as 120 feet from the nearest off-site sensitive receptor, a single-family residence located east of the project site, across Barton Road. Therefore, due to distance attenuation and shielding provided by the existing sound wall along Barton Road, noise generated by residential mechanical ventilation equipment would attenuate to less than approximately 40 dBA  $L_{eq}$  at the nearest off-site residential receptor. These noise levels are below the City's daytime and nighttime noise performance thresholds of 50 dBA and 45 dBA  $L_{eq}$ , respectively.

Therefore, proposed residential mechanical ventilation equipment operational noise levels, as measured at the nearest off-site sensitive receptor, would not result in a substantial increase in ambient noise levels above the City's established noise performance thresholds as measured at nearby sensitive receptors; and the impact would be less than significant.

The proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b) The prior EIR did not evaluate potential impacts associated with vibration.

Development of the project would generate groundborne vibration during the construction phase. Of the variety of equipment used during construction, the small vibratory rollers that are anticipated to be used in the site preparation phase of construction would produce the greatest groundborne vibration levels. Small vibratory rollers produce groundborne vibration levels ranging up to 0.101 inch per second (in/sec) PPV at 25 feet from the operating equipment.

The nearest off-site structure to the project boundary where construction could occur is the fire station building located on Sperry Avenue. The façade of this building could be located as close as 25 feet from the nearest construction footprint where the heaviest construction

equipment would potentially operate. At this distance, groundborne vibration levels would range up to 0.101 in/sec PPV from operation of the types of equipment that would produce the highest vibration levels. This is well below the Federal Transit Administration (FTA) Construction Vibration Impact Criteria of 0.3 in/sec PPV for structures of this type, structures of engineered concrete and masonry construction.

The only potential operational vibration source for the proposed project would be large truck activity serving the commercial components of the project site. The proposed project would take vehicular access from Sperry Avenue. Trucks serving the proposed project would exit I-5 at Sperry Avenue, travel a short distance to the project site and turn right into the project site. This routing avoids residential areas or areas with older buildings that may be susceptible to damage from vibration. The proposed project would not contain any other operational vibration sources. Therefore, the proposed project would not generate excessive vibration levels and vibration impacts would be less than significant.

- c) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would expose persons working or residing in the project vicinity to excessive aviation noise levels associated with the Patterson Airport. The prior EIR noted that the noise tolerant business park uses would be located around the airport and the noise sensitive residential uses were located further away east of Baldwin Road. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The Patterson Airport closed in 2010 and the project vicinity does not experience any significant aviation activity. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

## Mitigation Measures

- MM G.1** Construction activities shall be restricted to the hours between 7:00 a.m. and 7:00 p.m. Monday through Saturday, except holidays. Mufflers shall be provided for all heavy equipment and all stationary noise sources. Stationary noise sources shall not be located near occupied dwelling units. Staging areas shall be placed as far from existing residences as possible.
- MM G.2** Improvements to Ward Avenue shall provide acceptable future noise levels for existing residences by locating the centerline of the road at least 110 feet from the outdoor activity areas of existing residences. Improvements to Baldwin Road shall provide acceptable future noise levels either by locating the centerline of the road at least 210 feet from existing and proposed residential outdoor activity areas, or by improving the residential properties to satisfy the goals of City of Patterson Noise Element Policy VII.E.6. The circulation system for the West Patterson Business Park Master Development Plan shall include alternate truck access routes from Sperry Avenue and/or Rogers Road for businesses that face Baldwin road to reduce traffic noise impacts to residences on Baldwin Road. **(Does not apply to project).**

- MM G.3** a–b) Light industrial tenants shall be required to provide an acoustical analysis demonstrating that adequate setbacks or other noise mitigation features are incorporated for uses that would not be conducted entirely within enclosed buildings or would involve intensive industrial operations not concentrated in the interior of the Business Park site. Light industrial uses adjacent to Baldwin Road shall be designed so that truck-loading operations and delivery areas are shielded from residences on Baldwin Road. **(Does not apply to project).**
- MM G.6** Improvements to Baldwin Road shall provide acceptable future noise levels for residences on Baldwin Road between Sperry Avenue and the Keystone Pacific site, **and between Sperry Avenue and the southern portion of the project site**, either by locating the centerline of the road at least 140 feet from the homes' outdoor activity areas or by improving the residential properties to satisfy the goals of City of Patterson Noise Element Policy VII.E.6. **Property improvements could include, but are not limited to, construction of a sound wall a minimum 8-feet in height above roadway grade. (Bold added for clarity of application to the proposed project.)**
- MM G.7** Implement Mitigation Measures G.3.a and G.3.b if the Keystone Pacific Business Park site plan and building designs change from those described in Chapter II, Project Description. **(Does not apply to project).**
- MM G.9** a) Noise levels in residential outdoor areas along Sperry Avenue shall be reduced from 65 to 60 dBA  $L_{dn}$  by improving noise insulation performance of the proposed 6-foot-high wall by increasing its height and mass, and by configuring the outdoor activity areas of the first row of residences to be approximately 160 feet from the centerline of Sperry Avenue.
- b) Noise levels in indoor spaces of the first row of residences shall be reduced by providing some or all of the following measures: air handling systems that enable windows facing traffic to be permanently closed; energy-efficient windows; solid core exterior doors with perimeter weather stripping; constructing exterior walls with a 0.5-inch minimum thickness fiberboard underlayer; installing roof or attic vents facing traffic that are baffled; creating floor plans oriented along roadways with bedroom and living rooms facing towards the interior side of the home. **(Does not apply to project).**

## Conclusion

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XIV. Population and Housing</b>					
<i>Would the project:</i>					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less than significant impact with mitigation	No	No	No	MM N.2
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less than significant impact	No	No	No	None

## Discussion

- a) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may induce substantial population and employment growth. The prior EIR set forth MM N.2 that requires new development to pay its fair share for infrastructure and services. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The proposed project would be required to pay all applicable development fees in accordance with MM N.2. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would not displace persons or housing such that it necessitates the construction of replacement dwelling units because the area contains agricultural land. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The project site contains six structures including one primary residence. To the extent that anyone currently inhabits these structures, they would



vacate the premises prior to demolition of the structures. Furthermore, the proposed project would develop 445 dwelling units, which would more than offset that loss of existing dwelling units. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

## Mitigation Measures

**MM N.2** The City shall, through a combination of development fees, a community facility financing district, or other funding mechanisms, ensure that new development pays its share of infrastructure and service costs.

## Conclusion

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XV. Public Services</b>					
<i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>					
a) Fire protection?	Less than significant impact	No	No	No	None
b) Police protection?	Less than significant impact	No	No	No	None
c) Schools?	Less than significant impact	No	No	No	None
d) Parks?	Less than significant impact	No	No	No	None
e) Other public facilities?	Less than significant impact	No	No	No	None

## Discussion

- a) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would increase demand for fire protection such that a new fire station would need to be constructed near or within the Business Park. The prior EIR noted that new development that occurs within the Business Park would provide capital improvement fees to the City of Patterson for the construction of a new fire station within the Business Park. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The proposed project would add 1,749 new residents to the City's population and be expected to increase demand for fire protection. Patterson Fire Station No. 2 was developed within the Keystone Pacific portion of the Business Park and is located 0.8 mile from the project site. This is modern facility staffed 24 hours a day, 7 days a week, and is located within a 3-minute response time to the project site. Although the proposed project may increase demand on the Fire Department, it would not warrant construction or expansion of fire facilities, as the new fire station identified in the prior EIR has already been constructed and is located in close proximity to the project site. Therefore, the development of residential uses on the west side of Baldwin Road would not represent a

significant impact related to the provision of emergency fire response service delivery as the need for a station was identified in the EIR and it has now been constructed and can accommodate the development as proposed while maintaining the adopted service response time from Station No. 2. Furthermore, the applicant would provide fees for further improvements to fire facilities, in accordance with the City's latest adopted fee schedule. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would increase demand for police protection. The prior EIR found that the existing police station was adequate to serve the projected increase in staffing that was contemplating to occur. Thus, no new or expanded police facilities would be required. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The proposed project would add 1,749 new residents to the City's population and be expected to increase demand for police services relative to a hypothetical all-industrial project. However, the project site is within an area currently patrolled by the Patterson Police and does not present any unique service delivery challenges. Thus, no new or expanded police facilities would be required. The development of residential uses on the west side of Baldwin Road would also not represent a significant service delivery challenge because the neighborhood would be contiguous to the existing Patterson Gardens neighborhood to the east and proposed Baldwin Ranch residential neighborhood to the south, and would be serviced as part of response to this developed area as a whole. Furthermore, the applicant would provide fees for further improvements to police facilities in accordance with the City's latest adopted fee schedule. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- c) The prior EIR found that buildout of the Patterson Gardens portion of the proposed project would generate approximately 800 school age children who would enroll in Patterson Unified School District (PUSD). The prior EIR did not calculate any enrollment growth from the non-residential uses within the 820-acre West Patterson Business Park. The prior EIR noted that the Patterson Gardens land use plan contemplated several school sites and development fees would be assessed on a per-dwelling unit basis to fund the construction of new school facilities. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. Using the PUSD's student generation rate of 0.624 student/dwelling unit, the proposed project's 445 dwelling units would add 278 students at buildout. The project applicant has identified two potential school sites within 0.5-mile of the project site and would pay development fees to the PUSD in accordance with the latest adopted fee schedule. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

d–e) The prior EIR found that buildout of the Patterson Gardens portion of the proposed project would increase demand for parks. The prior EIR noted that the Patterson Gardens would provide 15.8 acres of new parkland, thereby achieving the City’s established parkland ratio of 5 acres per 1,000 residents. The prior EIR did not assign a parkland obligation for the non-residential uses within the 820-acre West Patterson Business Park. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The proposed project would add an estimated 1,749 persons to the City of Patterson’s population. This would create a need for 8.75 acres of parkland. The applicant is proposing to develop 7.2 acres of parks and a trail system. That would leave 1.55 acres of parkland to be developed elsewhere. The applicant would satisfy the off-site parkland through payment of in-lieu-of fees to the City of Patterson, as well as a contribution to the City for improvements to the Patterson Sports Complex. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

### **Mitigation Measures**

None.

### **Conclusion**

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XVI. Recreation</b>					
<i>Would the project:</i>					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant impact	No	No	No	None
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	Less than significant impact	No	No	No	None

## Discussion

a–b) The prior EIR found that buildout of the Patterson Gardens portion of the proposed project would increase demand for parks. The prior EIR noted that the Patterson Gardens would provide 15.8 acres of new parkland, thereby achieving the City’s established parkland ratio of 5.0 acres per 1,000 residents. The prior EIR did not assign a parkland obligation for the non-residential uses within the 820-acre West Patterson Business Park. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. The proposed project would add an estimated 1,749 persons to the City of Patterson’s population, creating an additional need for local parklands, as well as additional use of existing regional parks and facilities, such as the Patterson Sports Complex. Based on the proposed population of 1,749 residents, an additional 18.75 acres of parkland beyond what was identified in the prior EIR would be required. The applicant is proposing to develop 7.2 acres of parks and a trail system within the project site, leaving 1.55 acres of parkland to be developed elsewhere. The applicant would satisfy the off-site parkland through payment of in-lieu-of fees to the City of Patterson, as well as a contribution to the City for improvements to the Patterson Sports Complex. As such, the proposed project would not

introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

## **Mitigation Measures**

None.

## **Conclusion**

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XVII. Transportation</b>					
<i>Would the project:</i>					
a) Conflict with a program plan, ordinance or policy of the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less than significant impact	No	No	No	MMs E.1, E.4, E.5, E.6, E.8, E.9
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	N/A	No	No	No	None
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than significant impact	No	No	No	None
d) Result in inadequate emergency access?	Less than significant impact	No	No	No	None

This analysis in this section is based on a Traffic Impact Study prepared by Advanced Mobility Group. The complete study is provided in Appendix E.

### Discussion

- a) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens may impact intersections, roadway segments, and freeway segments. The prior EIR set forth MMs E.1, E.4, E.5, E.6, E.8, and E.9 that require the applicant to either construct or contribute fees to various transportation improvements such as new intersections, widened roadway segments, and turn lanes. The prior EIR concluded that impacts would be less than significant.

The proposed project would develop residential and non-residential uses on a 131.4-acre site within the West Patterson Business Park. Table 35 summarizes the trip generation of the proposed Baldwin Master Plan. Because Traffic Analysis Zone 4 included land uses outside the project boundaries, Table 17 summarizes the incremental difference in project trip generation when those other uses are netted out. As shown in Table 18, the proposed project falls within the trip budget studied in the prior EIR for the applicable Traffic Analysis Zone.

**Table 17: Baldwin Master Plan Trip Generation**

Category	AM Peak-hour	PM Peak-hour
Total New Trips	552	1,076

Notes:  
Source: AMG 2020.

**Table 18: Incremental Difference Project Trip Generation for Traffic Analysis Zone 4**

Category	West Patterson Projects EIR (2003)		Proposed Project (2020)	
	AM Peak-hour Trips	PM Peak-hour Trips	AM Peak-hour Trips	PM Peak-hour Trips
West Patterson Projects EIR—TAZ 4 Trip Budget	1,651	1,786		
Palms Plaza (Not Part of Baldwin Master Plan)	291	289		
Baldwin Master Plan	552	1,076		
Plams Plaza + Baldwin Master Plaza	843	1,365		
<b>Net New Trips (Compared to EIR TAZ 4 Trip Budget)</b>	<b>(678)</b>	<b>(353)</b>		

Notes:  
Source: AMG 2020.

The Traffic Impact Study found that the following improvements would be necessary:

- **Interstate 5/Sperry Avenue:** Signalize interchange. (Currently underway; Expected to be completed by time proposed project is completed; Shared project applicant responsibility)
- **State Route 33/Sperry Avenue:** Signalize intersection. (Currently the responsibility of other approved projects)
- **Sperry Avenue/Rogers Road:** Modify the intersection to provide the following lane configurations:
  - Eastbound through and right-turn lane
  - Westbound left-turn—the left-turn lane of 200 feet
  - Northbound left-turn—two left-turn lane of 170 feet or longer
  - Northbound through and right-turn lane (Currently the responsibility of the Sperry Commercial Project)



- **Sperry Avenue/Haggerty Drive (new):** Signalize intersection (100 percent project applicant responsibility)
- **Sperry Avenue/Baldwin Road:** Add additional through lane on eastbound Sperry Avenue (Shared project applicant responsibility along with adjoining Palms Plaza Project)

Furthermore, most of the transportation improvements contemplated by MMs E.1, E.4, E.5, E.6, E.8, and E.9 were completed in the 2000s. The project applicant would construct the fourth leg of the Sperry Avenue/Park Center Drive intersection, the Calvinson Parkway extension, and the internal roadway network. The applicant would also pay fees to the City of Patterson to fund planned improvements, including any that have not yet been completed. The identified fees would ensure that the intended intersection improvements are constructed, including the provision of obligations for the applicant if other projects do not construct the required improvements prior to occupancy of this project. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b) The prior EIR did not evaluate vehicle miles traveled. The proposed project would generate 678 fewer AM trips and 353 fewer PM peak-hour trips than disclosed in the prior EIR. In this sense, the proposed project's net reduction in trips represent fewer vehicle miles traveled than otherwise would occur. Impacts would be less than significant.
- c) The prior EIR did not evaluate impacts associated with roadway hazards. The project applicant would extend Calvinson Parkway, which would link up with the new Haggerty Drive that would serve as the fourth leg of the existing Sperry Avenue/Park Center Drive intersection. The circulation network incorporates traffic calming measures that discourage the use of Calvinson Parkway by heavy vehicles; refer to Exhibit 5. The implementation of these traffic calming measures would avoid potential hazards with heavy truck traffic in residential areas. Furthermore, the signalized Sperry Avenue/Haggerty Drive intersection would allow for protected left-turn movements into and out of the project site. Impacts would be less than significant.
- d) The prior EIR did not evaluate impacts associated with emergency response. The proposed project would take vehicular access from an extension of Calvinson Parkway that would link up with the new Haggerty Drive. The circulation network incorporates traffic calming measures that discourage the use of Calvinson Parkway by heavy vehicles; refer to Exhibit 5. The implementation of these traffic calming measures would avoid potential deleterious effects on emergency response in residential areas. As individual parcels develop, they would be required to demonstrate consistency with the applicable Fire Code emergency access requirements, including providing two points of connection. Impacts would be less than significant.

## Mitigation Measures

- MM E.1** The City and County shall construct improvements at 12 intersections, including Signalization and additional turn lanes, as new buildings are constructed and occupied in the West Patterson project area with sufficient employment to cause

- LOS to deteriorate below City standards. The City and/or County shall establish a community facilities funding district or other financing mechanism, and developers shall contribute a fair share of the costs of traffic mitigation (see pp. III.E.21-22 for intersections).
- MM E.4** The City of Patterson and Stanislaus County shall construct improvements at 7 intersections, along Sperry Ave and at other locations, including new traffic signals and additional left, through and right turn lanes as new buildings are constructed and occupied in the Keystone Pacific Business Park with sufficient employment to cause LOS to deteriorate below City and County standards. The project sponsors shall participate in a community facilities funding district or other funding mechanism. (See pp. III.E.27-28.).
- MM E.5** The City and County shall construct improvements at three intersections, including new traffic signals and left turn lanes, as phases are occupied in Patterson Gardens with sufficient population to cause LOS to deteriorate below standards. The Keystone Corporation shall participate in the existing community facilities funding district to fund these improvements (see p. III.E.30).
- MM E.6** The City and County shall construct the identified improvements at 19 intersections, including new traffic signals, road widening, and creation of left, through, and right turn lanes. A funding mechanism shall be established requiring developers to contribute a “fair share” of the cost of these improvements (see pp. IIT.E.36-39). Although widening the freeway would reduce this impact, only Caltrans has the jurisdiction to implement such a measure.
- MM E.8** The City and County shall construct improvements at 10 intersections, including new traffic signals, and left, through and right turn lanes. A community facilities funding district, or other funding mechanism shall be established requiring the Keystone Pacific Business Park developer (or developers) to contribute to the cost of these improvements (see pp. III.E.42-43).
- MM E.9** The City and County shall construct improvements at six intersections, including new traffic signals, and new turn lanes. A community facilities district shall be established requiring the Patterson Gardens developer to contribute to the cost of these improvements (see p. III.E.45).

## Conclusion

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XVIII. Utilities and Service Systems</b>					
<i>Would the project:</i>					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than significant impact with mitigation	No	No	No	MMs J.1 and J.2
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less than significant impact	No	No	No	None
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant impact with mitigation	No	No	No	MMs J.1 and J.2
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than significant impact	No	No	No	None

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	Less than significant impact	No	No	No	None

## Discussion

- a) The prior EIR found that buildout of West Patterson Business Park and Patterson Gardens would require the installation of new water, wastewater, and storm drainage infrastructure, as well as expansion of the City’s wastewater treatment plant and flood control improvements to Salado Creek. The prior EIR set forth MMs J.1 and J.2, which requires new development within the West Patterson Business Park and Patterson Gardens to either install or contribute fees to the City for the installation of wastewater collection infrastructure. The prior EIR concluded that impacts would be less than significant.

The water, wastewater, and storm drainage infrastructure were installed, and the wastewater treatment plant expansion was completed in the 2000s. The project applicant would install water, wastewater, and storm drainage infrastructure that would connect to the City’s systems in Sperry Avenue, in compliance with the provisions of MMs J.1 and J.2. Additionally, the under construction Villages at Patterson Project is obligated to provide funding for a 1.25 million gallon per day (mgd) expansion of the Water Quality Control Facility, which would also provide capacity for the proposed project. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- b) The prior EIR found that buildout of West Patterson Business Park and Patterson Gardens would increase demand for potable water by 3,018 acre-feet annually. The prior EIR noted that citywide demand (including existing development and the proposed projects) would total 7,589 acre-feet. The prior EIR found that the City of Patterson had plans to increase local groundwater production and that the increase would be within the safe yield of the basin (9,300 acre-feet). Additionally, the West Patterson Business Park and Patterson Gardens applicants would install a looped water distribution system. The prior EIR concluded that impacts would be less than significant.

The proposed project would demand an estimated 213 acre-feet of potable water annually and 71 acre-feet of non-potable water annually. This value is within the West Patterson Business Park and Patterson Gardens water demand projections estimated by the prior EIR, as well as the City’s Urban Water Management Plan. Furthermore, existing agricultural and domestic

pumping would cease as a result of the proposed project. Additionally, the City of Patterson will require the applicant to use non-potable water from the upper aquifer for landscape irrigation, which would ease the burden on the lower aquifer.

The project applicant would install water infrastructure that would connect to the City's distribution system. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- c) The prior EIR found that buildout of West Patterson Business Park and Patterson Gardens would generate 1.2 mgd of effluent. The prior EIR noted that citywide generation (including existing development and the proposed projects) would total 2 mgd. The prior EIR found that both the West Patterson Business Park and Patterson Gardens applicants would install a backbone wastewater collection system and the City would add 1 mgd of capacity at the City's wastewater treatment plant, which would be sufficient to treat the net increase in effluent. The prior EIR set forth MMs J.1 and J.2, which requires new development within the West Patterson Business Park and Patterson Gardens to either install or contribute fees to the City for the installation of wastewater collection infrastructure. The prior EIR concluded that impacts would be less than significant.

The proposed project would generate an estimated 0.07 mgd (64,189 gallons) of effluent. This value is within the West Patterson Business Park and Patterson Gardens wastewater generations projections estimated by the prior EIR. The proposed project requires rehabilitation of the North Sperry Trunk Sewer Line, which is currently out of service. The project would bear the responsibility of the costs associated with bringing the line back into service. This would satisfy the provisions of MMs J.1 and J.2. The proposed project's effluent generation is within the citywide wastewater generation projections estimated by the prior EIR. Additionally, the under construction Villages at Patterson Project is obligated to provide funding for a 1.25 mgd expansion of the Water Quality Control Facility, which would also provide capacity for the proposed project. As such, the proposed project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

- d–e) The prior EIR found that buildout of the West Patterson Business Park and Patterson Gardens would increase generation of solid waste. The prior EIR noted that solid waste from Patterson is disposed of at the Fink Road Landfill and Waste-to-Energy Plant located near Crows Landing. At the time, the prior EIR was prepared, the facility has 26 to 41 years of remaining capacity and was undergoing a facility expansion that would extend remaining capacity to 55 years. The prior EIR found that adequate landfill capacity would be available for Patterson Gardens and West Patterson Business Park. The prior EIR concluded that impacts would be less than significant.

The proposed project would generate 433 cubic yards of solid waste annually. As of 2019, the Fink Road Landfill is permitted for 13.3 million cubic yards and has 5.2 million cubic yards of remaining capacity. The facility's closure date is listed as 2055. The proposed project's solid waste generation is within the projections estimated by the prior EIR. As such, the proposed

project would not introduce new environmental impacts or create more severe environmental impacts than those analyzed in the prior EIR.

## Mitigation Measures

- MM J.1** The project sponsors for Patterson Gardens and the Keystone Pacific Business Park, and project applicants for future development in the Business Park Plan area shall construct all necessary wastewater system improvements on their property, or contribute to a new community facilities district to construct these improvements. The City shall, through a combination of sewer development fees and other funding mechanisms, ensure that new development pays its share of the costs of sewer system improvements.
- MM J.2** Project applicants for future development in the Business Park Plan area shall participate in a new CFD or similar financing district established to finance the necessary second wastewater treatment plant expansion of 0.5 mgd.

## Conclusion

The conclusions from the prior EIR remain unchanged.

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XIX. Wildfire</b>					
<i>If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, would the project:</i>					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	N/A	No	No	No	None
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	N/A	No	No	No	None
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	N/A	No	No	No	None
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	N/A	No	No	No	None

## Discussion

a–d) The prior EIR did not evaluate wildfire impacts. The project site contains fallow agricultural land and is surrounded by the Delta-Mendota Canal, Sperry Avenue, CAL FIRE Station 15, a Caltrans maintenance facility, and Baldwin Road. The project site is located within the West Patterson Business Park boundaries and is served with fire protection provided by the Patterson Fire Department. The project site is not located in an area susceptible to wildfire and, thus, would not require the construction of roads, fuel breaks, emergency water sources, power lines or other utilities for the purpose of fighting fires. Impacts would be less than significant.

## Mitigation Measures

None.

## Conclusion

The conclusions from the prior EIR remain unchanged.



Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
<b>XX. Mandatory Findings of Significance</b>					
<i>Would the project:</i>					
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	Less than significant impact with mitigation	No	No	No	MMs D.3 and D.5
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Less than significant impact	No	No	No	None

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	Less than significant impact	No	No	No	None

## Discussion

- a) The prior EIR did not address this question. As discussed in Biological Resources, the proposed project has the potential to impact the western burrowing owl and nesting birds. The implementation of MMs D.3 and D.5 would reduce this impact to a level of less than significant. These potential impacts are within the scope of those discussed and disclosed in the prior EIR. As such, no new or more severe impacts would occur.
- b) The prior EIR did not address this question. As discussed in this Addendum, implementation of the proposed project would not result in new or more severe impacts than previously disclosed in the prior EIR. As such, no new or more severe cumulative impacts would occur.
- c) The prior EIR did not address this question. As discussed in this Addendum, implementation of the proposed project would not result in new or more severe impacts than previously disclosed in the prior EIR. As such, no new or more severe substantial adverse impacts on human beings would occur.

## Mitigation Measures

Refer to MMs D.2, D.3, and D.5 in Biological Resources.

## Conclusion

The conclusions from the prior EIR remain unchanged.

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