
FINAL

Master Environmental Impact Report

Westside Industrial Specific Plan (WISP)

1. Introduction

This Final Master Environmental Impact Report (FMEIR) presents Lead Agency City of Turlock response to the comments on the Draft Master Environmental Impact Report (DMEIR) for the Westside Industrial Specific Plan (WISP). The contents of this document are specified in the California Environmental Quality Act (CEQA) Guidelines, Section 15132.

Written comments received during the DMEIR public review period are addressed. Comments were received primarily during the 45-day public review period of August 10, 2004 through September 24, 2004.

This “Response to Comments” document, together with the DMEIR, constitute the FMEIR for the Westside Industrial Specific Plan. The contents of the Draft Master Environmental Impact Report (DMEIR) for the Westside Industrial Specific Plan (WISP), dated August 10, 2004, are incorporated by reference.

This FMEIR document includes:

1. List of public agencies that submitted comments on the DMEIR;*
2. Written comments received on the DMEIR;
3. Lead Agency response to comments received; and
4. Minor EIR Text Revisions and Staff-Initiated Text Changes

No oral comments were received on the DMEIR during scheduled Public Hearings.

* Only “public agencies” submitted comments on the WISP DMEIR. No comments were received from “persons or organizations.”

Summary Description of Project

The Turlock General Plan designates the WISP Study Area as the primary location for new job growth in the City. The fundamental purpose of the project is to implement the General Plan and expand and diversify the existing industrial area in the City of Turlock.

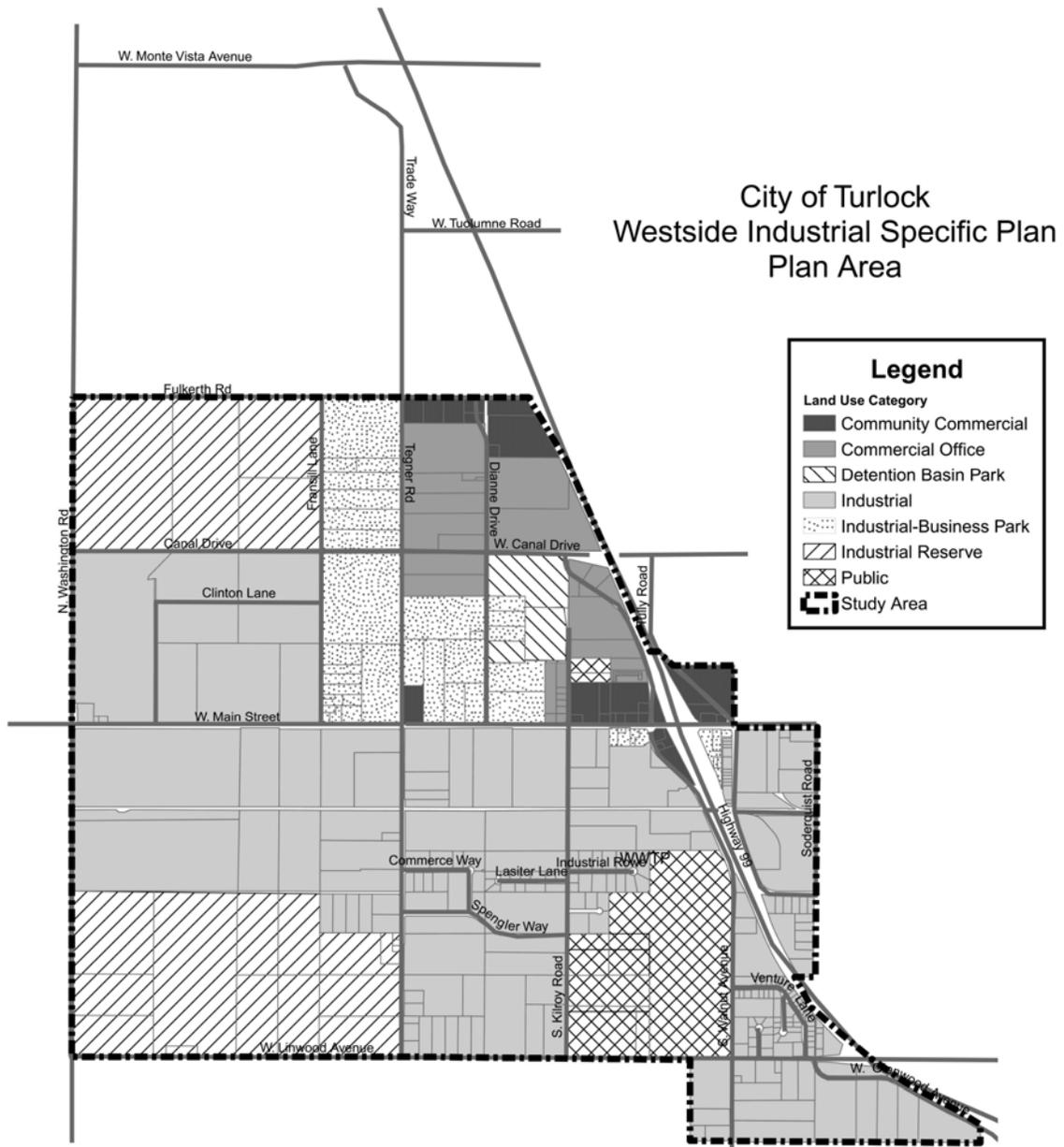
The Specific Plan will accommodate three primary land use components.

- Additional light and heavy industrial uses similar to those currently located there. The Plan will also encourage the development of an Agri-Science Industry Cluster (referred to as the “Agri-Science Cluster”). The Specific Plan defines the Cluster as a center for research and development, manufacture, processing, and celebration of agriculture and food products in the San Joaquin Valley.
- Office and research and development uses.
- Commercial services and retail uses to support the workers and businesses in the Plan Area.

The WISP encompasses a total of 2,632 acres. The table shown below summarizes the land use in the Study Area by the number of acres in each zoning category. The following Land Use Map shows the location of these land use categories.

LAND USE CATEGORY BY ACRES

<u>Land Use</u>	<u>Acres</u>
Commercial Office (CO)	174
Community Commercial (CC)	87
Industrial Business Professional (I-BP)	250
Industrial (I)	1,211
Public (PUB)	171
Detention Basin Park (I-BP)	39
Industrial Reserve (IR)	515
<u>Roads</u>	<u>185</u>
Total	2,632



Project Objectives

The Westside Industrial Specific Plan objectives are:

- Objective 1.** Provide a new employment center for commerce and industrial uses compatible with the Plan Area.
- Objective 2.** Improve the jobs/housing balance in south Stanislaus County by providing local job opportunities in Turlock and, thereby, reducing the home-to-work commute by Turlock residents.
- Objective 3.** Establish high quality development that will provide landscaping and building design appropriate to the type of business activity present and a distinctive gateway to Turlock along SR 99.
- Objective 4.** Provide an attractive, pleasant work place, as reflected in the landscaping, quality buildings, access to parking, and employee oriented amenities, such as on-site recreation, outdoor and indoor lunch areas, and walking paths that connect to other businesses, restaurants, and services.
- Objective 5.** Provide development sites that are appropriate to the industrial and commercial user needs in terms of access, the size and configuration of available land parcels, availability of suitable buildings, and compatibility with surrounding land use.
- Objective 6.** Provide infrastructure and circulation improvements to support economic development.
- Objective 7.** Provide a good value for development of new facilities in terms of land costs, infrastructure and buildings.
- Objective 8.** Develop a comprehensive transportation system to provide convenient and quick access to the work place, which minimizes commute time and costs.
- Objective 9.** Provide convenient access to personal services and conveniences near the work place, such as day care, medical and dental care, banking, professional services, recreation, retail shops and restaurants.
- Objective 10.** Provide a location for start-up businesses near high support services and opportunities for business interaction.
- Objective 11.** Develop an industrial center that is noteworthy for technological innovation in communications and building design with regard to lighting, heating and cooling, materials re-use, water and energy conservation.

Development and Conservation Issues Addressed in the Plan

A number of factors including City policy influence the land use, urban design and circulation features of the WISP Project. The Specific Plan addresses the following characteristics, development and conservation issues that guide the development of the Plan Area.

- East-west circulation connections – The ability to connect across SR 99 to allow resident workers convenient access to the employment center is an essential design consideration.
- North-south circulation connections – The Plan Area will need to provide one or more major north-south connectors.
- Gateway Opportunities – The Plan Area provides opportunities to establish a high quality visual presence for the City along the SR 99 frontage.
- Proximity to the Wastewater Treatment Plant – The proximity to the plant can help reduce development costs for major new industrial users, and provides the potential for use of recycled wastewater.
- Proximity to the Turlock Irrigation District (TID) Energy Generation Plant – Industrial users with high energy demands will have the opportunity to locate near the new energy plant.
- On-going agricultural activity – Agriculture will continue in the Plan Area for many years.
- Incremental Growth – Development of the Plan Area is likely to extend over many years.
- Fiscal Stability and Capital Finance – The requirement for new infrastructure will need to be balanced with the ability to fund such improvements over a period of years.

2. List of Public Agencies That Submitted Comments on the Draft Master Environmental Impact Report (DMEIR) for the Westside Industrial Specific Plan (WISP)*

Written comments on the Draft Master Environmental Impact Report (DMEIR) for the Westside Industrial Specific Plan were received from the following public agencies. These are listed chronologically by date of the written correspondence.

1	September 21, 2004	California State Department of Conservation, Division of Land Resource Protection
2	September 24, 2004	California State Department of Transportation
3	September 24, 2004	California State Clearinghouse
4	September 29, 2004	San Joaquin Valley Air Pollution Control District (APCD)
5	October 1, 2004	Stanislaus County Environmental Review Committee

* Only “public agencies” submitted comments on the WISP DMEIR. No comments were received from “persons or organizations.”

3. Response to Comments

Lead Agency City of Turlock has prepared the following responses to the comments received on the WISP Draft Master EIR (DMEIR).

The comments on the DMEIR are presented in chronologic order of the written correspondence.

Adjacent to each DMEIR comment is a number that corresponds to a response included immediately after the subject letter.

State of California

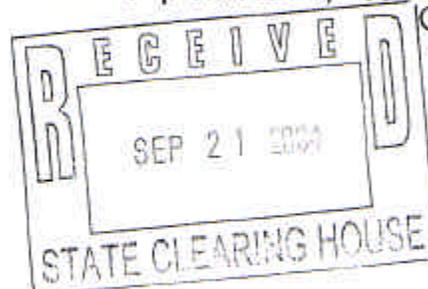
THE RESOURCES AGENCY OF CALIFORNIA

M e m o r a n d u m**Letter 1**

To: Project Coordinator
Resources Agency

Date: September 21, 2004

Michael I. Cooke, Planning Manager
Turlock Planning Division
156 South Broadway, Suite 120
Turlock, CA 95380



From: *Dennis J. O'Bryant*
Dennis J. O'Bryant, Acting Assistant Director
Department of Conservation – Division of Land Resource Protection

Subject: Westside Industrial Specific Plan (WISP) Draft Environmental Impact Report (DEIR) **SCH# 2003102067**

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the above DEIR and has the following comments with respect to the project's potential impacts on agricultural land.

The proposed 2,632-acre project implements the goals of the Turlock General Plan to expand and diversify the city's industrial area. The DEIR notes that the WISP project is tiered from the Turlock General Plan and associated Master Environmental Assessment and EIR. The WISP DEIR also incorporates several other planning documents by reference.

Description of Agricultural Land and Use

The DEIR provides a thorough description and discussion of agricultural land in the project area. The DEIR also provides a comprehensive discussion of both county and city agricultural policies and goals for the project area.

Mitigation for Conversion of Farmland

The DEIR, Potential Impact AG-1, notes that the farmland conversion impact is significant and unavoidable. Mitigations listed include continuing agricultural use of lands until development and orderly development.

Since the WISP project is tiered from the 1992 Turlock General Plan and associated environmental documents, the possibility of currently feasible mitigation measures unavailable in 1992 should be explored. For example, the Division recommends the purchase of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land. We highlight this measure because of its growing acceptance and use by lead agencies as mitigation under the California Environmental Quality Act.

Project Coordinator, Resources Agency
Michael I. Cooke
September 21, 2004
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Mitigation using conservation easements can be implemented by at least two alternative approaches: the outright purchase of conservation easements tied to the project, or via the donation of mitigation fees to a local, regional or statewide organization or agency, including land trusts and conservancies, whose purpose includes the purchase, holding and maintenance of agricultural conservation easements. The recently formed Central Valley Farmland Trust could be a potential source for mitigation using agricultural conservation easements. They can be contacted at 8970 Elk Grove Boulevard, Elk Grove, CA 95624 [telephone (916) 685-6958]. Whatever the approach, the conversion of agricultural land should be deemed an impact of at least regional significance and the search for mitigation lands conducted regionally, and not limited strictly to lands within the Turlock area.

1-1
(cont'd)

Information about conservation easements is also available on the Division's website, or by contacting the Division at the address and phone number listed below. The Division's website address is:

<http://www.conservation.ca.gov/DLRP/>

Conflict with Williamson Act Contracted Lands

The DEIR notes that WISP areas will be annexed to the city as urbanization occurs. Since annexation and rezoning may occur before actual development, information should be provided on the city's plans for succeeding to administration of existing agricultural preserves and Williamson Act contracts.

Agricultural preserves are established by local agencies to designate land qualified to be placed under Williamson Act contracts and to create a setting conducive to continued agricultural use. Therefore, uses of agricultural preserve land must be restricted by zoning or other means so as not to be incompatible with agricultural use of contracted land within the preserve (Government Code Section 51230). If zoning associated with the WISP precludes agricultural use of lands in agricultural preserves, the local agency should consider amendment of the preserve boundaries.

1-2

The DEIR's discussion of Williamson Act contract termination should also note that nonrenewal is the preferred method for contract termination and cancellation is reserved for extraordinary or unforeseen circumstances. Initiation of contract nonrenewal should be planned accordingly, using at least a 10-year projection, to avoid incompatible land uses on contracted lands. In fact, recent legislation, AB 1492 (Chapter 694/Statutes of 2003), requires a local government to make a determination if a breach of contract exists. If a breach exists, it requires the landowner either to eliminate the breach or pay a penalty which is 25 percent of the unrestricted fair market value of the land rendered incompatible by the breach, plus 25 percent of the value of the incompatible building and any related improvements on the contracted land. Upon elimination of the breach or payment of the assessed penalty, a termination by breach of contract is recorded for the affected property.

1-3

Project Coordinator, Resources Agency
Michael I. Cooke
September 21, 2004
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Table 4-2 Important Farmland Inventory Definitions

Table 4-2 provides a generic definition for Farmland of Local Importance. The table should reference Stanislaus County's county-specific definition for Farmland of Local Importance:

Farmlands growing dryland pasture, dryland small grains, and irrigated pasture.

Thank you for the opportunity to comment on the DEIR. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0850.

cc: East Stanislaus RCD
3800 Cornucopia Way, Suite E
Modesto, CA 95358

Comment Letter 1: Dennis J. O’Bryant, Acting Assistant Director, State Department of Conservation, Division of Land Resource Protection. September 21, 2004.

Response 1-1: The WISP Study Area has been designated for urban development since March 1993, the adoption date of the 1992 Turlock General Plan. The 1992 Turlock General Plan designates the WISP Study Area as the primary location for new job growth in the City.

Also, 120 acres (or 11%) of the Stanislaus County land within the WISP Study Area is designated for Urban Transition. The City of Turlock will initiate annexation procedures for the adjacent unincorporated County area as the Specific Plan Area develops. Existing agricultural activity within the incorporated areas of the Study Area will continue until urban development is imminent.

The October 1992 Turlock General Plan DEIR, upon which the WISP MEIR is tiered, concludes that:

“The proposed General Plan would have a significant adverse impact on agriculture that cannot be mitigated to a level of insignificance. These impacts would occur at the project level and at the cumulative level.” (Page 33)

Comment noted regarding optional purchase of agricultural conservation easements.

Response 1-2: The Williamson Act contracted lands within the WISP Study Area will remain in agricultural zoning while under Williamson Act contract.

The City of Turlock maintains a right-to-farm ordinance in the Zoning Ordinance. The City of Turlock will succeed to all Williamson Act contracts upon annexation. However, if the City protested the establishment of the Contract and the Stanislaus County LAFCo upheld the protest, then the City will not succeed to the Contract which will be terminated upon annexation.

Mitigation Measure AG-2.1 requires project-specific mitigation measures to prevent urban development from unnecessarily constraining agricultural practices or adversely affecting the viability of nearby agricultural operations. Mitigation Measure AG-2.2, a Staff-initiated text change (please see Section 4 of this document), adopts language from the Turlock General Plan and the Urban Reserve designation. Mitigation Measure AG-2.2 states that agricultural land designated for urban development in the WISP may be annexed to the City of Turlock, consistent with General Plan Policy 6.1-m. To allow for the continuation of established farming operations upon annexation, agricultural uses, as defined by the Turlock Municipal Code, shall be permitted by right in all WISP zoning districts. However, the City’s policy is that agriculture is a short-term, transitional use that should eventually give way to urban uses consistent with the WISP. A property that is subject to a Williamson Act contract for which a “notice of non-renewal” has

been filed, may remain in agricultural production until such time that the Williamson Act contract is terminated.

Mitigation Measure AG-3.1 prevents the City from extending water and sewer lines prematurely to allow urban development that would adversely affect agricultural operations. Mitigation Measure AG-3.2 requires buffers at the interface of urban development and farmland in order to minimize conflicts between these uses. Mitigation Measure AG-3.3 requires that Right-to-Farm disclosure notices be recorded on the title of all new development within the Study Area. Mitigation Measure AG-3.4 requires that developed property adjoining irrigated ground must be graded so that finished grading elevations are at least six (6) inches higher than irrigated ground. A protective berm must be installed to prevent irrigation water from reaching non-irrigated properties. Stub-end streets adjoining irrigated ground must have a berm installed at least 12 inches above the finished grade of the irrigated parcel(s).

However, the decision to allow the automatic renewal or to file for non-renewal remains with the landowners of existing Williamson Act contracted lands, and is therefore beyond the control of the local agency.

Response 1-3: As requested, the discussion of Williamson Act contract termination under Potential Impact AG-2, page 4-12, is revised as follows (underlined text is added):

**POTENTIAL IMPACT AG-2: IMPLEMENTATION OF THE PROPOSED WISP PROJECT
MAY CAUSE A CONFLICT WITH EXISTING
WILLIAMSON ACT CONTRACTS.**

The precise number of acres subject to a Williamson Act varies from year-to-year as individual contracts are added or removed through the non-renewal process.

All Williamson Act lands must remain as agricultural lands through the ten-year contract. The contract is automatically renewed for an additional year, unless either party files a "notice of non-renewal." Under this exception, the contract would remain in effect through the existing ten-year commitment.

Non-renewal is the preferred method for contract termination, and "cancellation" is reserved for extraordinary or unforeseen circumstances. Initiation of contract non-renewal should be planned accordingly, using at least a 10-year projection, to avoid incompatible land uses on contracted lands. Recent legislation, AB 1492 (Chapter 694/Statutes of 2003), requires a local government to make a determination if a breach of contract exists. If a breach exists, it requires the landowner either to eliminate the breach or pay a penalty which is 25 percent of the unrestricted fair market value of the land rendered incompatible by the breach, plus 25 percent of the value of the incompatible building and any related improvements on the contracted land. Upon elimination of

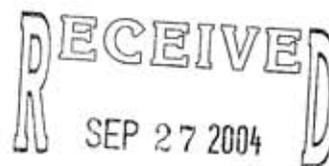
the breach or payment of the assessed penalty, a termination by breach of contract is recorded for the affected property.

Response 1-4: As requested, the definition of Farmland of Local Importance in Table 4-2, page 4-4, is revised as follows (underlined text is added):

IMPORTANT FARMLAND INVENTORY DEFINITIONS

Category	Definition
Prime Farmland (P)	Farmland with the best combination of physical and chemical features able to sustain long term production of agricultural crops. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for production of irrigated crops at some time during the four years prior to the mapping date.
Farmland of Statewide Importance (S)	Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for production of irrigated crops at some time during the four years prior to the mapping date.
Unique Farmland (U)	Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
Farmland of Local Importance (L)	Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee. <u>Specific for Stanislaus County: Farmlands growing dryland pasture, dryland small grains, and irrigated pasture.</u>
Grazing Land (G)	Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.
Urban and Built-up Land (D)	Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
Other Land (X)	Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; vacant and nonagricultural land surrounded on all sides by urban development; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres.
Water (W)	Perennial water bodies with an extent of at least 40 acres.

Source: California Department of Conservation, Office of Land Conservation. Farmland Mapping and Monitoring Program. www.conservation.ca.gov. April 2003. Dennis J. O'Bryant, Assistant Director, California Department of Conservation, Division of Land Resource Protection, MEIR Comment Letter, September 21, 2004.



CITY OF TURLOCK
PLANNING DIVISION



Flex your power!
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Letter 2

September 24, 2004

10-STA-99- PM 4.356
Westside Industrial Specific
Plan Draft EIR
SCH# 2003102067

Mr. Michael Cooke
City of Turlock
Planning Department
156 South Broadway, Suite 120
Turlock, CA 95380

Dear Mr. Cooke:

Thank you for the opportunity to review the Draft EIR for Westside Industrial Specific Plan (WISP). The fundamental purpose of this project is to implement the General Plan and expand any diversity the diversity of the existing industrial area. The WISP study proposes a total of 2,632 acres including 515 areas of industrial reserve. The project also include 1,211 acres of industrial land use, 250 acres for industrial business professional use, 261 acres of commercial land use, and 39 acres of detention basin park. This project is located on the west of SR 99 generally bounded on the north by Fulkerth Road, on the south by west Linwood Avenue, and on the west by Washington Road in Turlock.

We have circulated copies of the application, plans, and supporting documentation to our functional units for review. Please respond to the following questions and comments as soon as possible. We would line an opportunity to review the responses and if necessary meet prior to the development of the Final EIR.

1. What criteria were used to identify intersections and roadway segments for analysis in this Traffic Circulation Study?
2-1
 - a. In figure - 4, significant number of trips are entering/leaving project area towards Hilmar, Los Banos and other incorporated areas south of W. Linwood Avenue utilizing intersection of south Tegner Road, south Walnut Avenue and Lander Avenue, impacting SR 165 and SR 99/SR 165 (Lander Avenue) interchange. Please provide traffic operations analyses for impacts on SR 165 and SR 99/SR 165 interchange.
2-2

- b. Why was the intersection on W. Linwood Avenue/W. Glenwood Avenue not analyzed? | 2-3
- c. Why was the SR 99 freeway segment between south of SR 99/SR 165 interchange to north of SR 99/Fulkerth Road interchange not analyzed for this project? | 2-4
- 2. Please provide a complete page of figure-3. | 2-5
- 3. Provide signal warrant analysis prepared in accordance with MUTCD 2003 California supplement, and refer to <http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/> Effective May 20, 2004; Caltrans has adopted FHWA's MUTCD 2003 Edition and MUTCD 2003 California Supplemental. | 2-6
- 4. Percentage of Heavy Vehicle assumed in this traffic study i.e. 5 percent for the proposed industrial development is considerably low, especially on ramp termini's. Please explain why. | 2-7
- 5. On page 14, Table -5 and 6:
 - a. Why there is 20 percent decrease in the proposed project area? Provide more details of the difference between Net Acres and Actual Acres. | 2-8
 - b. Why floor area ratio (FAR) is determined from Actual Acres instead of Net Acres? Why floor area ratio is assumed 25 percent only? | 2-9
 - c. Please clarify above comments, as this will make significant difference in trip generation from proposed land use of Westside Specific Plan. | 2-10
- 6. There is inconsistency in quantities (KSF) for "General Office" land use, for "Currently Vacant" lands, provided in Table 6 (including Appendix Table - 1) and Table - 7. Please clarify. | 2-11
- 7. Provide an exclusive Table showing results of existing, plus project conditions: Mitigated Intersection Levels of service in the Traffic Study. | 2-12
- 8. In the provided LOS worksheets, please clarify Following:
 - a. Why value of PCE adjustment is assumed 1.0 in all analysis scenario of Traffic Study? | 2-13

- b. There is inconsistency between traffic volumes in figure 11 and corresponding LOS worksheets. 2-14
- 9. Provide Northwest Triangle Specific Plan (NWTSP), Final Report (OMNI-MEANS, April 2002) for review and validate consistency of recommended lane geometrics for ramp termini SR99/Fulcrth Road interchange with this traffic study. 2-15
- 10. On page 40, it is stated that “recommended lane” geometrics and control at the SR 99/West Main Street 1/c intersections in this study are consistent with the interchange design geometrics identified under Alternative-6 (the diamond interchange alternative) per the Draft PSR-PDS dated March 2002”. Whereas, Westside Industrial Specific Plan Traffic Study has additional area and trips than mentioned in need and purposes of Draft PSR-PDS (March 2002). Please revise accordingly. 2-16
- 11. A detailed Traffic Operational Analysis is required at Draft EIR stage in order to detailed proper impacts and mitigations. Traffic Operations Analysis needs to include:
 - a. Freeway Segment Analysis
 - b. Roadway Segment on conventional highway (SR165). 2-17
 - c. Ramps and Ramp junction Analysis at the impacted interchanges on SR 99 i.e. SR.
 - d. 165 (Lander Avenue), West Main Street and Fulkerth Road.
 - e. Intersection Analysis including queuing, storage length requirements and coordinated signal operations analyses etc.
- 12. At this time Caltrans does not concur with recommended mitigation measures stated in Draft EIR. 2-18
- 13. The Travel Forecasting information, including the Trip Generation, Trip Distribution, and Trip Assignment assumptions used to study impacts from the Westside Industrial Specific Plan (WISP) Draft Environmental Impact (DEIR) SCH #2003102067 project appear reasonable. 2-19
- 14. However, Volume 2 of the Technical Appendix of the WISP DEIR movements at SR 165 (Lander Avenue) should be included in the traffic analysis for the WISP. According to the Directional Trip Distribution (figure 6), 22% of traffic will go south 2-20

on SR 99 and 2% will go south on Lander Ave., just north of the SR 99/SR 165 interchange.

2-20

District 10 Planning staff will continue to monitor the information presented in the WISP DEIR, specifically the project growth estimates, in our cumulative development database and will include or reference the information in all future traffic impact analyses for Caltrans or other local development projects. Project impacts from this as well as other associated development projects will be re-evaluated at the time a site-specific Encroachment Permit Project Study Report (PSR) and approved Project Report – Encroachment Document requires a complete traffic study.

In the interim, you local jurisdiction should calculate and collect appropriate traffic impact fees to ensure adequate financing for any infrastructure improvements, that may be needed in the future as a result of this and other related development projects.

2-21

Minimally, these fees should address impacts to State Highway System (SHS) Mainline and Interchange facilities in closest proximity to the project. Since the project also demonstrates ancillary impacts to other regional facilities, appropriate fees should be assessed to cover there radiated project impacts.

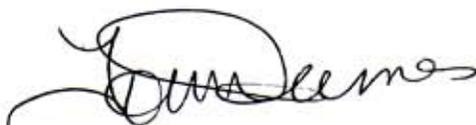
15. Caltrans encourages contacting the Native American Heritage Commission: 915 Capitol Mall, Room 364, Sacramento, California 95814. Telephone (916) 653-4082, Fax (916) 657-5390 for advice on consulting with Native Americans regarding any cultural concerns within the project area.

2-22

Please forward the Conditions of Approval including any mitigation plans and other documents and reports on this proposed project for our records. If you are aware of any controversy regarding any of our comments and requirements, please contact us as soon as possible so we may work together to resolve them before submittal to your Board

If you have any questions or would like to discuss these comments in more detail, please contact Saeed Erfan at (209) 948-7936 (e-mail: serfan@dot.ca.gov) or myself at (209) 941-1921. We look forward in continuing to work with you in a cooperative manner.

Sincerely,



TOM DUMAS, Chief
Office of Intermodal Planning

Mr. Michael Cooke
September 24, 2004
Page 5

c: Mr. Scott Morgan
State Clearinghouse
P. O. Box 3044
Sacramento, CA 95812-3044

"Caltrans improves mobility across California"

Comment Letter 2: Tom Dumas, Chief, Office of Intermodal Planning, California Department of Transportation. September 24, 2004.

Response 2-1: The criteria used to identify project-critical intersections and roadway segments for analysis were selected based on scoping meetings, correspondence between Omni-Meams and the City of Turlock, and responses to the Notice of Preparation (NOP).

Response 2-2: Traffic operations analyses for SR 165 and the SR 99/SR 165 interchange are of a greater specificity than the level of detail known on the type and intensity of development likely to occur in the WISP area. The Specific Plan identifies broad categories of what non-residential developments could develop in the area. Actual new commercial, office, and/or industrial projects are not known at this time. Upon the proposal of such developments, further studies, including traffic operational analyses, may be appropriate.

Response 2-3: An analysis, including the associated traffic volume figures and LOS outputs, of the intersection of W. Linwood Avenue/W. Glenwood Avenue is included in the Traffic Appendix of this document. In addition, the Lander Avenue/SR 99 ramp intersections and the Lander Avenue/W. Glenwood Avenue intersections have also been analyzed, and are included in the Traffic Appendix of this document.

Response 2-4: Freeway mainline and ramp analyses (e.g. merge, diverge, and weaving analyses) are part of traffic operations analyses. However, this level of analysis is not consistent with the level of detail known on the type and intensity of use within the WISP area. The actual level of development at the specific plan site may result in a wide range of traffic impacts. The traffic volumes and corresponding traffic conditions presented in the Traffic Circulation Study are based on the best available information, including average trip generation rates, and are therefore suitable for “planning level” analyses. Planning –level analyses of SR 99/SR 165 ramp intersections have been performed and are included in the Traffic Appendix of this document, with associated traffic volume figures and LOS worksheets. Traffic operations analyses will be conducted upon the further refinement of development plans for the Westside Industrial Specific Plan area.

Response 2-5: A complete page of Figure 3, Existing Intersection Land Geometrics and Control, will be provided as requested.

Response 2-6: The signal warrant analysis criteria used in the analysis was taken from the *Caltrans Traffic Manual Peak-Hour-Volume based Warrant 11 (Urban Areas)*, which was standard for California traffic analysis at the time of report submittal (June 2003). The criteria presented in Warrant 11 is virtually identical to the criteria presented in *MUTCD 2003 California Supplement Peak-Hour-Volume based Warrant 3*, which was adopted in May 2004 by Caltrans.

Response 2-7: According to the Caltrans publication *2003 Annual Average Daily Truck Traffic on the California State Highway System* (November 2004), truck traffic consists of 4.9% of the average daily traffic on SR 165 at the SR 99 junction (SR 165, Stanislaus County – PM 1.45). The overall average daily traffic volume was counted as 21,400 vehicles. The 5% heavy vehicle factor is therefore considered a reasonable assumption relative to the large volumes of traffic traveling on SR 165 and SR 99 within the WISP area.

Response 2-8: The existing project area does not contain a street network system that would support the level of predicted development across the 2000 acres contained in the Westside Industrial Specific Plan area. The 20% reduction in acreage is an estimate of the area required for the roadway network construction and detention basins.

Response 2-9: As stated in the Response 2-8, the reduction in acreage accounts for the acreage required for street network construction, with Actual Acres reflecting the reduction in area available for development. The FAR assumption of 25% is an approximate ratio quoted in the report. Land use-specific FARs were employed for various land uses in the model, with 25% FAR used for retail developments, 30% for office developments, and 35% for industrial developments.

Response 2-10: Please refer to Responses 2-8 and 2-9.

Response 2-11: The land use splits presented for various developments in Table 6 are approximations. Table 7 utilizes more precise land use splits according to TAZs, as presented in Appendix Table 1 of the Traffic Circulation Study.

Response 2-12: This information is contained in Appendix Table 3 of the Traffic Circulation Study. A copy of the table is also included in the Traffic Appendix of this document.

Response 2-13: The study roadway segments of Fulkerth Road and Main Street have low truck traffic. The existing level of truck traffic and the flat terrain of the area were therefore not predicted to have substantial effect on traffic operations, keeping the PCE of 1.0 within reasonable limits.

Response 2-14: Traffic volumes listed on Traffic Circulation Study Figure 11 and the LOS worksheets were checked for inconsistencies and none were found.

Response 2-15: Report will and has been submitted with these comment responses.

Response 2-16: The additional trips generated by the Westside Industrial Specific Plan do not necessitate additional improvements to the intersection geometrics. No revisions are required.

Response 2-17: Please refer to Response 2-4.

Response 2-18: Comment noted.

Response 2-19: Comment noted.

Response 2-20: Comment noted.

Response 2-21: Comment noted.

Response 2-22: The California State Clearinghouse forwarded the WISP Draft MEIR to the Native American Heritage Commission in response to the Notice of Completion for the WISP Draft MEIR (dated August 10, 2004).

The Central California Information Center, California Historical Resources Information System (California State University, Stanislaus) conducted a records search for purposes of the WISP cultural resources study, and did not identify any Native American archaeological resources within the WISP Study Area. In addition, the WISP Project Archaeologist visited the site, and did not locate any Native American archaeological resources.

Mitigation Measure C-2.1 (WISP Draft MEIR, page 7-16) states:

“If previously unrecorded archaeological resources, as defined by State Law are discovered, construction activities shall be suspended and a qualified archaeologist shall be called to evaluate the find and to recommend proper action. (Westside Industrial Specific Plan Resources Policy R-P-48)”

No comment was received from the Native American Heritage Commission, neither by the California State Clearinghouse nor the Lead Agency City of Turlock.



Arnold
Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Jan Boel
Acting Director

September 24, 2004

RECEIVED
SEP 27 2004
CITY OF TURLOCK
PLANNING DIVISION

letter 3

Michael Cooke
City of Turlock
156 South Broadway, Suite 120
Turlock, CA 95380

Subject: Westside Industrial Specific Plan (WISP)
SCH#: 2003102067

Dear Michael Cooke:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 23, 2004, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

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

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

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

3-1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2003102067
Project Title Westside Industrial Specific Plan (WISP)
Lead Agency Turlock, City of

Type EIR Draft EIR
Description Proposed new job center, including expansion of existing industrial uses, includes development of an Agri-Science Industry.

Lead Agency Contact

Name Michael Cooke
Agency City of Turlock
Phone 209-668-5640
email
Address 156 South Broadway, Suite 120
City Turlock
Fax
State CA **Zip** 95380

Project Location

County Stanislaus
City Turlock
Region
Cross Streets Fulkerth Rd, W. Linwood, Washington
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways 99
Airports
Railways UPRR Spur
Waterways
Schools
Land Use Mixed: Ag, Industrial, Commercial Industrial Business Professional, Residential, Public, Urban Reserve.

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

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 4; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 10; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Public Utilities Commission; Native American Heritage Commission

Date Received 08/10/2004 **Start of Review** 08/10/2004 **End of Review** 09/23/2004

Comment Letter 3: Terry Roberts, Director, California State Clearinghouse and Planning Unit. September 24, 2004.

Response 3-1: Comment noted.



San Joaquin Valley
Air Pollution Control District

letter 4

September 29, 2004

Mr. Michael I. Cooke, Planning Manager
City of Turlock Planning Division
156 South Broadway, Suite 120
Turlock, Ca 95380

Reference #: 20040387
RECEIVED
OCT - 6 2004
CITY OF TURLOCK
PLANNING DIVISION

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) WESTSIDE
INDUSTRIAL SPECIFIC PLAN.

Dear Mr. Cooke:

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

Based on the information provided in the "Air Quality" section of the DEIR, the District concurs with the findings of significant impacts identified in the report. However, the District would like to suggest the following items as additional mitigation measures and clarifications:

Page 5-13

In December 2003 the District submitted an amend PM10 attainment plan which was approved by EPA in April of 2004. Additionally, the District is finishing work on the extreme ozone nonattainment plans and anticipates submitting that document to the Californian Air Resources Board (ARB) for approval and submittal to EPA in October 2004.

4-1

Page 5-21 **Energy Efficiency**

The District encourages all forms of energy conservation and would encourage individual applicant to look into alternative forms of energy production such as solar and wind power where feasible.

4-2

Page 5-21 **Construction Activities**

Please be advised that on August 19, 2004 and September 16, 2004, the District's Governing Board approved amendments to Regulation VIII, Rules 8011-8061 and 8071-8081; respectively, that become effective on October 1, 2004. Of particular note are amendments to Rule 8021 (see section 6.3.1); the Dust Control Plan threshold has changed from 40.0 acres to 5.0 or more acres for non-residential sites. If a non-residential site is 1.0 to less than 5.0 acres, an owner/operator must provide written

4-3

David L. Crow
Executive Director/Air Pollution Control Officer

notification to the District at least 48 hours prior to his/her intent to begin any earthmoving activities (see section 6.4.2).

4-3

Additionally, the following construction mitigation measure should be considered. Require construction equipment used at the site to be equipped with catalysts/particulate traps to reduce particulate and NOx emissions. These catalysts/traps require the use of ultra-low sulfur diesel fuel (15 ppm). Currently, California Air Resources Board (ARB) has verified a limited number of these devices for installation in several diesel engine families to reduce particulate emissions. At the time bids are made, have the contractors show that the construction equipment used is equipped with particulate filters and/or catalysts or prove why it is infeasible.

4-4

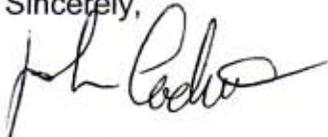
Rule clarification:

- District Rule 4103 Open Burning section 5.5.5 does not allow for orchard, or vineyard removal waste, or any other material, generated because of land use conversion from agricultural to nonagricultural purposes to be burned.

4-5

Thank you for the opportunity to comment. If you have any questions, please feel free to contact me at (209) 557-6400.

Sincerely,



John Cadrett
Air Quality Planner
Northern Region

Comment Letter 4: John Cadrett, Air Quality Planner, Northern Region, San Joaquin Valley Air Pollution Control District. September 29, 2004.

Response 4-1: As suggested the following text is added to Page 5-13, under Section 5.2.4 San Joaquin Valley Air Pollution Control District (SJVAPCD) (underlined text is added):

In December 2003 the District submitted an amend PM10 attainment plan which was approved by the Environmental Protection Agency (EPA) in April of 2004. Additionally, the District is finishing work on the extreme ozone nonattainment plans and anticipates submitting that document to the California Air Resources Board (CARB) for approval and submittal to EPA in October of 2004.

Response 4-2: As suggested the following text is added to Page 5-13, under Section 5.2.4 San Joaquin Valley Air Pollution Control District (SJVAPCD) (underlined text is added):

Energy Efficiency

The District encourages all forms of energy conservation and would encourage individual applicant to look into alternative forms of energy production such as solar and wind power where feasible.

Response 4-3: As suggested the following text is added to Page 5-13, under Section 5.2.4 San Joaquin Valley Air Pollution Control District (SJVAPCD) (underlined text is added):

Construction Activities

On August 19, 2004 and September 16, 2004, the District's Governing Board approved amendments to Regulation VIII, Rules 8011-8061 and 8071-8081, that became effective on October 1, 2004. Of particular note are amendments to Rule 8021 (Section 6.3.1) - the Dust Control Plan threshold has changed from 40.0 acres to 5.0 acres for non-residential sites. If a non-residential site is 1.0 acres to less than 5.0 acres, an owner/operator must provide written notification to the District at least 48 hours prior to his/her intent to begin any earthmoving activities (Section 6.4.2)

Response 4-4: As suggested the following Mitigation Measure is added to Page 5-22 (underlined text is added):

AQ-2-30: Construction equipment shall be equipped with catalysts/particulate traps to reduce particulate and NOx emissions. These catalysts/traps require the use of ultra-low sulfur diesel fuel (15 ppm). Currently, the California Air Resources Board (CARB) has verified a limited number of these devices for installation in several diesel engine families to reduce particulate

emissions. At the time bids are made, contractors shall show that the construction equipment used is equipped with particulate filters and/or catalysts, or prove why it is infeasible.

Response 4-5: As suggested the following text is added to Page 5-13, under Section 5.2.4 San Joaquin Valley Air Pollution Control District (SJVAPCD) (underlined text is added):

Open Burning

The SJVAPCD's Agricultural Burn Program requires burn permits for open vegetative burning. This permitting system is based upon smoke management throughout the Valley. As of May 18, 2004, the permitting system became automated. **(4)**

District Rule 4103 Open Burning (Section 5.5.5) does not allow for orchard or vineyard removal waste, or any other material generated because of land use conversion from agricultural to nonagricultural purposes, to be burned.



CHIEF EXECUTIVE OFFICE

1010 10th Street, Suite 6800, Modesto, CA 95354
P.O. Box 3404, Modesto, CA 95353-3404

Patricia Hill Thomas
Interim Chief Executive Officer
Phone: 209.525.6333 Fax 209.544.6886

Letter 5

STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

October 1, 2004

Michael I. Cooke
City of Turlock
Planning Dept.
156 S. Broadway, Suite 120
Turlock, CA 95380

RECEIVED
OCT - 5 2004

CITY OF TURLOCK
PLANNING DIVISION

SUBJECT: ENVIRONMENTAL REFERRALS-CITY OF TURLOCK-
CIRCULATION OF DEIR REPORT FOR THE WESTSIDE
INDUSTRIAL SPECIFIC PLANS (WISP)

Mr. Cooke:

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and has the following comment(s):

On page 4-11, Impact 4.4: The Stanislaus County General Plan does not designate the WISP Study Area for urban development and conversion of farmland. The County General Plan designates this area for Agriculture with the exception of roughly 120 acres of area designated Urban Transition in the County's General Plan.

5-1

The ERC appreciates the opportunity to comment on this project.

Sincerely,

W. Richard Jantz, Deputy Executive Officer
Raul Mendez, Senior Management Consultant
Environmental Review Committee

cc: ERC Members

Comment Letter 5: W. Richard Jantz, Deputy Executive Officer, and Raul Mendez, Senior Management Consultant, Stanislaus County Environmental Review Committee. October 1, 2004.

Response 5-1: The WISP Study Area is designated for urban development and conversion of agricultural land in the City of Turlock General Plan

4. Minor EIR Text Revisions and Staff-Initiated Text Changes

The following corrections and/or clarifications have been made to the Draft Master Environmental Impact Report (DMEIR) text. These corrections include:

- minor corrections made by the EIR authors to improve writing clarity and consistency;
- corrections or clarifications requested by a specific response to comments; or
- staff-initiated text changes to update information presented in the EIR or to clarify the mitigation measure and/or policy statement presented in the DMEIR.

None of these changes constitute new significant information or result in any new significant impacts of the proposed project.

~~Strikethrough text~~ presented in this section is deleted from the Master EIR. Underlined text is added to the Master EIR.

Page 1-1, Summary;

The EIR for the Westside Industrial Specific Plan is procedurally a Master EIR, rather than a Program EIR. The WISP Draft EIR, dated August 10, 2004, constitutes the requirements of a Master EIR, as found in CEQA Guidelines Section 15176, Contents of a Master EIR. The underlined text below defines and discusses Master EIR's, clarifying that the Westside Industrial Specific Plan is the type of project for which a Master EIR may be prepared.

1.1.1 Program EIR

~~This EIR for the Westside Industrial Specific Plan is a "program EIR."~~

~~As discussed in Section 2 of this EIR, the Turlock General Plan designates the WISP Study Area as the primary location for new job growth in the City. The fundamental purpose of the proposed project is to implement the General Plan and expand and diversify the existing industrial area in the City of Turlock. The WISP project proposes industrial, industrial-business professional, and commercial zoning for the Study Area, but no site-specific development projects are designated.~~

~~Under such circumstances, CEQA authorizes public agencies to prepare a program EIR:~~

~~*"A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:*~~

~~*(1) Geographically*~~

-
- ~~(2) As logical parts in the chain of contemplated actions;~~
- ~~(3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or~~
- ~~(4) As individual activities carried out under the same authorizing statutory or regulatory authority and having general similar environmental effects which can be mitigated in similar ways.” (CEQA Guidelines Section 15168(a)).~~

CEQA Guidelines Section 15168(c) states that:

~~“Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.~~

- ~~(1) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.~~
- ~~(2) If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.~~
- ~~(3) An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.~~
- ~~(4) Where the subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.~~
- ~~(5) A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.”~~

CEQA Guidelines Section 15168(d) further states that:

~~“A program EIR can be used to simplify the task of preparing environmental documents on later parts of the program. The program EIR can:~~

- ~~(1) Provide the basis in an Initial Study for determining whether the later activity may have any significant effects.~~
- ~~(2) Be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.~~
- ~~(3) Focus an EIR on a subsequent project to permit discussion solely of new effects which had not been considered before.”~~

1.1.1 Master EIR

This EIR for the Westside Industrial Specific Plan is a “Master EIR.”

As discussed in Section 2 of this EIR, the Turlock General Plan designates the WISP Study Area as the primary location for new job growth in the City. The fundamental purpose of the proposed project is to implement the General Plan, and to expand and diversify the existing industrial area in the City of Turlock. The WISP project proposes industrial, industrial-business professional, and commercial zoning for the Study Area, but no site or parcel-specific development projects are designated. The Westside Industrial Specific Plan will be carried out in phases through smaller individual projects.

Under such circumstances, CEQA authorizes public agencies to prepare a Master EIR:

“The Master EIR procedure is an alternative to preparing a project EIR, staged EIR, or program EIR for certain projects which will form the basis for later decision making. It is intended to streamline the later environmental review of projects or approval included within the project, plan or program analyzed in the Master EIR. Accordingly, a Master EIR shall, to the greatest extent feasible, evaluate the cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment of subsequent projects.” (CEQA Guidelines Section 15175 (a))

CEQA Guidelines Section 15175 further states that:

“ (b) A lead agency may prepare a Master EIR for any of the following classes of projects:

- (1) A general plan, general plan update, general plan element, general plan amendment, or specific plan.
- (2) Public or private projects that will be carried out or approve pursuant to, or in furtherance of, a redevelopment plan.
- (3) A project that consists of smaller individual projects which will be carried out in phases.
- (4) A rule or regulation which will be implemented by later projects.
- (5) Projects that will be carried out or approved pursuant to a development agreement.

The CEQA Guidelines also state:

“Where a Master EIR is prepared in connection with a project identified in subdivision (b)(1) of Section 15175, the anticipated subsequent projects included within a Master EIR may consist of later planning approvals, including parcel-specific approvals, consistent with the overall planning decision (e.g., general plan, or specific plan, or redevelopment plan) for which the Master EIR has been prepared. Such subsequent projects shall be adequately described for purposes of subdivision (b) or of this section (15176) if the Master EIR and any other documents embodying or relating to the overall planning decision identify the land use designations and the permissible densities and intensities of use for the affected parcel(s). The proponents of such subsequent projects shall not be precluded from relying on the Master EIR solely because that document did not specifically identify or list, by name, the subsequent project as ultimately proposed for approval.” (CEQA Guidelines Section 15176(d))

When a proposed subsequent project within a Master EIR Study Area is being considered by the Lead Agency, the Lead Agency must determine if there would be potential significant project-specific effects not addressed in the Master EIR. The required procedure for this determination and subsequent actions are described in CEQA Guidelines:

“The lead agency for the subsequent project prepares an initial study on the proposal. The initial study shall analyze whether the subsequent project was described in the Master EIR and whether the subsequent project may cause any additional significant effect on the environment which was not previously examined in the Master EIR.” (Guidelines Section 15177 (b)(2))

The lead agency for the subsequent project determines, on the basis of written findings, that no additional significant environmental effect will result from the proposal, and no new additional mitigation measures or alternatives may be required, and that the project is within the scope of the Master EIR. “Additional significant environmental effect” means any project-specific effect which was not addressed as a significant effect in the Master EIR.” (Guidelines Section 15177 (b)(3))

When a proposed subsequent project is identified in the Master EIR, but the lead agency cannot make determination pursuant to Section 15177 that the subsequent project is within the scope of the Master EIR, and the lead agency determines that the cumulative impacts, growth inducing impacts and irreversible significant effects analysis in the Master EIR is adequate for the subsequent project, the lead agency shall prepare a mitigated negative declaration or a focused EIR if, after preparing an initial study, the lead agency determines that the project may result in new or additional significant effects. Whether the cumulative impacts, growth inducing impacts and irreversible significant effects analyses are adequate is a question of fact to be determined by the lead agency based upon a review of the proposed subsequent project in light of the Master EIR.” (Guidelines Section 15178(a))

The Lead Agency must review a Certified Master EIR every five (5) years to determine if:

- (1) any substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, or if
- (2) any new information is available which was not known and could not have been known at the time the Master EIR was certified.

If the review finds that either of these have occurred within the previous five years, the Lead Agency must prepare a Subsequent or Supplemental EIR that updates or revises the Master EIR. (Guidelines Section 15179)

Page 2-3, Project and Alternatives Description;

2.2.1 Land Use Summary

The WISP encompasses a total of 2,632 acres. Table 2-1 summarizes the land use in the Study Area by the number of acres in each Zoning category.

Page 3-5, Aesthetics and Visual Resources

POTENTIAL IMPACT AV-3: There will be an increased impact of light or glare from buildout of the proposed WISP project.

Proposed development in the current agricultural open space areas will constitute new sources of light and glare. Impacts associated with nighttime light and glare are directly related to the level of development.

Level of Significance: Potentially Significant

Mitigation Measures:

The impact of light and glare can be minimized by incorporating design features and operating requirements into new development that limit light and glare on-site.

AV-23.1: All lighting fixtures must be shielded to confine light spread within the site boundaries. (Westside Industrial Specific Plan Urban Design Standards DS 129, DS 202)

-
- AV-23.2:** Building illumination and architectural lighting shall be indirect. Floodlights are prohibited. (Westside Industrial Specific Plan Urban Design Standard DS 206)
- AV 23.3:** Light standards for parking areas shall no exceed thirty feet (30') in height. (Westside Industrial Specific Plan Urban Design Standard DS 204)
- AV-23.4:** Security lighting fixtures shall not project above the fascia or roofline of the building and are to be shielded. The shields shall be painted to match the surface to which they are attached. (Westside Industrial Specific Plan Urban Design Standard DS 209)
- AV-23.5:** Provide minimal street lighting to meet safety standards and provide direction.
- AV-23.6:** Lights shall be placed to direct and control glare. Obtrusive light, light trespass, and poorly directed uplighting shall not be permitted.
- AV-23.7:** Lighting sources shall be thoughtfully located and shall have cut-off lenses to avoid light spillage and glare on adjacent properties.
- AV-23.8:** Provide directional shielding for street and parking lot lighting.
- AV-23.9:** Provide automatic shutoff or motion sensors for lighting features in newly developed areas.

Residual Level of Significance:**Less Than Significant With Mitigation**

The level of significance will be mitigated to less than significant if the above mitigation measures are implemented. Given that the areas proposed for new development are contiguous with existing development, some nighttime light and glare already exist in the area.

Page 4-12, Agricultural Resources;

Mitigation Measures:

AG-2-2: Agricultural land designated for urban development in the WISP may be annexed to the City of Turlock, consistent with General Plan Policy 6.1-m. To allow for the continuation of established farming operations upon annexation, agricultural uses, as defined by the Turlock Municipal Code, shall be permitted by right in all WISP

zoning districts. However, the City's policy is that agriculture is a short-term, transitional use that should eventually give way to urban uses consistent with the WISP. A property that is subject to a Williamson Act contract for which a "notice of non-renewal" has been filed, may remain in agricultural production until such time that the Williamson Act contract is terminated.

Page 10-10, Hydrology and Water Quality

POTENTIAL IMPACT HWQ-4: **Runoff from new development and impervious surfaces would contain urban contaminants that could affect receiving water quality.**

Level of Significance: Potentially Significant

Conversion of undeveloped land to urban uses would increase the amount of impervious surfaces, which in turn would alter the types of pollutants that could be present in runoff. Urban activities which increase polluted runoff include motor vehicle operation and maintenance, landscape maintenance, littering, careless material storage and handling (fertilizers, herbicides, pesticides, gasoline, oil, paint, etc.), and pavement wear.

Mitigation Measures:

- HWQ-4.31:** Comply with the Regional Water Control Board's regulations and standards to maintain and improve groundwater and surface water quality. (Westside Industrial Specific Plan Resources Policy R-P-7)
- HWQ-4.42:** The discharge of oil, gasoline, diesel fuel, or any other petroleum derivative, or any toxic chemical or hazardous waste is prohibited. (Westside Industrial Specific Plan Resources Policy R-P-10)
- HWQ-4.53:** Materials and equipment shall be stored so as to ensure that spills or leaks cannot enter storm drains, or the drainage ditches or detention basins. (Westside Industrial Specific Plan Resources Policy R-P-11)
- HWQ-4.64:** A spill prevention and cleanup plan shall be implemented. (Westside Industrial Specific Plan Resources Policy R-P-12)
- HWQ-4.75:** Future industrial and commercial employers/employees shall be educated about prevention of urban contaminants entering storm drains, or the drainage ditches or detention basin. (Westside Industrial Specific Plan Resources Policy R-P-13)

HWQ-4.86: Maintain buffer areas between drainage ditches and detention basins, and urban development to protect water quality. (Westside Industrial Specific Plan Resources Policy R-P-14)

HWQ-4.97: Utilize cost-effective urban runoff controls, including Best Management Practices (BMP's) to limit urban pollutants from entering the drainage ditches and detention basins. BMP's shall include:

Construction BMP's

- DS 1 During construction, temporary gravel, hay bale, earthen, or sand bag dikes and/or non-woven filter fabric fence, shall be used as necessary to prevent uncontrolled runoff that could enter storm drains, or the drainage ditches or detention basin.
- DS 2 Surplus or waste material and/or fill of earthen material shall not be placed in the storm drains, or the drainage ditches or detention basins.
- DS 3 All loose piles of soil, silt, clay, sand, debris, or other earthen materials shall be protected in a reasonable manner to prevent the discharge of these materials off-site, or into storm drains, or the drainage ditches or detention basins.
- DS 4 After completion of a construction project, all surplus or waste earthen materials shall be removed from the site and deposited in an approved disposal location, or stabilized on-site.
- DS 5 Fresh concrete or grout shall not be allowed to contact or enter drains, or the drainage ditches or detention basins.
- DS 6 Dewatering should be done in a manner so as to eliminate the discharge of earthen materials off-site, or into storm drains, or the drainage ditches or detention basins.
- DS 7 Any constructed drainage swales and catchment/infiltration areas should be stabilized by appropriate soils stabilization measures to prevent erosion.
- DS 8 Dust shall be controlled to prevent the transport of such material off the project site or into storm drains, or the drainage ditches or detention basins.
- DS 9 All disturbed areas shall be adequately re-stabilized or re-vegetated. Re-vegetated areas shall be continually maintained until vegetation becomes established.

DS 10 All non-construction areas should be protected by fencing or other means to prevent unnecessary disturbance. These boundary facilities shall be inspected periodically and shall be repaired when necessary.

Post-Construction (Project) BMP's

DS 11 Traps, filters, or other devices at drop inlets shall be installed to prevent contaminants from entering storm drains.

DS 12 All surface flow from the project site shall be controlled to prevent erosion.

DS 13 Culvert outlets shall be located on natural soil, not on fill.

(Westside Industrial Specific Plan Resources Policy R-P-15)

HWQ-4.18: The incorporation of grassy swales and other best management practices are encouraged to filter storm water. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-46)

HWQ-4.109: Water quality swales shall be landscaped with appropriate erosion control plant materials. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-48)

Residual Level of Significance: Less Than Significant With Mitigation

The level of significant of urban pollutants entering receiving waters will be reduced to less-than-significant with implementation of the above mitigation measures. BMPs are specifically designed to reduce the impact of urban runoff.

Page 15-17, Traffic and Circulation

POTENTIAL IMPACT TC-2: **The proposed WISP project would substantially increase hazards due to incompatible uses, such as conflicts between local employee traffic and pedestrians with heavy trucks, rail freight service, as well as with farm equipment that will continue to operate for a time within the Study Area.**

Level of Significance: **Potentially Significant**

Mitigation Measures:

-
- TC-32.1:** Provide development sites that are appropriate to the industrial and commercial user needs in terms of access, the size and configuration of available land parcels, availability of suitable buildings, and **compatibility with surrounding land use.** (Westside Industrial Specific Plan Objective 6)
- TC-32.2:** Separate heavy truck traffic from local employee traffic and pedestrians. (Westside Industrial Specific Plan Transportation Objective 3)
- TC-32.3:** Emphasize routes for major truck traffic and out-of-area employees on the west side of the Plan Area. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-3)
- TC-32.4:** Emphasize access for resident employees on east-west circulation, notably Fulkerth Road, West Canal Drive, Castor Street and West Linwood Avenue. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-4)
- TC-32.5:** Truck traffic, other than local delivery trucks, shall be limited to the primary streets: Fulkerth Road, West Main Street, West Linwood Avenue, South Walnut Avenue, Washington Road and Tegner Road. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-7)
- TC-32.6:** Incorporate provisions for trucks in the design of designated truck routes. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-8 and General Plan Policy 5.6-c)
- TC-32.7:** Establish a signage system to direct trucks to the designated routes. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-9 and General Plan Policy 5.6-e)
- TC-32.8:** The streets within the Business Park must accommodate the flow of trucks and peak employee traffic. The first application for development in the Business Park shall include a circulation street network for the entire Business Park. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-12)
- TC-32.9:** Continue the ongoing comprehensive program to improve the condition and safety of existing railroad crossings by upgrading surface conditions and installing signs and signals where warranted. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-30 and General Plan Policy 5.6-j)

Residual Level of Significance: Less Than Significant With Mitigation

Page 15-19, Traffic and Circulation

POTENTIAL IMPACT TC-3: **The proposed WISP project would result in inadequate emergency access.**

Level of Significance: **Potentially Significant**

The planned street system would add routes for emergency vehicles and evacuation within the Plan Area. As new streets and routes are added the emergency access will actually improve.

Mitigation Measures:

TC-43.1: Create efficient, interconnected street patterns. (Westside Industrial Specific Plan Transportation Objective 8)

TC-43.2: Local streets shall align with the existing rectangular grid pattern where feasible. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-2)

TC-43.3: Local streets shall be continuous and connect with cross streets consistent with General Plan Implementing Policy 7.4-e. Cul-de-sac streets are prohibited unless there is no viable alternative. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-5)

Residual Level of Significance: **Less Than Significant With Mitigation**

Page 15-19, Traffic and Circulation

POTENTIAL IMPACT TC-5: **The proposed WISP project would conflict with adopted programs supporting alternative transportation.**

Level of Significance: **Potentially Significant**

The City's fixed route (Bus Line Service of Turlock "BLAST") bus system and specialized dial-a-ride service could be extended into the Study Area as development occurs. The Specific Plan includes several features such as bus stops and sidewalk connections that will help make public transit more attractive and convenient.

Higher levels of employment would provide greater potential rider ship for public transit.

Mitigation Measures:

TC-65.1: Expand opportunities for employees to commute to work via public transportation, local shuttle services, alternative vehicles, and bicycling. (Westside Industrial Specific Plan Transportation Objective 5)

TC-65.2: The City shall, through the terms of any discretionary or administrative approval of projects in the General Commercial, Commercial Office, Industrial and Industrial-Business Park land use, encourage employers to cooperate with Stanislaus Council of Governments by making information on rideshare, transit and other travel alternatives available to employees. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-26)

Pedestrian Paths and Bikeways

TC-65.3: The sidewalks must be designed to enable patrons to walk to the commercial centers from their place of employment or residence during suitable weather. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-15)

TC-65.4: The pedestrian path system shall connect conveniently and directly to the location of any stop along a public transit route adjacent to the commercial center. Shaded streetscapes shall be provided to encourage non-motorized transportation. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-16)

TC-65.5: Class II bike paths will be provided on all primary and secondary streets in the Plan Area. This includes:

- Fulkerth Road
- West Main Street (east of Tegner Road)
- West Linwood Avenue (east of Tegner Road)
- Walnut Avenue, Dianne Drive, and Tegner Road
- W. Tuolumne Road Over-crossing

(Westside Industrial Specific Plan Infrastructure and Services Policy I-P-17)

TC-65.6: Class I bike paths will be included in the Plan Area in the following location:

- West Canal Drive between SR 99 and Tegner Road

(Westside Industrial Specific Plan Infrastructure and Services Policy I-P-18)

TC-65.7: Street and driveway crossings along the designated Class I bike paths shall be minimized. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-19)

TC-65.8: A parking area for the bike path system shall be located at the detention pond area on the south side of the future extension of Canal Drive, East of Dianne Drive. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-20)

Public Transit

TC-65.9: The public transit routes shall be designed to provide convenient commute service from the residential areas to the employment center. Fulkerth Road, Tegner Road, West Main Street, Dianne Drive, Canal Drive and Washington shall be considered potential routes for any future public transit system. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-21)

TC-65.10: All Commercial Office (CO), Community Commercial (CC) and Industrial Business Professional (I-BP) land uses located beyond the intersection of arterial streets shall provide space to accommodate a transit stop beyond the intersection consistent with Standard ST-16 subject to approval by the City Engineer. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-22)

TC-65.11: All Commercial Office (CO), Community Commercial (CC) and Industrial Business Professional (I-BP) land uses shall provide a pedestrian path consistent with ADA requirements that connects the primary building entry to the public ROW. The pedestrian path shall terminate on the public ROW within 400 feet of any transit stop located along the project frontage. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-23)

TC-65.12: The City Engineer shall consider the location of pedestrian routes and bike routes in approving the location of transit stops in order to facilitate convenient connections between transit and major pedestrian/bike routes. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-24)

TC-65.13: A transit hub that would serve the Plan Area should be located near the highest concentration of potential employment. Opportunities would exist along the future extension of Tegner Road between West Main Street and Fulkerth Road. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-25)

Neighborhood Vehicles (Light Electric-Powered Vehicles)

TC-65.14: All secondary streets shall be designed and posted for speeds of 25 miles per hour, or less to allow Neighborhood Electric Vehicles to circulate through the Plan Area. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-13)

TC-65.15: Canal Drive will be the preferred route over SR 99 for neighborhood electric vehicles and shall be posted for not more than 25 mph. (Westside Industrial Specific Plan Infrastructure and Services Policy I-P-14)

Residual Level of Significance: Less Than Significant With Mitigation

Page 16-7, Alternatives Analysis;

16.6 Comparison of Alternative Plans

Table 16-3-1 provides a comparison of the land uses allocated in each alternative. The “No Growth-No Development” alternative is not included in the table because it would provide no land development at all and is not feasible.

Table 16-3 1

Summary of Alternatives Analysis

Page 15-8, Alternatives Analysis;

16.7.4 Biological Resources

Migrating birds forage in the agricultural areas of the WISP Study Area, including wintering birds which may forage in the pastures and grasslands of the area. Swainson’s hawks (protected Special Status species) are known to forage in actively farmed areas within the Central Valley. Swainson’s hawk nests have been recorded within 10 miles of the WISP Study Area, which is within the hawk’s foraging radius. The reduced development alternative would convert less agricultural and grassland to urban use, thereby reducing the potential impact upon migrating and wintering birds, including the protected Swainson’s hawk.

Page 17-1, Other CEQA Considerations;

17.1.1 Growth Inducing Impacts of the Proposed Westside Industrial ~~Industrial~~ Specific Plan (WISP)

Page 17-6, Other CEQA Considerations;**17.4 Significant Irreversible Environmental Changes Which Would be Caused by the Proposed Project.**

Section 15126.2(c) of the CEQA Guidelines requires consideration of significant irreversible environmental changes that would be caused by a proposed project. An impact would be determined to be a significant and irreversible change in the environment if:

- a large commitment of nonrenewable resources makes removal or nonuse thereafter unlikely;
- primary and secondary impacts of development commits future generations to similar uses (e.g., a highway provides access to a previously remote area);
- a potential exists for irreversible damage from environmental accidents associated with the project;
- the project would result in unjustified consumption of resources (e.g., the wasteful uses of energy).

This EIR addresses the commitment of nonrenewable resources (e.g., development versus retention of agricultural resources), commitment of future generations to similar uses (e.g., development of designated land uses), the potential for environmental accidents (e.g., exposure to hazards), and the consumption of energy (e.g., the use of electricity).

Summarizing the discussions found in this EIR, implementation of the WISP project would likely result in or contribute to the following irreversible environmental changes:

- Conversion of existing undeveloped land and open vistas to developed land uses, thus precluding other alternate land uses in the future, and precluding preservation of the existing land use pattern and vistas. (See Section 3)
- Irreversible loss of agricultural land. (See Section 4)
- Increased background air emissions. (See Section 5)
- Conversion of existing habitat and loss of wildlife. (See Section 6)
- Potential increase of exposure to hazardous materials (See Section 9)
- Commitment of water resources to serve development, and degradation of water quality from urban runoff. (See Section 10)

- Increased ambient noise. (See Section 12)
- Commitment of municipal resources to the provision of services and operations of infrastructure for future development. (See Section 14)
- Irreversible consumption of energy and natural resources associated with development of undeveloped land. (See Section 14)