

**LODI ANNEXATION
ENVIRONMENTAL IMPACT REPORT
RESPONSE TO COMMENTS DOCUMENT**

STATE CLEARINGHOUSE NO. 2005092096

LSA

September 2006

**LODI ANNEXATION
ENVIRONMENTAL IMPACT REPORT
RESPONSE TO COMMENTS DOCUMENT**

STATE CLEARINGHOUSE NO. 2005092096

Submitted to the:

City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95240

Prepared by:

LSA Associates, Inc.
2215 Fifth Street
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LSA

September 2006

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I. INTRODUCTION

A. PURPOSE OF THE RESPONSE TO COMMENTS DOCUMENT

This document has been prepared to respond to comments received on the Draft Environmental Impact Report (Draft EIR) prepared for the Westside project, Southwest (SW) Gateway project, and Other Areas to be Annexed (SCH# 2005092096) and, as necessary, to augment the information contained within the Draft EIR. The Draft EIR identifies the likely environmental consequences associated with the implementation of the proposed project, and recommends mitigation measures to reduce potentially significant impacts. This Response to Comments (RTC) Document provides responses to comments on the Draft EIR and makes revisions to the Draft EIR, as necessary, in response to these comments or to amplify and clarify material in the Draft EIR.

This RTC Document, together with the Draft EIR, constitutes the Final EIR for the proposed project.

B. ENVIRONMENTAL REVIEW PROCESS

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Draft EIR.

The City of Lodi circulated a Notice of Preparation (NOP) which included a list of potential environmental effects on September 16, 2005. Comments received by the City on the NOP were taken into account during the preparation of the EIR. Additionally, a public scoping meeting regarding the scope of the EIR was held on October 12, 2005 in conjunction with a Planning Commission meeting. Comments received by the City on the NOP, at the public scoping meeting, were taken into account during the preparation of the EIR.

This Draft EIR was made available for public review on April 11, 2006 and distributed to applicable local and State agencies. Copies of the Notice of Availability of the Draft EIR (NOA) were mailed to all individuals previously requesting to be notified of the Draft EIR, in addition to those agencies and individuals who received a copy of the NOP.

A public comment session was held on May 10, 2006 before the Planning Commission. A summary of the verbal comments from the public and commissioners is included in Chapter III and responses to each CEQA related comment are provided.

The CEQA-mandated 45-day public comment period for the Draft EIR ended on May 26, 2006. Copies of all written comments received regarding the Draft EIR during the comment period are included in Chapter III of this document.

C. DOCUMENT ORGANIZATION

This RTC Document consists of the following chapters:

- *Chapter I: Introduction.* This chapter discusses the purpose and organization of this RTC Document and the Final EIR, and summarizes the environmental review process for the project.
- *Chapter II: List of Commenting Agencies, Organizations and Individuals.* This chapter contains a list of agencies, organizations, and persons who submitted written comments or spoke at the public comment session on the Draft EIR during the public review period.
- *Chapter III: Comments and Responses.* This chapter contains reproductions of all comment letters received on the Draft EIR, as well as a summary of the comments made at the public comment session. A written response for each CEQA-related comment received during the public review period is provided. Each response is keyed to the preceding comment.
- *Chapter IV: Draft EIR Revisions.* Corrections to the Draft EIR necessary in light of the comments received and responses provided, or necessary to clarify material in the Draft EIR, are contained in this chapter. Text in underline represents language that has been added to the Draft EIR; text with ~~strikeout~~ has been deleted from the Draft EIR. Revisions to figures are also provided, where appropriate.

II. LIST OF COMMENTING AGENCIES, ORGANIZATIONS AND INDIVIDUALS

The chapter presents a list of letters and comments received during the public review period, and describes the organization of the letters and comments that are included in Chapter III, Comments and Responses, of this document.

A. ORGANIZATION OF COMMENT LETTERS AND RESPONSES

Chapter III includes a reproduction of each letter received on the Draft EIR. The written comments are grouped by the affiliation of the commentor, as follows: State agencies, local and regional agencies (A); individuals (B); and public hearing commentors (C).

The comment letters are numbered consecutively following the A and B designations. The public hearing transcript is included, and has a C designation. Each individual comment within a letter is annotated in the margin.

B. LIST OF AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING ON THE DRAFT EIR

The following comment letters were submitted to the City of Lodi during the public review period:

State, Local and Regional Agency

A1	Department of California Highway Patrol S.M. Coutts, Captain	May 4, 2006
A2	Department of Conservation, Division of Land Resource Protection Dennis J. O'Bryant, Acting Assistant Director	May 26, 2006
A3	Department of Transportation, Tom Dumas, Chief of Office of Intermodal Planning	May 25, 2006
A4	Pacific Gas and Electric Company Clifford J. Gleicher	May 26, 2006
A5	Public Utilities Commission Kevin Boles, Utilities Engineer	April 26, 2006
A6	San Joaquin County Public Works Andrea Vallejo, Assistant Transportation Planner	May 24, 2006
A7	Governor's Office of Planning and Research State Clearinghouse and Planning Unit Terry Roberts, Director	May 26, 2006

A8 San Joaquin Valley Air Pollution Control District May 4, 2006
Debbie Johnson, Air Quality Specialist

Individuals

B1 Wilson, Robert G. May 23, 2006

Public Hearing Commentors – May 10, 2006

C1 Commissioner Doug Kuehne
C2 Chairman Randy Heinitz
C3 Commissioner Bill Cummins
C4 Commissioner Gina Moran
C5 Rick Gerlack
C6 Chairman Randy Heinitz
C7 Rick Gerlack
C8 Commissioner Bill Cummins

III. COMMENTS AND RESPONSES

Written responses to each comment letter received on the Draft EIR are provided in this chapter. Letters received during the public review period on the Draft EIR are provided in their entirety. Each letter is immediately followed by responses keyed to the specific comments. The letters are grouped by the affiliation of the commenting entity as follows: State, local and regional agencies (A); individuals (B); and public hearing comments (C).

A. STATE, LOCAL AND REGIONAL AGENCIES

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

3330 Ad Art Road
Stockton, CA 95208
(209) 943-8666
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



RECEIVED
MAY 09 2006
COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

May 4, 2006

File No.: 265.11045.11485.WESTSIDE

Mr. Randy Hatch
City of Lodi
Community Development Director
221 W. Pine Street
Lodi, CA 95240

Dear Mr. Hatch:

Thank you for the opportunity to review the Lodi Annexation Environmental Impact Report (EIR) that evaluates the annexation and future development of the Westside Project, Southwest Gateway Project, and annexation of non-incorporated county land (SCH# 2005092096). While the development area is anticipated to be annexed into the City of Lodi prior to completion, the project will have significant impact on surrounding county roads as well as Interstate 5, State Route 12 (SR 12), and State Route 99 (SR 99). The California Highway Patrol (CHP) has the primary responsibility for traffic enforcement on county roads as well as these state highways. These roadways will see a significant increase in the average daily traffic volumes as a result of these projects.

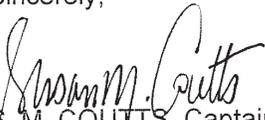
The plans for these two projects includes approximately 408 acres with an anticipated building plan encompassing more than 2,090 dwelling units, in addition to school sites, recreation facility sites, and park basins. Additionally, this EIR addresses the annexation of an additional 48 acres of county land adjacent to the Southwest Gateway Project to avoid the creation of island of non-incorporated county land. The EIR does indicate an attempt to mitigate the expected increased traffic volumes throughout the project and adjacent roadways by widening the major roadways and increasing the number of lanes to help maintain the City of Lodi's Level of Service (LOS) standards for local roadways. However, there is no discussion of mitigating the impact of the increased traffic on supporting county roadways or freeway systems. Therefore, it is important the City of Lodi work closely with the San Joaquin County Department of Public Works, the Department of Transportation (Caltrans), as well as the California Highway Patrol in developing long range plans that are beneficial to all the citizens utilizing the highway system.

Mr. Randy Hatch
Page 2
May 4, 2006

It is clear these projects will create challenges for daily commuters and tax the already busy roadway systems in the area. This development will directly impact the CHP's ability to effectively manage traffic without an increase in resources. Should you have any questions, please feel free to call me or Lieutenant Craig Oliver of my staff at (209) 943-8666.

2

Sincerely,


S. M. COUTTS, Captain
Commander
Stockton Area

cc: Special Projects Section

LETTER A1

Department of California Highway Patrol

S.M. Coutts, Captain

May 4, 2006

A1-1: The report contains an examination of impacts on City, County, and State facilities. Four intersections with State Route 99 were evaluated: Turner Road, Kettleman Lane, Harney Lane, and Armstrong Road. All potential impacts to these intersections, both in the short-term and cumulative conditions, can be mitigated to a less-than-significant impact with installation of traffic signals, turning lanes, or other identified improvements.

Upon annexation, portions of facilities that are currently patrolled by the California Highway Patrol (CHP) will be enforced by the City of Lodi. This will alleviate, to some extent, CHP requirements within the study area.

A1-2: Please see Response to Comment A1-1. The proposed project represents a small fraction of present and future development within the Central Valley region that will contribute to more traffic on the regional roadway system. Nonetheless, due to the potential regional traffic impacts created by the project, the developer will be responsible for its fair share of roadway improvements. With regards to the issue of CHP staffing, the decisions regarding staffing at CHP are outside the jurisdiction of the City of Lodi and are more appropriately addressed at the state level.



DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

May 26, 2006

Mr. Randy Hatch, Director
City of Lodi
Community Development Department
P.O. Box 3006
Lodi, CA 95241

RECEIVED
JUN 01 2006
COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Subject: Lodi Annexation Draft Environmental Impact Report (DEIR) –
SCH# 2005092096, San Joaquin County

Dear Mr. Hatch:

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

Project Description

The project is a proposal to annex 457 acres within the City of Lodi's (City) Sphere of Influence into the City limits for residential development, a school site and parks/basins/recreational facilities. The project has three components: the Westside Project involving 151 acres, the Southwest Gateway Project involving 257 acres, and Other Areas to be annexed involving 48 acres. While no specific development has been proposed for the latter Areas, it is presumed they will eventually be developed with residential units.

All of the Westside Project, 241 acres of the Southwest Gateway Project and 39 acres of the Other Areas are Prime Farmland according to the Division's Important Farmland Map for San Joaquin County (County). Parcel 027-400-01 (19.85 acres) in the Westside Project area and parcel 058-030-03 (88.21 acres) in the Southwest Gateway Project area are enforceably restricted by Williamson Act contracts. The DEIR states that the City will not succeed to the contract for the latter parcel upon annexation because the City protested the contract in 1978. It did not protest the former parcel, for which a Notice of Non-Renewal was filed in October 2005.

*The Department of Conservation's mission is to protect Californians and their environment by:
Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling;
Conserving California's farmland; and Saving energy and resources through recycling.*

Randy Hatch
May 26, 2006
Page 2

The project sites are located adjacent west of the City limits and are surrounded mostly by agricultural land. The sites are comprised of mostly active agriculture, including vineyards, and some vacant land.

Project Mitigation

The Department supports the City's proposed mitigation of Prime Farmland conversion in the form protecting 392 acres for agriculture for a minimum of 15 years at a location determined by the City and the Central Valley Land Trust (Trust) (or, in the alternative, payment of a fee equal to the value of 392 acres as determined by an independent consultant and the Trust). However, we recommend that the mitigation specify that the protected land be Prime Farmland equivalent to that converted and that the mitigation land be heretofore unprotected. We also encourage the City to consider a permanent agricultural conservation easement for more lasting protection of agricultural resources.

1

2

Because the project involves the eventual development of 39 additional Prime acres in the Other Areas, the Department recommends that mitigation specify that should these areas be considered for development, the same mitigation as stated above will apply.

3

Williamson Act Land

The City appears to be aware of the notification and findings requirements regarding a landowner petition for cancellation of a Williamson Act contract. It should also be aware that, as a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process. Immediate termination via cancellation is reserved for "extraordinary," unforeseen situations (See *Sierra Club v. City of Hayward* (1981) 28 Cal.3d 840, 852-855). Furthermore, it has been held that "cancellation is inconsistent with the purposes of the (Williamson) act if the objectives to be served by cancellation should have been predicted and served by nonrenewal at an earlier time, or if such objectives can be served by nonrenewal now" (*Sierra Club v. City of Hayward*).

Pursuant to Government Code §51243, if a city annexes land under Williamson Act contract, the city must succeed to all rights, duties and powers of the county under the contract unless conditions in §51243.5 apply to give the city the option to not succeed to the contract. Although the City may have protested a contract and although LAFCO may have upheld the protest, conditions in §51243.5 may not have been met to give the City the option to not succeed to the contract. A protest must be valid pursuant to §51243.5(f). A LAFCO must notify the Department within 10 days of a city's proposal to annex land under contract (Government Code §56753.5) and must consider the Department's comments. A LAFCO must not approve a change to a sphere of influence or annexation of contracted land to a city unless specified conditions apply (Government Code §§51296.3, 56426, 56426.5, 56749 and 56856.5).

4

Randy Hatch
May 26, 2006
Page 3

Termination of a Williamson Act/FSZ contract by acquisition can only be accomplished by a public agency, having the power of eminent domain, for a public improvement. The Department must be notified in advance of any proposed public acquisition (Government Code §51290 - 51292), and specific findings must be made. The property must be acquired in accordance with eminent domain law by eminent domain or in lieu of eminent domain in order to void the contract (§51295). The public agency must consider the Department's comments prior to taking action on the acquisition. School districts are precluded from acquiring land under FSZ contract. Notification must be submitted separately from the CEQA process and CEQA documentation and addressed to Bridgett Luther, Director, at the address noted below.

5

Thank you for the opportunity to comment on this DEIR. If you have questions on our comments or require technical assistance or information on agricultural land conservation, please contact Bob Blanford at 801 K Street, MS 18-01, Sacramento, California 95814; or phone (916) 327-2145.

Sincerely,



Dennis J. O'Bryant
Acting Assistant Director

cc: State Clearinghouse

San Joaquin County Resource Conservation District

Bruce Baracco, Executive Officer
San Joaquin County LAFCO
1860 East Hazelton Avenue
Stockton, CA 95205

LETTER A2
Department of Conservation,
Division of Land Resource Protection
Dennis J. O'Bryant, Acting Assistant Director
May 26, 2006

A2-1: This comment is noted. The following text changes have been made to page 93:

Mitigation Measure LU-2: Prior to issuance of a building permit after the first quarter of the combined building permits for the Westside and SW Gateway have been approved, the applicant shall provide and undertake a phasing and financing plan (to be approved by the City Council) for one of the following mitigation measures:

- (1) Identify approximately 392 acres of prime farmland (currently not protected or within an easement) to protect for a period of time to be determined (but not less than 15 years) as an agricultural use in a location as determined appropriate by the City of Lodi in consultation with the Central Valley Land Trust; or
- (2) Pay a fee equal to the value of 392 acres as determined by an independent qualified consultant retained by the City in consultation with the Central Valley Land Trust. The City will determine to whom the fee shall be paid. (SU)

A2-2: This comment is noted. The City will consider a range of options, including permanent agricultural easements, when considering implementation of Mitigation Measures LU-2.

A2-3: Agricultural mitigation measures for the Other Areas to be Annexed will be considered when specific development plans and environmental review is conducted for these parcels.

A2-4: This comment is noted. The City will follow the requirements of the Government Code with regards to the Williamson Act Contract.

A2-5: This comment is noted. The City will follow the requirements of the Government Code with regards to the Williamson Act Contract.

DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 STOCKTON, CA 95201
(1976 E. CHARTER WAY/1976 E. DR. MARTIN
LUTHER KING JR. BLVD. 95205)
TTY: California Relay Service (800) 735-2929
PHONE (209) 941-1921
FAX (209) 948-7194



*Flex your power!
Be energy efficient!*

May 25, 2006

**10-SJ-12-PM14.7
SCH 2005092096 (DEIR)
Westside, Southwest Gateway,
& Other Areas for Annexation**

Randy Hatch, Community Development Director
City of Lodi
Planning Division
221 West Pine Street
Lodi, CA 95241-1910

Dear Mr. Hatch:

The California Department of Transportation (Department) appreciates the opportunity to have reviewed the Draft Environmental Impact Report to Annex 151 acres (Westside) to develop 740 residential units (in the northwest corner of Lodi Avenue/Sergeant Road and Lower Sacramento Road), 256 acres (Southwest Gateway) to develop 1,350 residential units (southwest corner of SR-12 and Lower Sacramento Road), and 48 acres (Other Areas) to potentially develop (not finalized) another 350 residential units (between Lower Sacramento Road, Century Boulevard, an existing subdivision, and commercial area). The Department has the following comments:

- Page 113, Traffic and Circulation, states that "Information for this section is based on a traffic impact analysis prepared on the Lodi Annexation project by Fehr & Peers Associates in December 2005. The traffic report is contained in Appendix B of this EIR." The DEIR submitted to the Department does not include Appendix B. The City must provide a copy for review of the Traffic Impact Study along with its Appendices documenting input/output files for any simulation and calculations performed. Additionally, any electronic traffic simulation files should also be submitted for review. Additional comments will be provided after these documents are submitted.
- According to *Table IV.B-6, Significant Intersection Impacts and Recommended Mitigation Measures*, a Traffic Signal will be needed as mitigation due to the project at the following intersections under the Existing + Project condition:

- Turner Road / SR-99 SB Ramps
- Turner Road / SR-99 NB Ramps
- Harney Lane / SR-99 SB Ramps
- Harney Lane / SR-99 NB Ramps

1

2

Mr. Hatch
May 25, 2006
Page 2

Additionally, recommended geometric improvements listed in the above Table (i.e. adding second left-turn lanes, etc.) will need to be implemented by the City if there are no programmed and/or funded projects in a City or County program (i.e. Lodi Development Impact Mitigation Fee Program, San Joaquin County Regional Transportation Impact Fee, Measure K (existing or renewal program), and San Joaquin Council of Governments Regional Transportation Improvement Program).

**2
cont.**

- The Final EIR should include a list of programmed and/or funded projects in the City of Lodi or San Joaquin County program. A table should be included showing the programmed and/or funded project that will address each of the impacted locations along Kettleman Lane (SR-12), SR-99 at the Turner Road ramps, and SR-99 at the Harney Lane ramps.

3

If Final EIR does not include recommended table in Comment 2 above, then City of Lodi needs to identify how they plan on addressing the significant impacts due to the Project's additional traffic.

- Appendix A, NOP AND SCOPING COMMENT LETTERS. The Department's letter dated October 4, 2005 signed by Tom Dumas, Chief Office of Intermodal Planning, does not include the letterhead on the first page. This appears to be an error due to scanning of the letter's first page as part of this DEIR's pdf file. The DEIR and FEIR will need to include the Department's response letter to the NOP showing the Department's letterhead on the first page.

4

- An encroachment permit will be required for any work done in the State's right-of-way.

5

If you have any questions or would like to discuss our comments in more detail, please contact Dan Brewer at (209) 948-7142 (e-mail: dan.brewer@dot.ca.gov) or me at (209) 941-1921.

Sincerely,


TOM DUMAS, Chief
Office of Intermodal Planning

c: SMorgan CA Office of Planning and Research

LETTER A3
Department of Transportation,
Tom Dumas, Chief of Office of Intermodal Planning
May 25, 2006

A3-1: The following text change has been made to page 113:

This section describes the existing traffic, circulation and transit conditions on the project site and its vicinity, and provides an analysis of the potential impacts of the project. ~~Information for this section is based on a traffic impact analysis prepared on the Lodi Annexation project by Fehr & Peers Associates in December 2005. The traffic report is~~ Level of service calculation sheets are contained in Appendix B of this EIR.

Dan Brewer was contacted to inform him that Appendix B was included in a CD of the EIR that was sent to the State Clearinghouse and forwarded to the Department of Transportation. No further comments were received from the Department of Transportation.

A3-2: Please see Appendix A of the Response to Comments document, which describes funding sources for intersection improvements. Mitigation Measure TRANS-1 and TRANS-2 requires the project applicant to prepare a financing and implementation plan to ensure each required mitigation measure is fully funded.

A3-3: See response to Comment A3-2.

A3-4: The scoping comment letter received from the Department of Transportation dated October 4, 2005 did not include letterhead on the first page. This does not affect the adequacy of the EIR.

A3-5: The City of Lodi or project applicant will obtain necessary permits for any work done in the State's right-of-way.



Cliff J. Gleicher
Attorney at Law

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May 26, 2006

VIA U.S. MAIL AND ELECTRONIC MAIL

City of Lodi
Community Development Department
Attn: Randy Hatch
221 West Pine Street
PO Box 3006
Lodi, California 95241

Re: Lodi Annexation Environmental Impact Report

Dear Mr. Hatch,

Thank you for the opportunity to review and comment on the City of Lodi's draft Annexation Environmental Impact Report ("DEIR"). PG&E's comments concern the following issues:

- The DEIR does not adequately describe and/or analyze the electric facilities necessary to serve the area. | 1
- The DEIR does not address that PG&E already provides service in the annexation area, that PG&E is best-suited to provide service to new loads in the area, and that the City of Lodi's proposed annexation does not impact either PG&E's continuing obligation to provide electric service to the area or PG&E's ability to do so. Rather, the City's provision of electric service to the annexation area will result in the duplication of electric facilities – a subject that the DEIR fails to address. | 2

These are serious and fundamental omissions on issues that may cause significant environmental impacts. *See Emmington v. Solano County Redevelopment Agency* (1987) 195 Cal.App.3d 491, 501 ("CEQA is essentially an environmental full-disclosure statute, and the EIR is the method of disclosure"). For this reason, the DEIR should be recirculated for public review after the City has addressed these issues. | 3

A. The DEIR Fails to Describe and Analyze Proposed Electric Facilities

The DEIR is severely lacking in its description and analysis of both (a) the electric facilities that the City of Lodi would need to serve the annexation areas and (b) the electric facilities that PG&E already has in place there. | 4

City of Lodi
Community Development Department
May 26, 2006
Page 2

First, the DEIR fails to even mention electric facilities in its chapter on Utilities. *See* DEIR starting at 271. Its only reference to electric infrastructure is found in the Energy chapter. *See* DEIR at 304. This is misleading because the Energy requirements in CEQA focus on energy conservation and “avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy.” *See* CEQA Appendix F: Energy Conservation, CEQA Guidelines. As set forth in CEQA, these requirements do not address the construction of electric facilities for energy delivery, and someone reviewing the DEIR would not reasonably expect to find information on the electric infrastructure here. The misplacement of this important information is significant not only because it makes it more difficult to find, but because electric-facilities issues that normally would be included within the Utilities chapter – such as the existing utilities, capacities and expansion possibilities, the impacts of the proposed project on the existing utilities, and details about new infrastructure needs – have not been addressed.

5

Second, the description of proposed new electric facilities that is contained in the Energy chapter is not sufficient to enable an analysis of environmental impacts. *See* DEIR at 304. The substation (which is mentioned only in this brief paragraph, and nowhere else in the DEIR) is not even located on a map in the DEIR, and it is difficult (if not impossible) to pinpoint its location. Nor does the DEIR contain any details concerning the substation, such as the number of banks, type and profile, orientation, screening, etc. Nor is the new double-circuit transmission line shown on any map, described, or pictured. And the reference to an “existing 60 kV overhead circuit paralleling Lower Sacramento Road” is inaccurate, as the line is still under construction and not yet in service. The Project Description indicates that “[a]ny transmission lines would be overhead,” yet nowhere does the DEIR provide any further information about other transmission lines. According to the DEIR, both the substation and transmission lines are needed to serve the new development described in the DEIR. *See* DEIR at 304. They are thus part of “the whole of an action” required to be analyzed in the DEIR. *See* CEQA Guidelines, § 15378, subd. (a); *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 732. The DEIR is inadequate without a complete and accurate description of these electric facilities.

6

In contrast to the City, PG&E does not even require that a new substation be built to serve the annexation area. PG&E’s Mettler Substation is only 1.5 miles (approximately) from the Southwest Gateway project location, and this substation could adequately handle the anticipated load in the annexation area. Consequently, and because the new facilities that the City would require are not necessary to serve this future load, it is particularly important that the DEIR address the potential impacts of these new electric facilities.

7

City of Lodi
Community Development Department
May 26, 2006
Page 3

Notwithstanding the particular significance of addressing these potential impacts, they are nowhere mentioned.^{1/} The Noise chapter (*see* DEIR starting at 177) contains no discussion of the potential noise impacts of the substation – neither transformer hum nor corona noise are mentioned. And the Visual Resources chapter (*see* DEIR starting at 295) not only fails to address the potential visual impacts of the substation or overhead transmission lines, it erroneously indicates that all utilities will be placed *underground*. *See* DEIR at 300. This misstatement underscores the fact that the potential impacts of constructing new electric facilities have been wholly ignored.

8

9

B. PG&E Already Serves the Annexation Area, Yet the DEIR Fails to Address the City’s Potential Duplication of PG&E’s Electric Facilities

1. PG&E Has A Universal Obligation to Provide Electric Service

PG&E is obligated to provide electric distribution service to all customers within its territory that desire its service. It is PG&E’s intent to continue to serve its existing customers in its territory, as well as to extend service to new load located there, consistent with its rules, rights, and obligations. By proposing to furnish electric distribution service in the territory, the City of Lodi is necessarily setting the stage for the duplication of electric distribution and transmission facilities throughout PG&E’s territory – a significant environmental and economic waste. The DEIR must address the very real impacts – both environmental and financial – of this proposal. As the Legislature has declared, such duplication of facilities is inappropriate.

10

Under certain conditions the sale and distribution of electric power and energy in the same geographical area both by an electrical utility and by an irrigation district results in duplication of services, waste of materials, increase in costs, waste of manpower and economic loss, and is detrimental to the efficiency and best interests of such districts.

11

See Public Utilities Code section 8101.

As an example, Merced Irrigation District currently provides service to customers of its choosing in an area where PG&E maintains an obligation to serve, and as a result has caused substantial duplication of PG&E’s facilities. To serve these customers, MID has constructed approximately 55 miles of duplicate distribution lines in Merced, Atwater and Livingston, as well as an additional 30 miles of duplicate transmission lines

12

^{1/} Nor is it evident where the City would procure adequate generation to serve this load, as Lodi Electric has had well-documented procurement-related difficulties. Moreover, whether such procurement would be consistent with PG&E’s commitment to renewable resources and energy-efficiency programs raises additional environmental concerns.

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Community Development Department
May 26, 2006
Page 4

connecting the three cities. Such duplication of facilities here – and the environmental impacts of such duplication – must be disclosed to the public and analyzed fully in the DEIR.^{2/}

**12
cont.**

2. PG&E Already Serves Customers – And Has Existing Electric Facilities – Throughout the Annexation Area

All three of the areas that the City of Lodi proposes to annex are within PG&E’s electric service territory. The DEIR states that there are “currently no electric services to the project site” for both the Westside and Southwest Gateway parcels (*see* DEIR at 53 and 59), but this is a significant misstatement of fact. Indeed, the DEIR elsewhere acknowledges that there are 15.12 acres of developed area within the Westside and Southwest Gateway parcels, and a total of 5.99 acres of developed area in the additional annexation areas. *See* DEIR at 228. PG&E’s electric facilities serve most – if not all – of these customers. PG&E has significant electric facilities and numerous electric customers in both the Southwest Gateway area and each of the territories labeled “other annexation areas;” and it has an overhead distribution line along Sargent Road that serves multiple customers in the Westside project area. In summary, and in contrast to the DEIR’s errant representation, PG&E has existing facilities throughout the project area such that it is far better positioned than the City of Lodi to serve new development in the annexation area.

13

Because PG&E’s electric facilities are already in place and could easily be expanded (without the need for a new substation) to serve the proposed development in the annexation areas, the City’s new electric facilities would necessarily be duplicate facilities. These duplicate facilities would result in unnecessary construction, visual, noise, and other environmental impacts that have not been mentioned, let alone addressed, in the DEIR. Such fundamental omissions render the DEIR fatally flawed.

14

In conclusion, PG&E is far better positioned to provide electric service to the project areas than is the City of Lodi. PG&E’s transmission and distribution facilities are closer to the annexation areas than the City of Lodi’s facilities, and are already serving customers within each of these areas. The public is entitled to more – and uncontradictory – information about whose electric facilities will serve these project areas, what they will look like, what potential impacts they could have, and who will pay for them. Accordingly, the City must be required to provide substantially more information, clarify the information it has already provided, and recirculate a DEIR that fully addresses the issues and potentially significant impacts raised here.

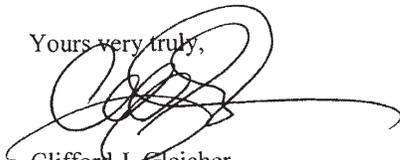
15

^{2/} To the extent that the City is considering taking over all electric services within the annexation areas, it has not disclosed any such intent. Moreover, PG&E has no intention whatsoever of selling these facilities, and, as a result, the City would need to undertake a condemnation action to try to acquire them.

City of Lodi
Community Development Department
May 26, 2006
Page 5

Thank you for the opportunity to provide these comments and express PG&E's concerns. Please add my name and address to the service list to receive all future notices about this project.

Yours very truly,



Clifford J. Gleicher

LETTER A4

Pacific Gas and Electric Company

Clifford J. Gleicher

May 26, 2006

A4-1: The Lodi Electric Utility provides electrical services to the City of Lodi. The Lodi Electric Utility is a city-owned and operated utility that provides electrical services for residential, commercial and industrial customers in Lodi since 1910. As the proposed project sites would be annexed to the City of Lodi, the Lodi Electric Utility would provide electrical services to all new customers within the City limits.

The Lodi Electric Utility has indicated that they have the capacity to provide service to the project site, and has been installing electric substructure in anticipation of this development since January 2000. Lodi Electric Utility has already installed 17 conduit crossings for its 12-kV primary system across Lower Sacramento Road between Lodi Avenue and Harvey Lane. Similar conduits have been installed across Harvey Lane (at Lower Sacramento Road), Century Boulevard (at Lower Sacramento Road), Kettleman Lane (between Highway 12 and Lower Sacramento Boulevard), Vine Street, the WID Canal, Sargent Road, and Westgate Drive. Backbone facility structures are in place, ready for cable to be pulled as needed, depending on the location of developing load.¹

A4-2: The commentator is correct in noting the Pacific Gas & Electric Company (PG&E) currently provides service to the project site. However, the overwhelming majority of the project site is undeveloped. Additionally, the PG&E electric system north of Kettleman Lane is an antiquated 4kV system that is not adequate to serve the proposed project site.²

The Westside project site is approximately 151 acres; there are no residential or commercial structures on the site. The site is currently in agricultural production, and all existing infrastructure, including structures, pumps, and utility facilities would be removed, thus eliminating the potential for duplication of electric facilities.

The SW Gateway is approximately 257 acres; approximately 241 acres, or 93.7 percent, is considered farmland. Less than 7 percent of the project site consists of impervious surfaces, storage facilities, and residential units. As with the Westside project site, all existing infrastructure, including structures, pumps, and utility facilities would be removed, thus eliminating the potential for duplication of electric facilities.

The Other Areas to be Annexed are approximately 48 acres; approximately 41.3 acres, or 86 percent of the Other Areas to be Annexed is vacant or undeveloped. The

¹ Morrow, George, 2006. Director, Lodi Electric Utility. Personal communication with LSA Associates, Inc. August.

² Ibid.

remaining 6.7 acres does contain residential structures that are connected to PG&E facilities. Existing customers would have the option as to whether to continue their PG&E service, or switch to Lodi Electric service. New customers within the city limits would be required to be served by Lodi Electric Utility.

There are approximately 457 acres that would be annexed by the City of Lodi. Approximately 433 acres, or 95 percent of the project site, is vacant or in agricultural production. As such, PG&E currently provides service to a very limited portion of the area to be annexed. However, when the proposed projects are developed, all existing structures and infrastructure would be removed from the site, and the new customers associated with the proposed project would be within city limits and served by Lodi Electric Utility.

In order to clarify the role that PG&E plays in providing existing electrical service to small portions of the area, the following text changes have been made to page 303:

a. Electrical Service. The Lodi Electric Utility provides electrical services to the City of Lodi. The Lodi Electric Utility is a city-owned and operated utility that provides electrical service for residential, commercial and industrial customers in Lodi. As the annexation areas are not within the City of Lodi, Pacific Gas & Electric Company (PG&E) currently provides service to the limited amount of development located on the annexation sites.

A4-3: The comment does not provide any new analysis or evidence to support the claims that significant impacts were omitted from the Draft EIR. No further response is required.

A4-4: Please see Response to Comment A4-1.

A4-5: Electricity and electrical infrastructure is addressed in the EIR. Should a reader go to the utilities section to review electrical service, the first paragraph of the Utilities section notes that electricity is discussed in Section IV.M, Energy, of the Draft EIR. The City disagrees with the commentor's assertion that this is "misleading"; electrical service and infrastructure is discussed within Section IV.M.

Please see Response to Comment A4-2 which discusses duplication of electric service.

A4-6: The installation of an electrical substation is being proposed independent of the Westside Project, SW Gateway Project, and annexation, and is not considered part of the this project. The installation of the electrical substation is not necessary to provide electrical service to the annexation area.³

³ Ibid.

When and if the substation is developed, it would serve the western part of the city. Extensive details of surrounding land uses are not required under CEQA. As such, detailed specifications of the substation, which is not part of the project analyzed in this EIR, are not provided.

The City and Lodi Electric Utility would approve Master Utility Plans (which would outline electrical service to the sites) prior to approval of any tentative maps.

The following revision has been made to page 304:

(1) **Electrical Infrastructure.** Overhead electrical lines are located along Lower Sacramento Road. The construction of an electrical substation is planned for a parcel located adjacent to the north portion of the SW Gateway site and south of Kettleman Lane (APN 058-030-10). The substation would service the western part of the City, including the project sites. It is anticipated that the substation will be the terminus of two ~~new~~ 60 kV circuits mounted on a single pole line, paralleling Kettleman Lane (Highway 12), which are currently under construction. The substation would also be linked to an existing 60 kV overhead circuit paralleling Lower Sacramento Road. All 12 kV distribution lines from the substation would be placed underground.

Contrary to the commentor's assertion, the substation would not be required to serve the project site. Additionally, the City is not involved in building a double-circuit transmission line.

A4-7: The PG&E Mettler Substation is 1.5 miles "as the crow flies" from the project site. However, the substation is actually 2.9 circuit miles of overhead 21kV from the closest corner to the area to be served. It should also be noted that the Mettler Substation is a single bank substation with little potential for back-up by other PG&E facilities which are typically outdated 4-kV overhead lines.⁴

Please see Response to Comment A4-6 for a discussion of the potential construction of a new Lodi Electric Utility Substation.

A4-8: The proposed site for the future electrical substation is surrounded to the north, east and south by roadways, which would help to provide a buffer for any noise that would be produced at the substation site. Kettleman Lane, a multi-lane road, is located immediately north of the project site, and would not be considered a sensitive land use. Westgate Drive is located immediately east of the project site, with commercial uses located on the east side of Westgate Drive. An internal roadway would be located south of the project site, and a future fire station site and park would be located further south of the site.

⁴ Ibid.

High density residential uses are proposed to be located west of the project site. A fence would be constructed along the western boundary of the electrical substation, in addition to an 8-10 foot wall that would be installed around the substation site. Parking is located along the majority of the boundary of the substation site and is set back from the border. Electrical substations typically generate low-level noise. The wall enclosure that would surround the substation site would reduce noise impacts from the station to a less-than-significant level.

A4-9: As noted previously, the installation of a substation is not included as part of the proposed project. Environmental review for the substation and annexation occurred in 2002 (Negative Declaration No. ND-02-07 for the Annexation of the VR&Z Property and future site of the Lodi Electrical Utility District Substation).

As is noted in the Draft EIR, the conversion of the existing agriculture on the project sites would be considered a significant and unavoidable impact. The view of the substation from the project site would not affect a scenic vista nor damage a scenic resource within a State Scenic Highway, and would not be considered a significant impact.

A4-10: When annexed into the City of Lodi, the project area would be within the area served by Lodi Electric Utility. PG&E is not obligated to provide service within the City of Lodi corporate limits. As part of the project, all structures within the Westside and SW Gateway site would be demolished, thus removing the potential for duplication. Utility Master Plans would be developed, which would also avoid the duplication of service. It is unclear how the duplication of electric distribution and transmission facilities would lead to significant impacts, and, contrary to the commentor's assertion, CEQA does not require the analysis of financial impacts.

A4-11: The code citation relates to the provision of electric power and energy, not the analysis of environmental impacts as required by CEQA; no further response is required.

A4-12: Comment noted. Please see Response to Comment A4-10.

A4-13: When annexed into the City of Lodi, the project area would be within the area served by Lodi Electric Utility. Whether the Lodi Electric Utility or PG&E serve the project site does not change the analysis within the Draft EIR or result in any new significant and unavoidable impacts.

The following revisions have been made to page 53:

(4) **Electric, Phone Service, and Cable.** Lodi Electric Utility would provide power to the project site. The project site is currently within the PG&E service area. However, there are currently no residential or commercial structures on this site and the entire site is currently in agricultural use. ~~There are currently no electric services to the project site.~~ The proposed project would connect to utility ~~transmission~~ distribution lines off of Lower Sacramento Road and Lodi Avenue. All electric distribution lines would be placed underground. Any transmission lines would be overhead.

The following revisions have been made to page 59:

(4) **Electric, Phone and Cable Service.** Lodi Electric Utility would provide power to the project site. The project site is currently within the PG&E service area. However, the majority of the project site is in agricultural use with limited residential and commercial development. ~~There are currently no electric services to the project site.~~ The proposed project would connect to utility ~~transmission~~ distribution lines off of Lower Sacramento Road and Kettleman Lane. All electric distribution lines would be placed underground. Any transmission lines would be overhead.

A4-14: The electrical substation is being proposed independent of this project and is not considered a part of this project. The installation of facilities to serve the project site would not result in significant unavoidable impacts. The commentor presents no additional evidence or analysis to indicate that the Draft EIR is inadequate.

A4-15: The comment's assertion that PG&E would be better positioned to provide electrical service to the project areas is noted. Please see Response to Comment A4-1. The responses above include minor revisions and supplementation so as to fully describe the role played by PG&E under existing conditions. No further information is warranted.

The eventual decision as to whether the Lodi Electric Utility or PG&E serves the project site would not change the analysis within the Draft EIR or result in any new significant impacts. As noted in the Draft EIR, there would be no significant impacts associated with the provision of electricity to the project site. No additional significant impacts have been identified which would require recirculation of the Draft EIR.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



April 26, 2006

Randy Hatch
City of Lodi
221 W. Pine Street
Lodi, CA 95240

RECEIVED
MAY 02 2006
COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Dear Mr. Hatch:

Re: SCH# 2005092096; Lodi Annexation Environmental Impact Report

As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near the rail corridor in the County be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the County.

If you have any questions in this matter, please call me at (415) 703-2795.

Very truly yours,

Kevin Boles
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection and Safety Division

cc: Pat Kerr, UP
Carol Harris, UP

1

LETTER A5
Public Utilities Commission
Kevin Boles, Utilities Engineer
April 26, 2006

A5-1: While the proposed annexation areas do not directly impact rail corridors, some mitigation measures may be in the vicinity of rail corridors. In those instances, all applicable local, County, State, and Federal safety-related procedures will be implemented to maximize safety in and around rail corridors.



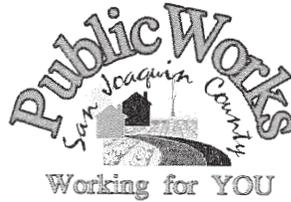
THOMAS R. FLINN
DIRECTOR

THOMAS M. GAU
DEPUTY DIRECTOR

MANUEL SOLORIO
DEPUTY DIRECTOR

STEVEN WINKLER
DEPUTY DIRECTOR

ROGER JANES
BUSINESS ADMINISTRATOR



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MAY 25 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

May 24, 2006

Mr. Randy Hatch
City of Lodi
Community Development Department
221 West Pine Street
Lodi, California 95241

SUBJECT: PUBLIC REVIEW DRAFT OF THE LODI ANNEXATION
ENVIRONMENTAL IMPACT REPORT

Dear Mr. Hatch:

The San Joaquin County Department of Public Works has reviewed the above mentioned document and has the following comments:

From Transportation Planning:

- 1) The *Traffic and Circulation Analysis* needs to study the impacts to the following intersections:
 - a. Sargent Road/Davis Road
 - b. Century Boulevard/Lower Sacramento Road
 - c. Century Boulevard/Ham Lane
- 2) Revise figures to show that Hutchins Street becomes West Lane south of Harney Lane.
- 3) Figure IV.B-4, Trip Distribution shows significant volumes (10 percent, 30percent) traveling eastbound on Vine Street; however, the intersection analysis does not indicate this. Please explain trip distribution or revise accordingly. Regarding external trip distribution, 16 percent heading north at Turner/Woodhaven seems excessive; conversely, there seems to be lower than expected volumes traveling east and west along Kettleman Lane/State Highway Route 12 and south on Lower Sacramento Road. Why is there a substantial lack of traffic traveling west to Interstate 5?
- 4) In the Cumulative scenario, recommended mitigation for Intersection 28, Harney Lane/State Highway Route 99 South Bound Ramps, includes additional lanes. How will

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Mr. Randy Hatch - 2 -
PUBLIC REVIEW DRAFT OF THE LODI ANNEXATION
ENVIRONMENTAL IMPACT REPORT

- | | |
|---|--------------------|
| this be achieved? Will the existing structure be widened or reconstructed? Same question for Intersection 29, Harney Lane/State Highway Route 99 North Bound Ramps. | 4
cont. |
| 5) In the Cumulative scenario, recommended mitigation for Intersection 10, State Highway Route 12/Davis Road, identifies additional westbound and eastbound through lanes. Please indicate the limits of such improvements and that the City of Lodi will collect the Project's fair share. | 5 |
| 6) In the Cumulative scenario, recommended mitigation for Intersection 29, Armstrong Road/Lower Sacramento Road, is retiming the signal to a 60.0 second cycle length. The City of Lodi shall contact the San Joaquin County Traffic Engineer at 468-3000 to determine the proper timing for this signal. | 6 |
| 7) The project applicant shall submit a draft Traffic Mitigation Implementation and Financing Plan (per Mitigation Measure TRANS-1b) to San Joaquin County Department of Public Works for review and comment. | 7 |
| 8) Table IV.B-7, Intersection 10, Kettleman Lane/Davis Road, and Intersection 24, Harney Lane/Lower Sacramento Road, need to have Level of Service calculated for signalized condition. | 8 |

Thank you for the opportunity to comment. Should you have any questions or need additional information, please contact me at 468-8494.

Sincerely,


ANDREA VALLEJO
Assistant Transportation Planner

AV:rc
TP-6E083-R1

c: Dwayne Sabiniano, Engineering Assistant II
Michael C. Selling, Senior Civil Engineer

LETTER A6
San Joaquin County Public Works
Andrea Vallejo, Assistant Transportation Planner
May 24, 2006

- A6-1: The *Traffic and Circulation* section of the DEIR does not include analysis of the requested intersections for the following reasons:
- Sargent Road/Davis Road. The project trip distribution results in 4 percent of total project traffic traveling from the east through this intersection. On that basis, this intersection was not included in the analysis.
 - Century Boulevard/Lower Sacramento Road. Horizon-year intersection geometrics at this location were identified and established in the recently-completed *Lodi Shopping Center EIR* (2005). No additional intersection improvements are contemplated at this intersection, nor are any necessary in conjunction with the proposed annexation area development.
 - Century Boulevard/Ham Lane. During the study intersection selection process, it was determined that the Lodi Avenue/Ham Lane, Kettleman Avenue/Ham Lane, and Harney Lane/Ham Lane intersections were more significant indicators of Ham Lane project-related impacts than the Century Boulevard/Ham Lane intersection.
- A6-2: Figures IV.B-1 and IV.B-4 have been revised as shown in Chapter IV, Text Revisions.
- A6-3: The 10 percent and 30 percent references are *not* associated with vehicular travel on Vine Street; those percentages denote the amount of traffic destined to the entire geographic area encompassed by the streets surrounding each percentage. In other words, 10 percent of the internal traffic is destined for the geographic area encompassed by Lodi Avenue, Ham Lane, Kettleman Lane, and Lower Sacramento Road.
- The external trip distribution percentages are based upon results from the San Joaquin Council of Governments (SJCOG) Travel Demand Model; existing traffic counts; and City of Lodi staff experience with travel patterns. The 20 percent trip distribution to and from the west is based upon the Travel Demand Model. No modifications to the trip distribution percentages are warranted.
- A6-4: Structural widening is assumed for both the Harney Lane/State Highway Route 99 SB Ramp mitigation and the Harney Lane/State Highway Route 99 NB Ramp mitigation.

A6-5: Mitigation Measure TRANS-1 and TRANS-2 require the project applicant to prepare a financing and implementation plan, which will ensure that the improvements are adequately funded and the project applicant pays the project's fair share. The proposed mitigation improvements would be limited to the intersection approaches. Please see Appendix A of the Response to Comments document for proposed funding sources.

The following text change has been made to pages 142 and 143:

Mitigation Measure TRANS-1: Each of the following mitigation measures shall be implemented to reduce the project's impact on the identified 16 intersections:

1a: Mitigation Measure AIR-2 identifies measures recommended by the SJVAPCD's "*Guide for Assessing and Mitigating Air Quality Impacts* to reduce vehicle trips and associated air quality impacts. Implementation of the same measures would also reduce associated traffic impacts. The following are considered to be feasible and effective in further reducing vehicle trip generation and resulting emissions from the project and shall be implemented to the extent feasible and desired by the City:

- Provide pedestrian enhancing infrastructure that includes: sidewalks and pedestrian paths, direct pedestrian connections, street trees to shade sidewalks, pedestrian safety designs/infrastructure, street furniture and artwork, street lighting and or pedestrian signalization and signage.
- Provide bicycle enhancing infrastructure that includes: bikeways/paths connecting to a bikeway system, secure bicycle parking.
- Provide transit enhancing infrastructure that includes: transit shelters, benches, etc., street lighting, route signs and displays, and/or bus turnouts/bulbs.
- Provide park and ride lots.

The implementation of an aggressive trip reduction program with the appropriate incentives for non-auto travel can reduce project impacts by approximately 10 to 15 percent. Such a reduction would help minimize the project's impact.

1b: The implementation of each of the improvements listed in Table IV.B-6 would reduce the impacts to the identified 16 intersections to a less-than-significant level. To mitigate these impacts, the project applicant shall prepare a Traffic Mitigation Implementation and Financing Plan that details each of the physical improvements and the timing and geometric changes listed in Table IV.B-6 for both the Existing + Project and Cumulative scenarios (cumulative to address Impact TRANS-2), who will be responsible for implementing the improvement, the applicant's fair share contribution towards the improvement, how the improvement will be funded including a

reimbursement program where appropriate; and the schedule or trigger for initiating and completing construction prior to the intersection operation degrading to an unacceptable level. The Plan may include an annual monitoring program of the intersections as a method for determining the schedule for implementing each improvement. The Plan shall take into account whether an improvement is already programmed and/or funded in a City or County program (i.e., Lodi Development Impact Mitigation Fee Program, San Joaquin County Regional Transportation Impact Fee, Measure K (existing or renewal program), and San Joaquin Council of Governments Regional Transportation Improvement Program). If an improvement is included in one or more of these programs, the Plan needs to consider whether the programs schedule for the improvement will meet the needs of the project and if not identify alternatives. The Plan shall be submitted to City staff for review and City Council approval prior to submittal of a Tentative Subdivision Map application.

- A6-6: This comment is noted. The City of Lodi will contact the San Joaquin County Traffic Engineer to determine proper signal timing.
- A6-7: This comment is noted. This comment does not related to the adequacy of the analysis within the Draft EIR; no further response is required.
- A6-8: Technical Appendix B of the Draft EIR provides signalized LOS calculations for Intersection 10 and Intersection 24.



Arnold Schwarzenegger
Governor

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



Sean Walsh
Director

May 26, 2006

Randy Hatch
City of Lodi
Community Development Department
221 West Pine Street
Lodi, CA 95240

Subject: Lodi Annexation
SCH#: 2005092096

Dear Randy Hatch:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on May 25, 2006, and no state agencies submitted comments by that date. 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 call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts
Director, State Clearinghouse

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JUN 02 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2005092096
Project Title Lodi Annexation
Lead Agency Lodi, City of

Type EIR Draft EIR
Description There are three project components: the Westside Project, the Southwest (SW) Gateway Project, and other areas to be annexed. The Westside Project would develop 151 acre site with 740 residential units, a future school site, and parks/basins/recreation facilities. The SW Gateway Project would develop 257 acres with 1,350 residential units, a future school site, parks, and basins. One acre of the SW Gateway site may potentially be used as a fire station in the future. The other areas to be annexed include 48 acres and 12 parcels. While no specific development has been proposed for these parcels, it is assumed that the parcels would be developed with residential units. A total of 457 acres would be annexed into the City of Lodi.

Lead Agency Contact

Name Randy Hatch
Agency City of Lodi
Phone (209) 333-6800 **Fax**
email
Address Community Development Department
221 West Pine Street
City Lodi **State** CA **Zip** 95240

Project Location

County San Joaquin
City Lodi
Region
Cross Streets Sargent Road/Lower Sacramento Road; Harney Lane/Lower Sacramento Road
Parcel No. 029-380-05; 027-040-01, 02, 03; 058-030-09, 03, 04, 05, 06; 058-040-01, 02, 04, 05, 14; 058-140-
Township **Range** **Section** **Base**

Proximity to:

Highways Highway 12
Airports
Railways UPRR
Waterways
Schools 9
Land Use Agricultural
Z: Agricultural Urban Reserve (AU-20); Very Low Density Residential (R-VL)
GP: Planned Residential (PR)

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Geologic/Seismic; Growth Inducing; Landuse; Noise; Toxic/Hazardous; Traffic/Circulation; Water Quality

Reviewing Agencies Resources Agency; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Parks and Recreation; Native American Heritage Commission; Public Utilities Commission; Department of Housing and Community Development; Department of Health Services; Office of Emergency Services; Office of Historic Preservation; Department of Fish and Game, Region 2; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 10; Department of Toxic Substances Control

Date Received 04/11/2006 **Start of Review** 04/11/2006 **End of Review** 05/25/2006

Note: Blanks in data fields result from insufficient information provided by lead agency.

LETTER A7

**Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
Terry Roberts, Director
May 26, 2006**

A7-1: This letter states that no State agencies submitted comments on the Draft EIR by the close of the review period; no response is required.



San Joaquin Valley
Air Pollution Control District

RECEIVED

MAY 08 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

May 4, 2006

Reference No.C20060946

Randy Hatch
City of Lodi
Community Development Department
221 West Pine Street
P.O. Box 3006
Lodi, CA 95241

RE: Final EIR Lodi Annexation

Dear Mr. Hatch:

The San Joaquin Valley Unified Air Pollution Control District (District) has previously commented on this project, District Reference Number C200501186, sent to Lynette Dias on October 6, 2005, for the *City of Lodi Annexation*. The District offers the following comments in addition to previous comments.

Based on the information provided, the proposed project will also be subject to the following District rules:

Preliminary analysis, based on the information provided, indicates that this project may potentially generate significant air emissions and will be subject to the District's Indirect Source Review (Rule 9510).

District Rule 9510 (Indirect Source Review) was adopted to reduce the impacts of growth in emissions from all new development in the San Joaquin Valley. Rule 9510 requires applicants subject to the rule to quantify construction, area and operational PM10 and NOx emissions, and potentially mitigate a portion of those emissions. It appears that this Development Project may be subject to the Rule 9510. A Development Project is defined as any project, or portion of this project, that is subject to a discretionary approval by a public agency, and will ultimately result in the construction of a new building, facility, or structure, or reconstruction of a building, facility, or structure for the purpose of increasing capacity or activity.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions please call me at 230-5800.

Sincerely,

Debbie Johnson
Air Quality Specialist
Central Region

c: File

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RECEIVED

MAY 06 2006

October 6, 2005

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Reference No. C200501186

Lynette Dias
City of Lodi
Community Development Dept.
221 West Pine Street
P.O. Box 3006
Lodi, CA 95241

RE: NOP DIER City of Lodi Annexation

Dear Ms. Dias,

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

The entire San Joaquin Valley Air Basin is classified non-attainment for ozone and fine particulate matter (PM10). This project will contribute to the overall decline in air quality due to increased traffic and ongoing operational emissions. This project will generate significant air emissions and it will reduce the air quality in the San Joaquin Valley. The project will make it more difficult to meet mandated emission reductions and air quality standards. A concerted effort should be made to reduce project-related emissions as outlined below:

Preliminary analysis indicated that the potential emissions from this project exceed the District's Thresholds of Significance for adverse air quality impacts. These thresholds are 10 tons per year for either of the following two ozone precursor emissions: reactive organic gases (ROG) or oxides of nitrogen (NOx). The project will include approximately 2,136 residential units, 25.0 acres of school sites, 4.7 acres of an aquatic center sites, and 56.0 acres of parks/park basins. The District recommends the preparation of an Air Quality Impact Assessment (AQIA) and a Traffic Impact Study to determine impacts when projects are of this size, unless an analysis has been accomplished for a recent previous approval such as a general plan amendment or zone change. Please indicate to the District if the project has been analyzed and what the results were from any previous study.

The District recommends using the URBEMIS 2002 Version 8.7 program to calculate project area and operational emissions and to identify mitigation measures that reduce impacts. URBEMIS can be downloaded from www.urbemis.com or the South Coast Air Quality Management District's website at <http://www.aqmd.gov/ceqa/urbemis.html>. If the analysis reveals that the emissions generated by this project will exceed the District's thresholds, this project may significantly impact the ambient air quality if not sufficiently mitigated. The project applicant or consultant is encouraged to consult with District staff for assistance in determining appropriate methodology and model inputs. Questions regarding URBEMIS should be directed to Hector Guerra at (559) 230-5820.

The District does not typically recommend quantifying PM10 emissions from construction activities. The District considers that PM10 emissions are reduced to levels considered less-than-significant through compliance with the District's Regulation VIII (Fugitive PM10 Emissions) rules. If construction activity is especially intense, or sensitive receptors are nearby, the District recommends applying the enhanced PM10 control measures listed in the *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI).

The District recommends that the air quality section of the EIR have four main components:

- 1. It should provide a description of the regulatory environment and existing air quality conditions impacting the area.** The District has several sources of information available to assist with the existing air quality and regulatory environment section of the EIR. The District's *Guide for Assessing and Mitigating Air Quality Impacts, 2002 Revision (GAMAQI)* contains discussions regarding the existing air quality conditions and trends of the San Joaquin Valley Air Basin, including those pollutants of particular concern: ozone, PM10, and carbon monoxide. The GAMAQI is available at: http://www.valleyair.org/transportation/ceqa_guidance_documents.htm. In addition, it provides an overview of the regulatory environment governing air quality at the federal, state, and regional levels. The GAMAQI provides air monitoring data and other relevant information for PM-10 and other pollutants. The most recent air quality data for the District is Available at the California Air Resources Board (ARB) website at <http://www.arb.ca.gov/html/aqe&m.htm>. The air quality section of EPA's Region 9 (which includes information on the San Joaquin Valley Air Basin) can be found at <http://www.epa.gov/region09/air/index.html>. Additionally, this section should also contain a discussion regarding growth projections that San Joaquin County provided to the District (through the San Joaquin County Association of Governments) for inclusion in the Ozone and PM10 Attainment Plans and any impacts this project will have on Federal Conformity for San Joaquin County and the San Joaquin Valley Air Basin. Lastly, this section should clearly describe the air pollution regulatory authority of the District and ARB for the various emission sources within the project area.
- 2. It should provide estimates of existing emissions and projected pollutant emissions related to the increase in project source emissions and vehicle use, along with an analysis of the effects of these increases.** The EIR should include the methodology, model assumptions, inputs and results for pollutant emissions. The cumulative impact analyses should consider current existing and planned development both within the project area and in surrounding areas. The EIR needs to address the short-term and long term local and regional adverse air quality impacts associated with the operation of construction equipment (reactive organic gases, nitrogen oxides, carbon monoxide, and PM10) and emission generated from stationary and mobile sources. Additionally, the EIR should quantify emissions that are individually small but cumulatively significant sources of pollution. This includes, but is not limited to, emissions from natural gas combustion for space and water heating and emissions from gas-powered lawn and garden maintenance equipment. The URBEMIS model may be used to quantify these emissions.
- 3. It should identify and discuss all existing District regulations that apply to the project.** It should identify and discuss all existing District regulations that apply to the project. It would be appropriate to discuss proposed rules that are being developed that would apply to the proposed project. Current rules and regulations are available on the District's website at <http://www.valleyair.org/rules/1ruleslist.htm>. District rules and regulations are periodically revised, and new regulations are promulgated. The District strongly advises the City to contact the District for any rule updates and new rules when the project development begins. Current District rules and regulations applicable to the proposed project are requirements.

The following items are rules that have been adopted by the District to reduce emissions throughout the San Joaquin Valley, and are required. This project may be subject to these and additional District Rules. To identify additional rules or regulations that apply to this project, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (209) 557-6446. Current District rules can be found at <http://www.valleyair.org/rules/1ruleslist.htm>.

District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). In the event that any portion of an existing building will be renovated, partially demolished or removed, the project will be subject to District Rule 4002. Prior to any demolition activity, an asbestos survey of

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existing structures on the project site may be required to identify the presence of any asbestos containing building material (ACBM). Any identified ACBM having the potential for disturbance must be removed by a certified asbestos-contractor in accordance with CAL-OSHA requirements. If you have any questions concerning asbestos related requirements, please contact Mr. Brian Dodds at (559) 230-5962, or contact CAL-OSHA at (559) 454-1295.

District Rules 4901 (Wood Burning Fireplaces and Wood Burning Heaters) and **District Rule 4902** (Residential Water Heaters) to limit the emissions of PM10 and NOx in residential developments. , Amendments to Rule 4901 were adopted by the District's Governing Board on July 17, 2003. The rule may affect future construction plans for residential developments. Specifically:

§5.3 Limitations on Wood Burning Fireplaces or Wood Burning Heaters in New Residential Developments.

Beginning January 1, 2004,

5.3.1 No person shall install a wood burning fireplace in a new residential development with a density greater than two (2) dwelling units per acre.

5.3.2 No person shall install more than two (2) EPA Phase II Certified wood burning heaters per acre in any new residential development with a density equal to or greater than three (3) dwelling units per acre.

5.3.3 No person shall install more than one (1) wood burning fireplace or wood burning heater per dwelling unit in any new residential development with a density equal to or less than two (2) dwelling units per acre.

More information about Rule 4901 can be found at our website- www.valleyair.org. For compliance assistance, please contact Mr. Wayne Clarke, Air Quality Compliance Manager, at 230-5968.

District Regulation VIII (Fugitive PM10 Prohibitions)- Regulation VIII (Rules 8011-8081) is a series of rules designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction, road construction, bulk materials storage, landfill operations, etc. 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. A compliance assistant bulletin which summarizes Regulation VIII for construction sites can be found at: <http://www.valleyair.org/busind/comply/PM10/Reg%20VIII%20CAB.pdf>

For Non-Residential Sites:

If a non-residential project is 5.0 or more acres in area or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials on at least three days, a Dust Control Plan must be submitted as specified in Section 6.3.1 of Rule 8021. If a non-residential site is 1.0 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 (see section 6.4.2). A template of the District's Dust Control Plan is available at: <http://www.valleyair.org/busind/comply/PM10/forms/DCP-Form%20-%2010-14-2004.pdf>

For Residential Sites:

If a residential project is 10.0 or more acres in area or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials on at least three days, a Dust Control Plan must be submitted as specified in Section 6.3.1 of Rule 8021. If a residential site is 1.0 to less than 10.0 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 (see section 6.4.1). A template of the District's Dust Control Plan is available at: <http://www.valleyair.org/busind/comply/PM10/forms/DCP-Form%20-%2010-14-2004.pdf>

District Rule 4102 (Nuisance) applies to any source operation that emits or may emit air contaminants or other materials. In the event that the project creates a public nuisance, it could be in violation and be subject to District enforcement action.

Rule 4103 (Open Burning) regulates the burning of agricultural material. Agricultural material shall not be burned when the land use is converting from agriculture to nonagricultural purposes. In the event that the project applicant burned or burns agricultural material, it would be in violation of Rule 4103 and be subject to District enforcement action.

Rule 4601 (Architectural Coatings) limits volatile organic compounds from architectural coatings. This rule specifies architectural coatings storage, clean up and labeling requirements.

District Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). If asphalt paving will be used, then paving operations of this project will be subject to Rule 4641. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.

4. **It should identify and discuss all feasible measures that will reduce air quality impacts generated by the project.**

"Feasible" means "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors: (California Code of Regulations (CCR § 15364)). The California Environmental Quality Act (CEQA) requires that EIRs "describe measures which could minimize significant adverse impacts" (CCR §15126(c)). Additionally, the CCR requires that "a public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures that would substantially lessen any significant effects that the project would have on the environment " (CCR § 15021(a)(2)). For each potential adverse impact, mitigation measures should be identified to reduce impacts below air quality threshold levels of significance. Therefore, the EIR should identify which mitigation measures will be included in the project, and how each mitigation measure will be implemented. The reduction of air quality impacts from implementation of mitigation measures should be quantified to the extent possible. If a measure cannot be quantified a qualitative discussion should be provided explaining the benefits of the proposed mitigation measure. The EIR should discuss how project design modifications could reduce project impacts

Mitigation measures are emission reduction measures beyond those required in Section 3, above. This section should provide an analysis of existing mass transit/bicycle access to or near the site, and discuss if additional infrastructure will be needed. The section should identify which mitigation measures will be included in the project, and how each mitigation measure will be implemented. Site design, equipment alternatives, construction and operational measures that would reduce emissions should be identified. It should also analyze opportunities to mitigate urban heat island effects. The reduction of air quality impacts from implementation of mitigation measures should be quantified when possible. The EIR should discuss how the project design would encourage alternative transportation (including car pool parking), pedestrian and bicycle access/infrastructure, smart growth design, energy efficient project and building design, reduce urban heat island impacts, and business programs that further reduce air pollution in the valley (such as carpooling). Mitigation measures must be included in the EIR that reduce the emissions of reactive organic gases, nitrogen oxides, and PM10 to the fullest extent possible. Site design and building construction measures that would reduce air quality impacts should be included. The District's GAMAQI describes these features (see earlier reference). The Local Government Commission (LGC) website, <http://www.lgc.org>, contains valuable information and resources on subjects from street design to energy efficiency.

The District encourages innovation in measures to reduce air quality impacts. There are a number of measures that could be incorporated into the design of this project to provide additional reductions of the overall level of emissions. (Note: Some of the measures may already exist as City development standards. Any measure selected should be implemented to the extent possible.) The measures listed

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below should not be considered all-inclusive and remain options that the project proponent should consider:

- Trees should be carefully selected and located to protect the buildings from energy consuming environmental conditions, and to shade paved areas. See <http://www.coolcommunities.org>, http://www.lgc.org/bookstore/energy/downloads/sjv_tree_guidelines.pdf, and <http://www.urbantree.org>
- If transit service is available to the project site, improvements should be made to encourage its use. If transit service is not currently available, but is planned for the area in the future, easements should be reserved to provide for future improvements such as bus turnouts, loading areas, route signs and shelters. Appropriations made to facilitate public or mass transit will help mitigate trips generated by the project. Direct pedestrian access to the main entrance of the project from existing or potential public transit stops and provide appropriately designed sidewalks. Such access should consist of paved walkways or ramps and should be physically separated from parking areas and vehicle access routes.
- Sidewalks and bikeways should be installed throughout as much of the project as possible and should be connected to any nearby existing and planned open space areas, parks, schools, residential areas, commercial areas, etc., to encourage walking and bicycling. Pedestrian and bike-oriented design reduces motor vehicle usage and their effects on air quality. Pedestrian walkways should be created to connect all buildings throughout the project. The walkways should create a safe and inviting walking environment for people wishing to walk from one building to another.
- As many energy-conserving features as possible should be included in the design/construction of the project. Examples include (but are not limited to):
 - For Residential, Office and Retail*
 - Increased energy efficiency (above California Title 24 Requirements). See <http://www.energy.ca.gov/title24/>.
 - Increased wall and ceiling insulation (beyond building code requirements)
 - Energy efficient windows (double pane and/or coated)
 - High-albedo (reflecting) roofing material. See <http://eetd.lbl.gov/coolroof/>
 - Radiant heat barrier. See <http://www.eere.energy.gov/consumerinfo/refbriefs/bc7.html>
 - Cool Paving. See <http://eande.lbl.gov/heatisland/> & <http://www.harc.edu/harc/Projects/CoolHouston/>
 - Energy efficient lighting, appliances, heating and cooling systems see <http://www.energystar.gov/>
 - Install solar water-heating system(s)
 - Programmable thermostat(s) for all heating and cooling systems
 - Awnings or other shading mechanism for windows
 - Porch/Patio overhangs
 - Ceiling fans
 - Low or non-polluting landscape maintenance equipment (e.g. electric lawn mowers, reel mowers, leaf vacuums, electric trimmers and edgers, etc.)
 - Utilize daylighting (natural lighting) systems such as skylights, light shelves, interior transom windows etc. See <http://www.advancedbuildings.org>
 - Orient the unit(s) to maximize passive solar cooling and heating when practicable
 - Utilize passive solar cooling and heating designs. See http://www.eere.energy.gov/RE/solar_passive.html
 - Install photovoltaic cells
 - Electrical outlets around the exterior of the unit(s) to encourage use of electric landscape maintenance equipment
 - Exits to adjoining streets should be designed to reduce time to re-enter traffic from the project site, etc.
 - For Office and Retail*
 - Bicycle parking facilities for patrons and employees in a covered secure area, employee shower and locker areas for bicycle and pedestrian commuters, and on-site employee cafeterias or eating areas
 - For Residential*

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- Whole house fans, pre-wire the unit(s) with high speed modem connections/DSL and extra phone lines, natural gas fireplaces (instead of traditional open-hearth fireplaces), natural gas lines (if available to this area) and electrical outlets in backyard or patio areas to encourage the use of gas and/or electric barbecues, and low or non-polluting incentives items should be provided with each residential unit (such items could include electric lawn mowers, reel mowers, leaf vacuums, gas or electric barbecues, etc.). More information can be found at: <http://www.lgc.org>, <http://www.sustainable.doe.gov/>, <http://www.ciwmb.ca.gov/GreenBuilding/>, <http://www.consumerenergycenter.org/index.html> and
- The applicant/tenant(s) should implement programs to reduce the amount of vehicle traffic to and from the project area that further reduce air pollution in the valley. This could include such provisions as encouraging employees to rideshare or carpool to the project site, preferential parking spaces for employees who participate in carpooling or vanpooling, incorporating a compressed workweek schedule, or incentives for employees who use alternative transportation. Check out the "Spare the Air" section of our website www.valleyair.org
- The project should include as many clean alternative energy features as possible to promote energy self-sufficiency. Examples include (but are not limited to): photovoltaic cells, solar thermal electricity systems, small wind turbines, etc. Rebate and incentive programs are offered for alternative energy equipment. More information can be found at- <http://www.dsireusa.org/>, <http://rredc.nrel.gov/>, <http://www.energy.ca.gov/renewables/>
- The applicant/tenant(s) should require that all diesel engines be shut off when not in use on the premises to reduce emissions from idling.
- The applicant should use low-NOx diesel. The California Air Resources Board (CARB) has certified specific biodiesels for NOx reduction. Only biodiesels that have been certified by CARB should be used. For more information on biodiesel, please call Mr. Chris Acree, Air Quality Specialist, at (559) 230-5829. Information on biodiesel can also be found at CARB's website at <http://www.arb.ca.gov/fuels/diesel/aldiesel/aldiesel.htm> and the EPA's website <http://www.epa.gov/oms/models/biodsl.htm>.
- Construction activity mitigation measures include:
 - Limit traffic speeds on unpaved roads to 15 mph
 - Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent
 - Limit area subject to excavation, grading, and other construction activity at any one time
 - Limit the hours of operation of heavy duty equipment and/or the amount of equipment in use
 - Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set)
 - Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak-hour of vehicular traffic on adjacent roadways, and "Spare the Air Days" declared by the District.
 - Implement activity management (e.g. rescheduling activities to reduce short-term impacts)
 - During the smog season (May through October), lengthen the construction period to minimize the number of vehicles and equipment operating at the same time.
 - Off road trucks should be equipped with on-road engines when possible.
 - Minimize obstruction of traffic on adjacent roadways.
- The applicant should use California Air Resources Board (CARB) certified alternative fueled engines in construction equipment where practicable. Alternative fueled equipment may be powered by Compressed Natural Gas (CNG), Propane (LPG), electric motors, or other CARB certified off-road technologies. To find engines certified by the California Air Resources Board, see their certification website <http://www.arb.ca.gov/msprog/offroad/cert/cert.php>. For more information on alternative fuel engines, please call Mr. Chris Acree, Air Quality Specialist, at (559) 230-5829.

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- Construction equipment should have engines that meet the current off-road engine emission standard (as certified by the California Air Resources Board), or be repowered with an engine that meets this standard. Tier I and Tier II engines have significantly less NOx and PM emissions compared to uncontrolled engines. To find engines certified by the California Air Resources Board, see <http://www.arb.ca.gov/msprog/offroad/cert/cert.php>. This site lists engines by type, then manufacturer. The "Executive Order" shows what Tier the engine is certified as. For more information on heavy-duty engines, please contact Mr. Kevin McCaffrey, Air Quality Specialist, at (559) 230-5831.
- Diesel equipment should use verified alternative diesel fuel blends, biodiesel, or Ultra Low Sulfur Diesel (ULSD). The California Air Resources Board (CARB) has verified specific alternative diesel fuel blends for NOx and PM emission reduction. Only fuels that have been verified by CARB should be used. Information on alternative diesel blends can also be found at CARB's website-<http://www.arb.ca.gov/fuels/diesel/altdiesel/altdiesel.htm>. Information on biodiesel can be found on the EPA's website <http://www.epa.gov/oms/models/biodsl.htm>.
- Idle reduction technologies save fuel and reduce diesel emissions from idling trucks and construction equipment. The applicant should incorporate idle reduction strategies that reduce the main propulsion engine idling time through alternative technologies. Examples of such technologies can be found on the U.S. Environmental Protection Agency's website at: <http://www.epa.gov/otaq/smartway/idlingtechnologies.htm>. Idle reduction mitigation measures include:
 - The applicant/tenant(s) should require that all diesel engines be shut off when not in use on the premises to reduce emissions from idling.
 - If Truck Refrigeration Units (TRU's) will be utilized, provide an alternative energy source for the TRU to allow diesel engines to be completely turned off.
 - Electrify truck-parking areas to allow trucks with sleeper cabs to use electric heating and cooling to eliminate the need to idle their diesel engines.
- Light Duty Cars and Trucks should be alternative fueled or hybrids.

In addition to the above measures, the District has entered into Air Quality Mitigation Agreements (Mitigation Agreement) with several developers. These agreements require the District and the applicant to quantify operational emissions, and identify on-site mitigation to reduce the proposed project's net impact on air quality. The developer commits to providing funding on a per ton of emissions basis to the District to purchase emission reductions through its grant and incentive programs to fully mitigate the net emissions. The District commits to reduce the net emissions and to manage and monitor the emission reduction projects over time. The District asks that developers interested in a Mitigation Agreement meet with District staff to discuss the specifics of the project and the contract. District staff is available to meet with project proponents to discuss Mitigation Agreements for specific projects. For more information, or questions concerning this topic, please call Mr. Dave Mitchell, Planning Manager, at (559) 230-5800.

District staff is available to meet with you to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call me at 230-5820 and provide the reference number at the beginning of this letter.

Sincerely,

Hector R. Guerra
Senior Air Quality Planner
Central Region

*Letter
A8
Attachment*

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c: file

LETTER A8
San Joaquin Valley Air Pollution Control District
Debbie Johnson, Air Quality Specialist
May 4, 2006

A8-1: The comment that the proposed project would be subject to the District's Indirect Source Review (Rule 9510) is noted. The proposed project analyzed in the Draft EIR includes separate annexation areas. After approval of the annexation areas, individual projects included within the annexation areas will be submitted to the City for tentative map approval. Future individual projects within these annexation areas will be subject to Rule 9510 and will be required to submit an Air Impact Application with the District in conjunction with the tentative map approval process. This comment does not relate to the adequacy of the analysis within the Draft EIR; no further response is required.

B. INDIVIDUALS

RECEIVED

MAY 23 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Dear Mr Hatch:

This is in regard to the development of the "Westside Project". I do not disapprove of the total number of residential sites proposed by this development, just the proposed zoning of one of the parcels.

When I moved here five years ago, and purchased my house on Creekside Drive, the city boundry was just south of the canal. The field was planted with grapevines. To the north and west was only single family residences, in other words, low density. Of course ,I knew that it was only a matter of time before the open space would be developed. My objection is to the proposed zoning of "Medium Density Residential" on the easterly portion of the property between Lodi Ave. and the canal. This designation would allow 8 to 20 units per acre, although it isn't planed to be quite that dense, it certainly will be greater than the adjacent development north of the canal. These units would all be mutltiple story, and very close together. All of us who live near this site purchased our homes knowing that no multiple density development was nearby.

Again I wish to state that I do not object to the total number of units in the overall development, only that the multiple dwellings be located in an area so that those who buy there are aware that these type of living units are existing or planned to be built nearby soon.

I expressed my concern to the developers last October, but to no avail. Please reconsider the relocation of the MRD to within the development and away from the existing homes.

Sincerely,



Robert G Wilson
2627 Creekside Dr.

1

LETTER B1
Wilson, Robert G.
May 23, 2006

B1-1: This comment relates to the merits of the project and does not address the analysis within the EIR; no further response is required.

C. PUBLIC HEARING COMMENTORS –MAY 10, 2006

Lodi Annexation EIR Scoping Meeting
May 11, 2006
All Commissioners in attendance
 Notes Prepared by LSA

Commissioner Doug Kuehne

- Noticed many impacts to intersections. Requested explanation of the intersection impacts and asked what could be done to mitigate impacts to intersections.
- Asked if the traffic analysis considered the opening of Century Boulevard.

| **C-1**
 | **C-2**

Chairman Randy Heinitz

- Is there a solution to agricultural mitigation?
- Could a greenbelt be acquired as part of this project?

| **C-3**
 | **C-4**

Commissioner Bill Cummins

- City is behind in 2 percent growth allocations.
- Is this project asking for allocations of units that haven't been granted, so that the City will catch-up to the projected 2% growth rate?

Commissioner Gina Moran

- Land Use Mitigation LU-2 page 93 refers to payment of fees or preservation of agricultural land at a 1:1 ratio for a minimum of 15 years. Where did the number 15 come from?

| **C-5**

Rick Gerlack

- Served on Westside Facilities Master Plan committee
- City Council approved the WFMP in 2001
- The committee was detailed, there were several meetings, the approved plan included a greenbelt, the greenbelt addressed run-off with a string of detention basin ponds
- Understands EIR is based on a project
- Wants to know if applicant knew about or looked at WFMP
- For the record, the proposed project does not include the greenbelt buffer that is in the WFMP; the project is not consistent with the WFMP or the General Plan.

| **C-6**

Chairman Randy Heinitz

- Is aware of the WFMP and served on the committee; thinks it is an important issue

- Asked when the plan was approved, because some Commissioners may not know what the plan is about.
- How can the Commission be asked to change a plan if they don't even know what it is?

Chairman Heintz

- We need to be educated on what was already approved. How do you expect us to change what was approved, if don't know what it is?

Rick Gerlack

- Understand the issue of policy verses impact.
- Why doesn't the plan reflect what was done and approved years ago?
- Hope that buffer stays out there
- Participating in the community meetings for the WFMP was a waste if things change

Commissioner Cummins

- Believes the WFMP was a good plan
- City has no money to build that plan, but the developer has money and is proposing a project for our consideration
- This project has a greater density of parks than any other part of the City, so it has good qualities
- This project could co-mingle with the WFMP

LETTER C

Public Hearing Commentors –May 10, 2006

- C-1: Section IV.B of the Draft EIR discusses traffic impacts and mitigations. Table IV.B-6 summarizes the recommended mitigation measures for intersection impacts.
- C-2: The traffic analysis did consider the opening of Century Boulevard.
- C-3: Agricultural mitigation measures for the loss of prime farmland do not reduce the impact to a less-than-significant level. A California Appellate Court case (*Friends of the Kangaroo Rat v. The California Department of Corrections 2003*). found that protecting land for agricultural uses is not sufficient mitigation. The findings of this case conclude that the establishment of any agricultural easement, “would presumably not create any new farmland where no farmland exists. Thus an agricultural easement would not compensate for a loss of farmland by replacing or providing substitute resources or environments. At best, such an easement might prevent the future conversion of some yet unidentified parcel of farmland to non-agricultural use.”
- C-4: Acquisition of the greenbelt is not proposed as part of the project.
- C-5: Staff worked closely with the EIR consultant to determine an amount of time to protect and preserve agricultural land, and felt that 15 was the minimum number of years for reasonable mitigation.
- C-6: As is noted in the Draft EIR, a policy conflict does not, in and of itself, constitute a significant environmental impact. A policy conflict is considered to be an environmental impact when it would result in a direct physical impact. It is staff’s determination that this project would not result in a direct physical impact with respect to the project’s consistency with the Westside Facility Master Plan.

IV. TEXT REVISIONS

This chapter presents specific revisions to the text of the Draft EIR that are being made in response to comments, or to amplify and clarify material in the Draft EIR. Where revisions to the main text are called for, the page and paragraph are set forth, followed by the appropriate revision. Added text is indicated with underlined text. Deletions to text in the Draft EIR are shown with ~~strikeout~~. Page numbers correspond to the page numbers of the Draft EIR. None of the changes or clarifications present in this chapter significantly alters the conclusions or findings of the Draft EIR.

Subsequent to release of the DEIR, and prior to preparation of the FEIR, three sets of changed circumstances resulted in a determination that certain Significant Unavoidable Traffic and Circulation Impacts would no longer occur. The reasons for this are as follows:

1. At the Lodi Avenue/Ham Lane intersection, it was initially determined that Cumulative LOS D operations were significant and unavoidable due to the inability to mitigate this intersection to LOS C. After subsequent review, however, Lodi staff determined that achieving LOS C at this intersection was not within the City's available financial resources. Under these circumstances, the City's policy dictates that LOS D is the appropriate LOS threshold. Since proposed mitigation measures can achieve LOS D, the impact is *not* significant and unavoidable.
2. At the Harney Lane/Hutchins Street-West Lane intersection, even LOS D operations could be achieved only with Harney Lane road widening to six lanes. City staff initially determined that such a widening would be inconsistent with General Plan policies, and therefore the widening was not a feasible mitigation measure and project impacts were significant and unavoidable. After subsequent review, however, City staff determined that the widening *was* consistent with the General Plan. (Further, the City determined that LOS D was the appropriate LOS threshold since there would be no technically feasible solution to achieve LOS C). Since the proposed six-lane widening is consistent with the General Plan, and LOS D can be achieved under those circumstances, the impact is *not* significant and unavoidable.
3. When the DEIR was prepared, Caltrans provided an LOS policy that required any intersection currently operating at or better than LOS C to be mitigated to LOS C. Three Kettleman Lane intersections (Lower Sacramento Road, Ham Lane, Cherokee Lane) could not be mitigated back to LOS C, and were therefore determined to have significant and unavoidable impacts. Subsequent to release of the DEIR, Caltrans provided new information indicating the appropriate LOS threshold is LOS D. Since each of these three intersections could be implemented to LOS D, the impacts were no longer determined to be significant and unavoidable."

Page 8 of the Draft EIR is revised as follows:

2. Significant Impacts Prior to Mitigation

Under CEQA, a significant impact on the environment is defined 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.¹ Implementation of the proposed project has the potential to result in adverse environmental impacts in the areas listed below.

- Noise
- Cultural and Paleontological Resources
- Geology, Soils and Seismicity
- Hydrology and Water Quality
- Biological Resources
- Hazards and Hazardous Materials
- ~~Public Services~~

Page 8 and 9 of the Draft EIR is revised as follows:

Implementation of the proposed project has the potential to result in significant environmental impacts in the areas listed below.

- The proposed projects would result in the conversion of approximately 392 acres of Prime Farmland to non-agricultural uses.
- The proposed projects would result in a conflict with existing Agricultural Use and Williamson Act contracts.
- The proposed project would degrade the Existing Visual Character.
- ~~Operations at the Lodi Avenue/Ham Lane intersection would be at an unacceptable service level under the Cumulative scenario.~~
- ~~Operations at the Kettleman Lane/Lower Sacramento Road intersection would be at an unacceptable service level under the Cumulative scenario.~~
- ~~Operations at the Kettleman Lane/Ham Lane intersection would be at an unacceptable service level under the Cumulative scenario.~~
- ~~Operations at the Kettleman Lane/Cherokee Lane intersection would be at an unacceptable service level under the Cumulative scenario.~~
- ~~Operations at the Harney Lane/Hutchins Street West Lane intersection would be at an unacceptable service level under the Cumulative scenario.~~
- Project-related regional emissions would exceed the SJVAPCD thresholds of significance for ozone precursors.

¹ CEQA Sections 21060.5 and 21068.

- Potential growth-inducing impacts associated with the project's potential to facilitate development to the west if the City decides it wants to grow west.

Page 53 of the Draft EIR is revised as follows:

(4) Electric, Phone Service, and Cable. Lodi Electric Utility would provide power to the project site. The project site is currently within the Pacific Gas & Electric service area. However, there are currently no residential or commercial structures on this site and the entire site is currently in agricultural use. There are currently no electric services to the project site. The proposed project would connect to utility ~~transmission~~ distribution lines off of Lower Sacramento Road and Lodi Avenue. All electric distribution lines would be placed underground. Any transmission lines would be overhead.

Page 59 of the Draft EIR is revised as follows:

(4) Electric, Phone and Cable Service. Lodi Electric Utility would provide power to the project site. The project site is currently within the Pacific Gas & Electric service area. However, the majority of the project site is in agricultural use with limited residential and commercial development. There are currently no electric services to the project site. The proposed project would connect to utility ~~transmission~~ distribution lines off of Lower Sacramento Road and Kettleman Lane. All electric distribution lines would be placed underground. Any transmission lines would be overhead.

Page 93 of the Draft EIR is revised as follows:

Mitigation Measure LU-2: Prior to issuance of a building permit after the first quarter of the combined building permits for the Westside and SW Gateway have been approved, the applicant shall provide and undertake a phasing and financing plan (to be approved by the City Council) for one of the following mitigation measures:

- (1) Identify approximately 392 acres of prime farmland (currently not protected or within an easement) to protect for a period of time to be determined (but not less than 15 years) as an agricultural use in a location as determined appropriate by the City of Lodi in consultation with the Central Valley Land Trust; or
- (2) Pay a fee equal to the value of 392 acres as determined by an independent qualified consultant retained by the City in consultation with the Central Valley Land Trust. The City will determine to whom the fee shall be paid. (SU)

Figure IV.B-1, page 115, has been revised to show a corrected street name.

Page 113 of the Draft EIR is revised as follows:

This section describes the existing traffic, circulation and transit conditions on the project site and its vicinity, and provides an analysis of the potential impacts of the project. ~~Information for this section is based on a traffic impact analysis prepared on the Lodi Annexation project by Fehr & Peers Associates in December 2005. The traffic report is~~ Level of service calculation sheets are contained in Appendix B of this EIR.

Page 125 of the Draft EIR is revised as follows:

The following is specified for Caltrans facilities: ~~“The Department required level of service (LOS) ‘C’ or better at State-owned facilities, including intersection (see Appendix ‘C-3’ of the TIS guide). If an intersection is currently below LOS ‘C,’ any increase in delay from project-generated traffic must be analyzed and mitigated. The level of service for operating State highway facilities is based on measurements of effectiveness (MOE) (see Appendix ‘C-2’ of the Guide). If an existing State highway facility is operating at less than this target level of service, the existing MOE should be maintained. “The LOS threshold is D.”~~²

Figure IV.B-1, page 127, has been revised to show a corrected street name.

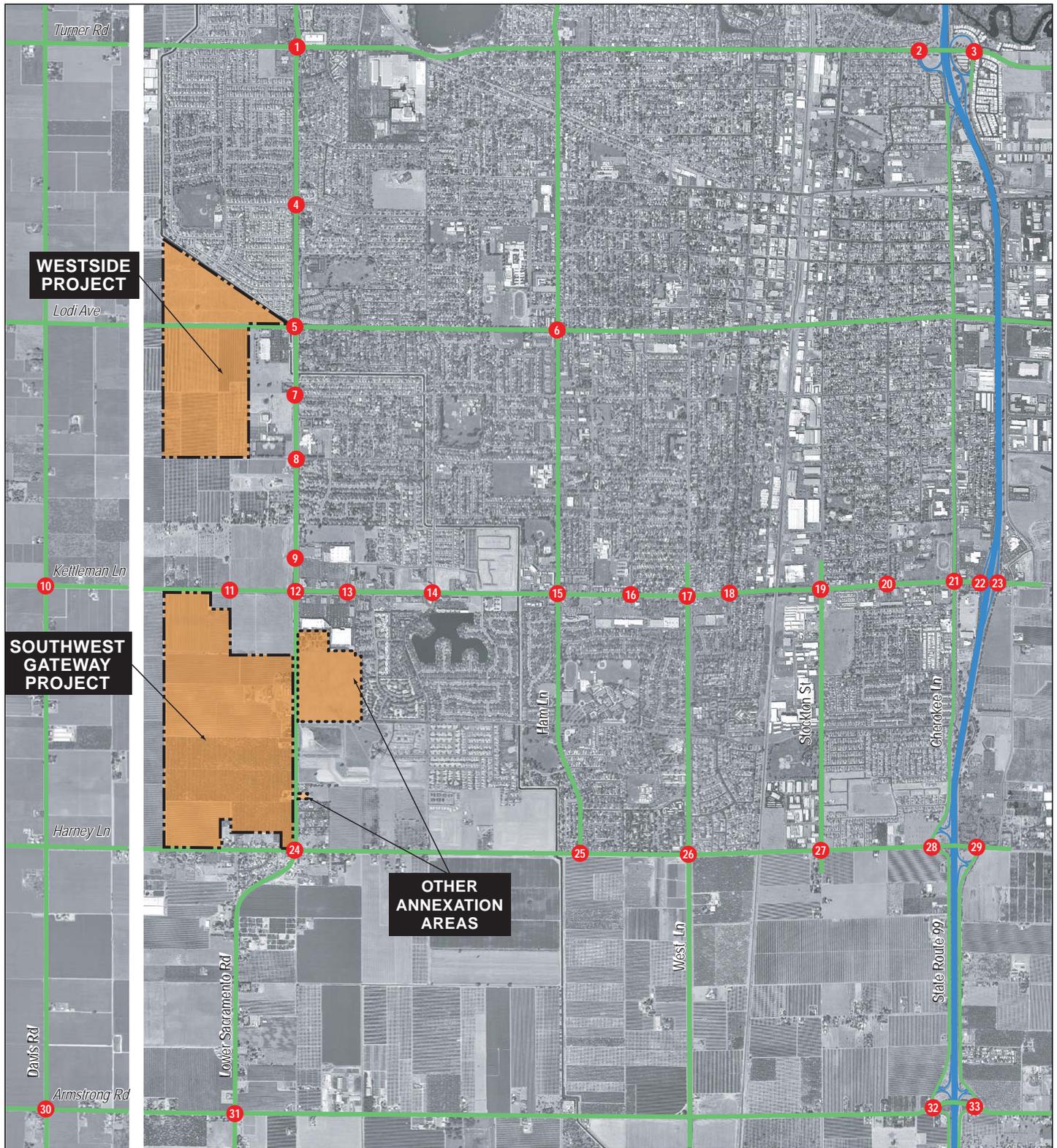
Figure IV.B-5a, page 131, has been revised to show the correct turning movements.

Figure IV.B-6a, page 133, has been revised to show the correct turning movements.

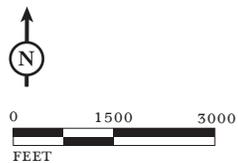
Page 140 of the Draft EIR has been revised as follows:

- **Kettleman Lane/Hutchins Street (#17)** would degrade to LOS D with 35.3 seconds of average delay during the PM peak hour. Adjusting the phasing splits of the signal during the PM peak hour, would not improve operations to LOS C conditions. ~~*Installation of a second left turn lane in the northbound direction would result in a total average delay of 34.6 seconds and LOS C during the PM peak hour and reduce the project’s impact to a less than significant level.*~~

² Letter from Tom Dumas, Caltrans, to Paula Fernandez, City of Lodi, dated March 5, 2006.



LSA



LEGEND

- 25 STUDY INTERSECTIONS
- WESTSIDE & SOUTHWEST GATEWAY PROJECT AREAS
- OTHER ANNEXATION AREAS

FIGURE IV.B-1

Lodi Annexation EIR
Study Intersections

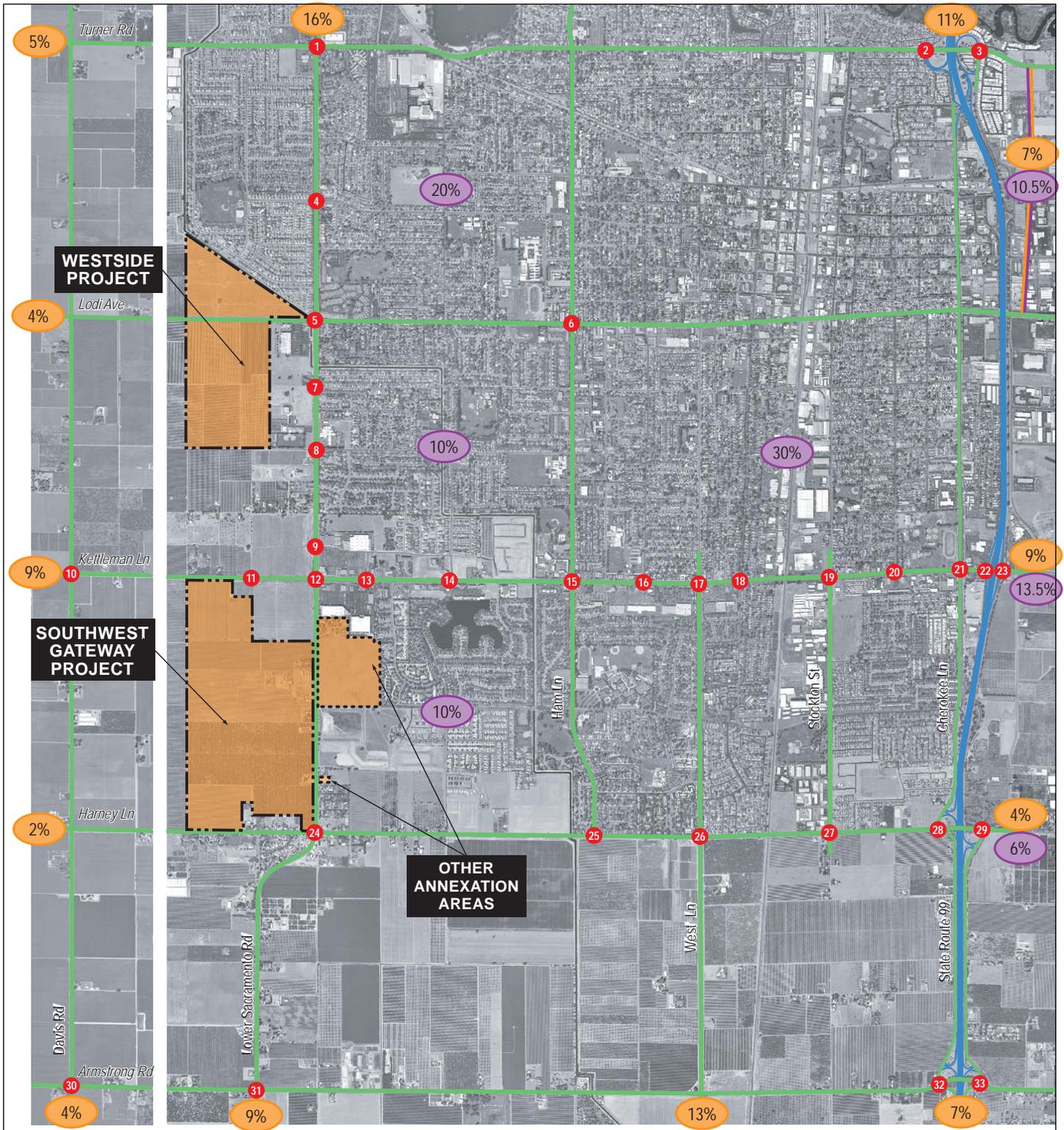
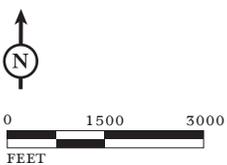


FIGURE IV.B-4

LSA

LEGEND

- 25 STUDY INTERSECTIONS
- 7% EXTERNAL DISTRIBUTION
- 10.5% INTERNAL (TO LODI) DISTRIBUTION
- WESTSIDE & SOUTHWEST GATEWAY PROJECT AREAS
- OTHER ANNEXATION AREAS



Lodi Annexation EIR
Trip Distribution

Page 142 and 143 of the Draft EIR has been revised as follows:

Mitigation Measure TRANS-1: Each of the following mitigation measures shall be implemented to reduce the project's impact on the identified 16 intersections:

- 1a: Mitigation Measure AIR-2 identifies measures recommended by the *SJVAPCD's "Guide for Assessing and Mitigating Air Quality Impacts"* to reduce vehicle trips and associated air quality impacts. Implementation of the same measures would also reduce associated traffic impacts. The following are considered to be feasible and effective in further reducing vehicle trip generation and resulting emissions from the project and shall be implemented to the extent feasible and desired by the City:
- Provide pedestrian enhancing infrastructure that includes: sidewalks and pedestrian paths, direct pedestrian connections, street trees to shade sidewalks, pedestrian safety designs/infrastructure, street furniture and artwork, street lighting and or pedestrian signalization and signage.
 - Provide bicycle enhancing infrastructure that includes: bikeways/paths connecting to a bikeway system, secure bicycle parking.
 - Provide transit enhancing infrastructure that includes: transit shelters, benches, etc., street lighting, route signs and displays, and/or bus turnouts/bulbs.
 - Provide park and ride lots.

The implementation of an aggressive trip reduction program with the appropriate incentives for non-auto travel can reduce project impacts by approximately 10 to 15 percent. Such a reduction would help minimize the project's impact.

1b: The implementation of each of the improvements listed in Table IV.B-6 would reduce the impacts to the identified 16 intersections to a less-than-significant level. To mitigate these impacts, the project applicant shall prepare a Traffic Mitigation Implementation and Financing Plan that details each of the physical improvements and the timing and geometric changes listed in Table IV.B-6 for both the Existing + Project and Cumulative scenarios (cumulative to address Impact TRANS-2), who will be responsible for implementing the improvement, the applicant's fair share contribution towards the improvement, how the improvement will be funded including a reimbursement program where appropriate; and the schedule or trigger for initiating and completing construction prior to the intersection operation degrading to an unacceptable level. The Plan may include an annual monitoring program of the intersections as a method for determining the schedule for implementing each improvement. The Plan shall take into account whether an improvement is already programmed and/or funded in a City or County program (i.e., Lodi Development Impact Mitigation Fee Program, San Joaquin County Regional Transportation Impact Fee, Measure K (existing or renewal program), and San Joaquin Council of Governments Regional Transportation Improvement Program). If an improvement is included in one or more of these programs, the Plan needs to consider whether the

programs schedule for the improvement will meet the needs of the project and if not identify alternatives. The Plan shall be submitted to City staff for review and City Council approval prior to submittal of a Tentative Subdivision Map application.

Figure IV.B-9a, page 148, has been revised to show the correct turning movements.

Figure IV.B-9b, page 149, has been revised to show the correct turning movements.

Figure IV.B-10a, page 150, has been revised to show the correct turning movements.

Figure IV.B-10b, page 151, has been revised to show the correct turning movements.

Table IV.B-7, page 152 - 153, has been revised as follows:

Table IV.B-7: Cumulative Levels of Service

#	Intersection	Intersection Control	Existing With Project				2030 Cumulative			
			AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
			Delay ^a	LOS						
1	Turner Road/ Lower Sacramento Road – Woodhaven Lane	Signalized	35.6 sec	D	41.8 sec	D	50.9 sec	D	60.4 sec	E
2	Turner Road/ SR 99 SB Ramps	Side-Street Stop Control	6.7 sec (35.6 sec)	A (E)	16.1 sec (107.9 sec)	B (F)	28.1 sec (>120.0 sec)	D (F)	67.1 sec (>120.0 sec)	F (F)
3	Turner Road/ SR 99 NB Ramps	Side-Street Stop Control	3.2 sec (17.9 sec)	A (C)	6.0 sec (37.2 sec)	A (E)	3.8 sec (24.7 sec)	A (C)	11.0 sec (>120.0 sec)	B (F)
4	Elm Street/ Lower Sacramento Road	Signalized	20.3 sec	C	26.4 sec	C	23.9 sec	C	45.8 sec	D
5	Lodi Ave. – Sargent Rd./ Lower Sacramento Road	Signalized	25.8 sec	C	46.4 sec	D	32.0 sec	C	63.8 sec	E
6	Lodi Avenue/Ham Lane	Signalized	33.0 sec	C	39.9 sec	D	40.2 sec	D	54.2 sec	D
7	Tokay Street/ Lower Sacramento Road	Signalized	11.1 sec	B	13.9 sec	B	13.3 sec	B	25.4 sec	C
8	Vine Street/ Lower Sacramento Road	Signalized	14.8 sec	B	15.5 sec	B	21.4 sec	C	26.3 sec	C
9	Sunwest Market Place/ Lower Sacramento Road	Signalized	7.3 sec	A	11.6 sec	B	9.1 sec	A	18.4 sec	B
10	Kettleman Lane/ Davis Road	Side-Street Stop Control	>120.0 sec (>120.0 sec)	F (F)						
11	Kettleman Lane/ Westgate Drive	Signalized	20.5 sec	C	21.7 sec	C	22.5 sec	C	31.1 sec	C

#	Intersection	Intersection Control	Existing With Project				2030 Cumulative			
			AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
			Delay ^a	LOS	Delay ^a	LOS	Delay ^a	LOS	Delay ^a	LOS
12	Kettleman Lane/ Lower Sacramento Road	Signalized	22.1 sec	C	26.4 sec	C	27.2 sec	C	<u>36.4 sec</u>	<u>D</u>
13	Kettleman Lane/ Tienda Drive	Signalized	12.3 sec	B	21.5 sec	C	15.8 sec	B	30.0 sec	C
14	Kettleman Lane/ Mills Avenue	Signalized	25.5 sec	C	29.8 sec	C	28.1 sec	C	32.9 sec	C
15	Kettleman Lane/Ham Lane	Signalized	30.8 sec	C	<u>44.6 sec</u>	<u>D</u>	33.3 sec	C	<u>50.3 sec</u>	<u>D</u>
16	Kettleman Lane/ Crescent Avenue	Signalized	13.2 sec	B	27.9 sec	C	21.3 sec	C	33.8 sec	C
17	Kettleman Lane/ Hutchins Street	Signalized	25.5 sec	C	<u>35.3 sec</u>	<u>D</u>	<u>40.0 sec</u>	<u>D</u>	<u>43.6 sec</u>	<u>D</u>
18	Kettleman Lane/ Church Street	Signalized	22.0 sec	C	<u>38.8 sec</u>	<u>D</u>	25.9 sec	C	<u>43.1 sec</u>	<u>D</u>
19	Kettleman Lane/ Stockton Street	Signalized	36.2 sec	D	32.6 sec	C	<u>39.4 sec</u>	<u>D</u>	<u>36.6 sec</u>	<u>D</u>
20	Kettleman Lane/ Central Avenue	Signalized	9.9 sec	A	19.0 sec	B	9.6 sec	A	19.9 sec	B
21	Kettleman Lane/ Cherokee Lane	Signalized	24.3 sec	C	89.8 sec	F	26.5 sec	C	109.6 sec	F
22	Kettleman Lane/ SR 99 SB Ramps	Signalized	13.9 sec	B	30.6 sec	C	14.6 sec	B	31.2 sec	C
23	Kettleman Lane/ SR 99 NB Ramps	Signalized	11.3 sec	B	11.8 sec	B	14.7 sec	B	21.1 sec	C
24	Harney Lane/ Lower Sacramento Road	All -Way Stop Control	NA^b	NA^b	NA^b	NA^b	NA^b	NA^b	NA^b	NA^b
25	Harney Lane/Ham Lane	Side-Street Stop Control	22.3 sec (96.0 sec)	C (F)	8.2 sec (48.7 sec)	A (E)	>120.0 sec (>120.0 sec)	F (F)	>120.0 sec (>120.0 sec)	F (F)
26	Harney Lane/ Hutchins St.–West Lane	Signalized	71.7 sec	E	48.3 sec	D	>120.0 sec <u>54.7</u>	F <u>D</u>	>120.0 sec <u>46.6</u>	F <u>D</u>
27	Harney Lane/ Stockton Street	Signalized	9.0 sec	A	12.6 sec	B	19.1 sec	B	70.0 sec	E
28	Harney Lane/ SR 99 SB Ramps	All -Way Stop Control	57.5 sec	F	85.7 sec	F	>120.0 sec	F	>120.0 sec	F
29	Harney Lane/ SR 99 NB Ramps	Side-Street Stop Control	6.1 sec (18.8 sec)	A (C)	65.5 sec (>120.0 sec)	F (F)	87.1 sec (>120.0 sec)	F (F)	>120.0 sec (>120.0 sec)	F (F)
30	Armstrong Lane/ Davis Road	All -Way Stop Control	9.2 sec	A	9.5 sec	A	13.2 sec	B	15.8 sec	C
31	Armstrong Lane/ Lower Sacramento Road	Signalized	16.4 sec	B	17.7 sec	B	25.5 sec	C	43.6 sec	D
32	Armstrong Lane/ SR 99 SB Ramps	All -Way Stop Control	8.9 sec	A	8.8 sec	A	17.4 sec	C	15.0 sec	B

#	Intersection	Intersection Control	Existing With Project				2030 Cumulative			
			AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
			Delay ^a	LOS	Delay ^a	LOS	Delay ^a	LOS	Delay ^a	LOS
33	Armstrong Lane/ SR 99 NB Ramps	Side-Street Stop Control	6.8 sec (12.9 sec)	A (B)	7.5 sec (13.0 sec)	A (B)	9.9 sec (24.9 sec)	A (C)	12.7 sec (32.1 sec)	B (D)

Bold text indicates an intersection that operates at a level that is inconsistent with the applicable significance criteria.

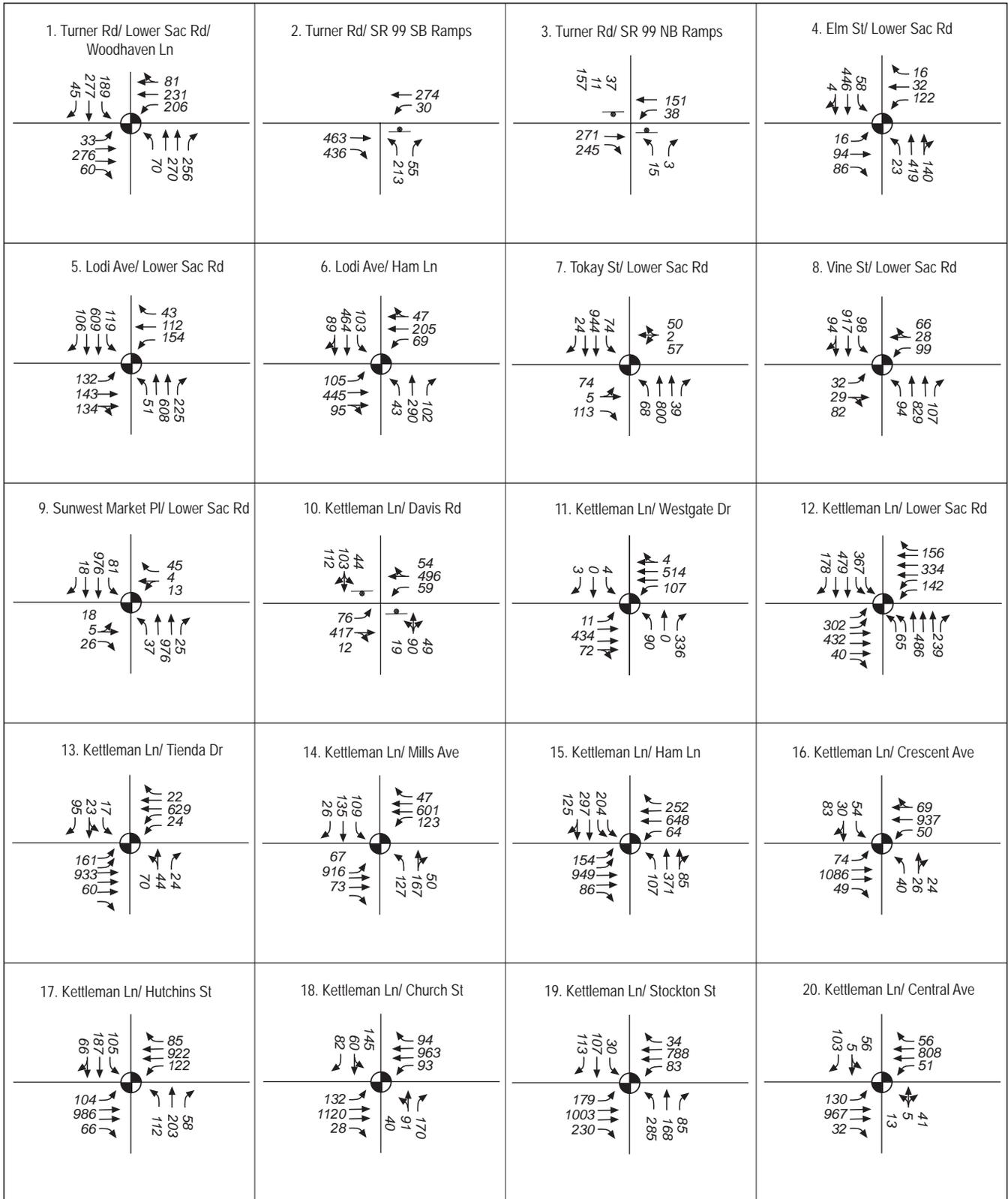
^a For unsignalized intersections the overall intersection delay and level of service are shown. The worst approach delay and level of service are also shown in parentheses.

^b The proposed lane configuration for Harney Lane/Lower Sacramento Road cannot be analyzed as a four-way stop condition.

Source: Fehr & Peers, 2006.

The following revisions have been made to page 155:

- Lodi Avenue/Ham Lane (#6)** would degrade to LOS D with 40.2 seconds of average delay in the AM peak hour and LOS D with 54.2 seconds of average delay in the PM peak hour under cumulative conditions. *Retiming the signal to an 80.0-second cycle length would result in 27.9 seconds of average delay (LOS C) during the AM peak hour. In the PM peak hour, retiming the signal to a 90.0-second cycle length would result in 39.2 seconds of average delay (LOS D). This is less delay than the intersection would be experiencing under Existing with Project conditions. However, it would not reduce the project's cumulative impact to a less than significant level; this impact would remain significant and unavoidable.*
- Kettleman Lane/Davis Road (#10)** would remain at LOS F with more than 120.0 seconds of average delay in the AM and PM peak hours under the cumulative condition. The side-street stop controlled intersection of Kettleman Lane/Davis Road operates at LOS F during the AM and PM peak hours with the proposed developments added. Additionally, it also meets the Peak Hour Signal warrant during the AM and PM peak hours. *Installation of a traffic signal and an additional through lane in the westbound and eastbound directions would result in 14.0 seconds of average delay (LOS B) during the AM peak hour and 14.3 seconds of average delay (LOS C) during the PM peak hour and reduce the project's contribution to this cumulative impact to a less-than-significant level.*
- Kettleman Lane/Lower Sacramento Road (#12)** would degrade to LOS D with 36.4 seconds of average delay in the PM peak hour under cumulative conditions. *Timing improvements will not provide for LOS C operating conditions. Additional geometric improvements are not feasible. As a result, this impact would remain significant and unavoidable.*
- Kettleman Lane/Ham Lane (#15)** would further degrade LOS E operations in the PM peak hour to 50.3 seconds average delay under cumulative conditions. Adjusting the phasing splits of the signal would not reduce the average delay to LOS C conditions. *The average delay during the PM peak hour can be reduced to 42.7 seconds (LOS D) with the additions of a second left-turn lane in the northbound direction which would result in less delay than the intersection would experience under Existing with Project condition, but not to a less than significant level; this impact would remain significant and unavoidable.*



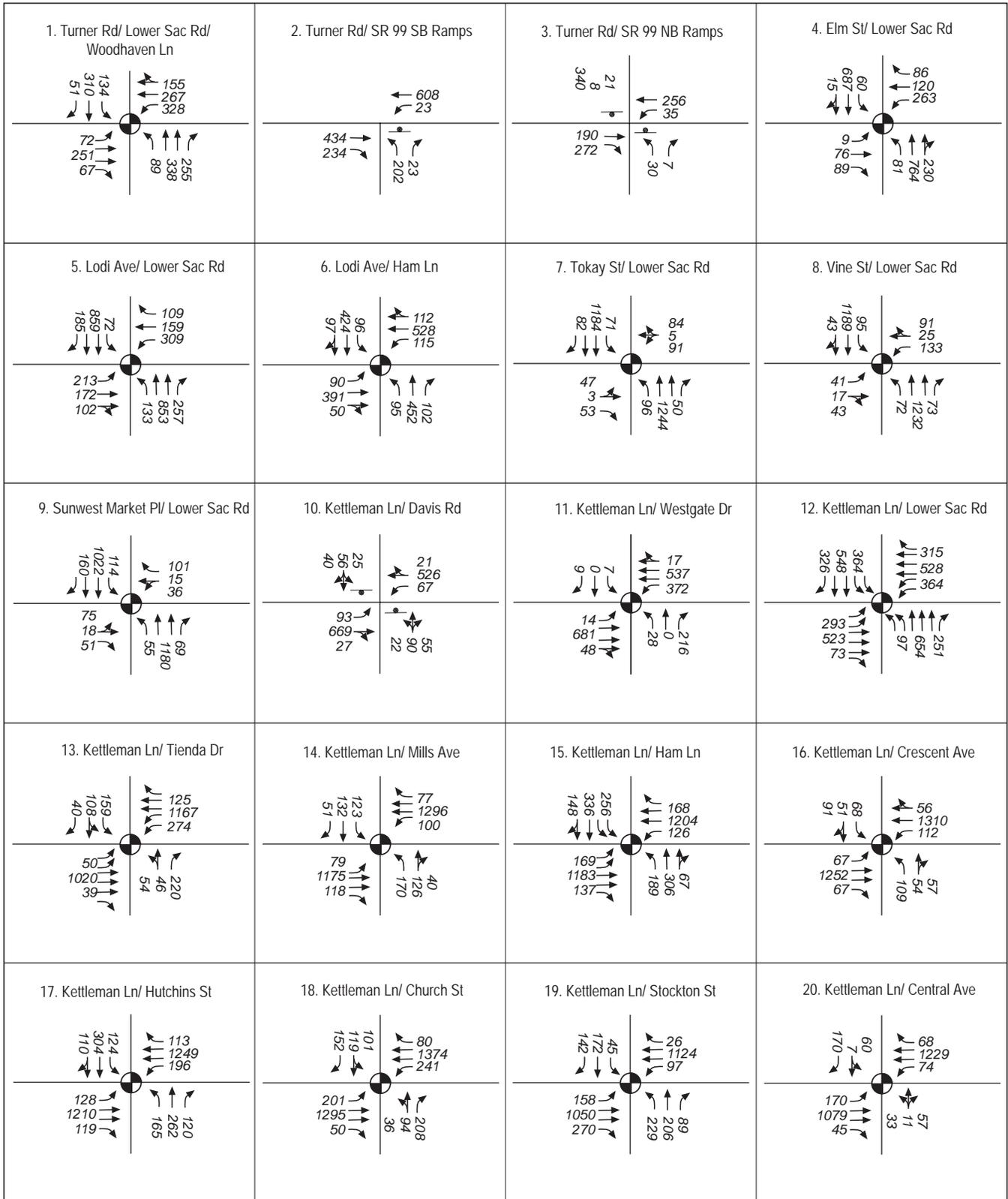
LSA

LEGEND

- Intersection Geometry
- 29 Peak Hour Volume
- Stop Control
- Signalized Intersection

FIGURE IV.B-5a

Lodi Annexation EIR
Existing with Project Conditions (AM)



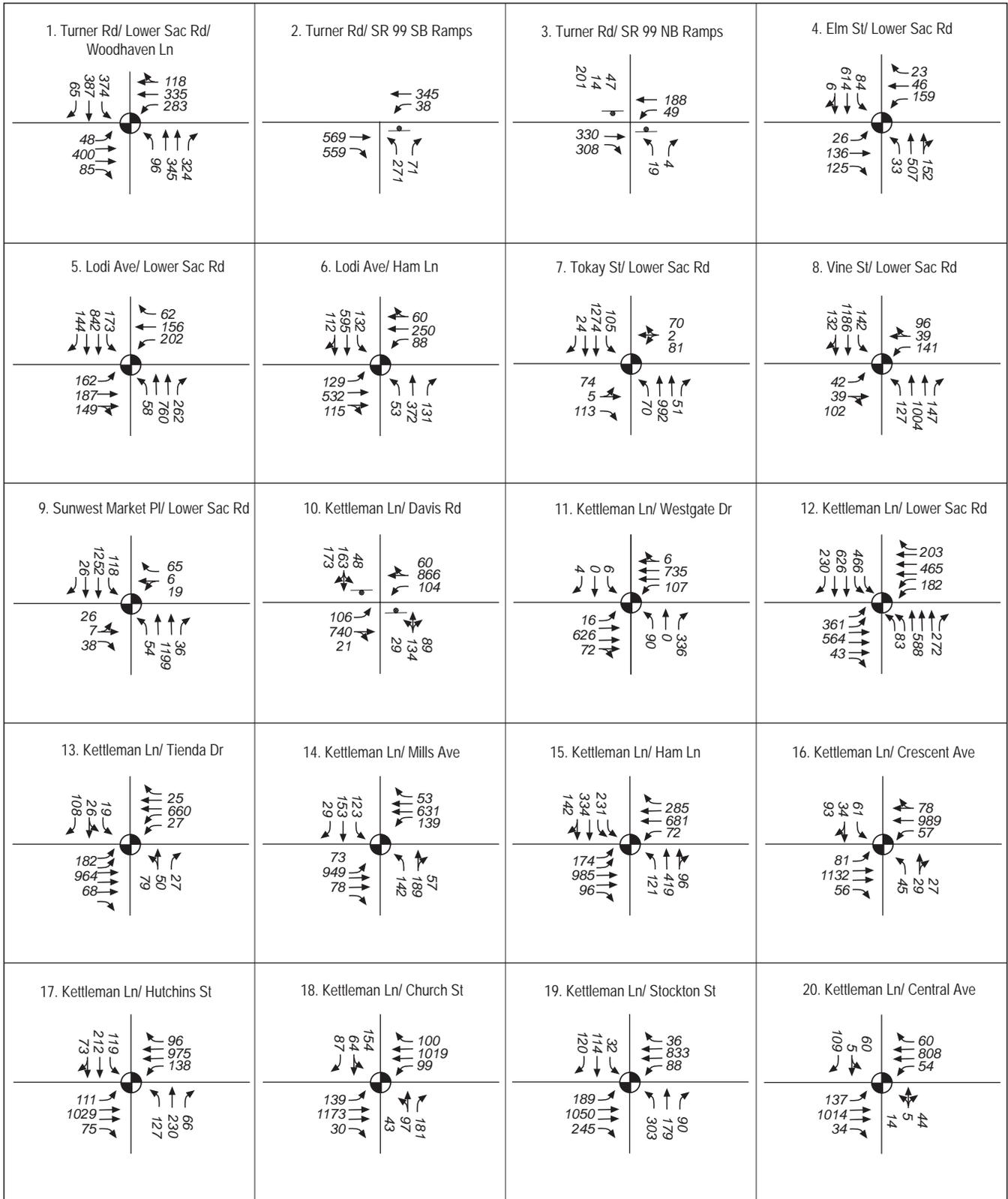
LSA

LEGEND

- Intersection Geometry
- 29 Peak Hour Volume
- Stop Control
- Signalized Intersection

FIGURE IV.B-6a

Lodi Annexation EIR
Existing with Project Conditions (PM)



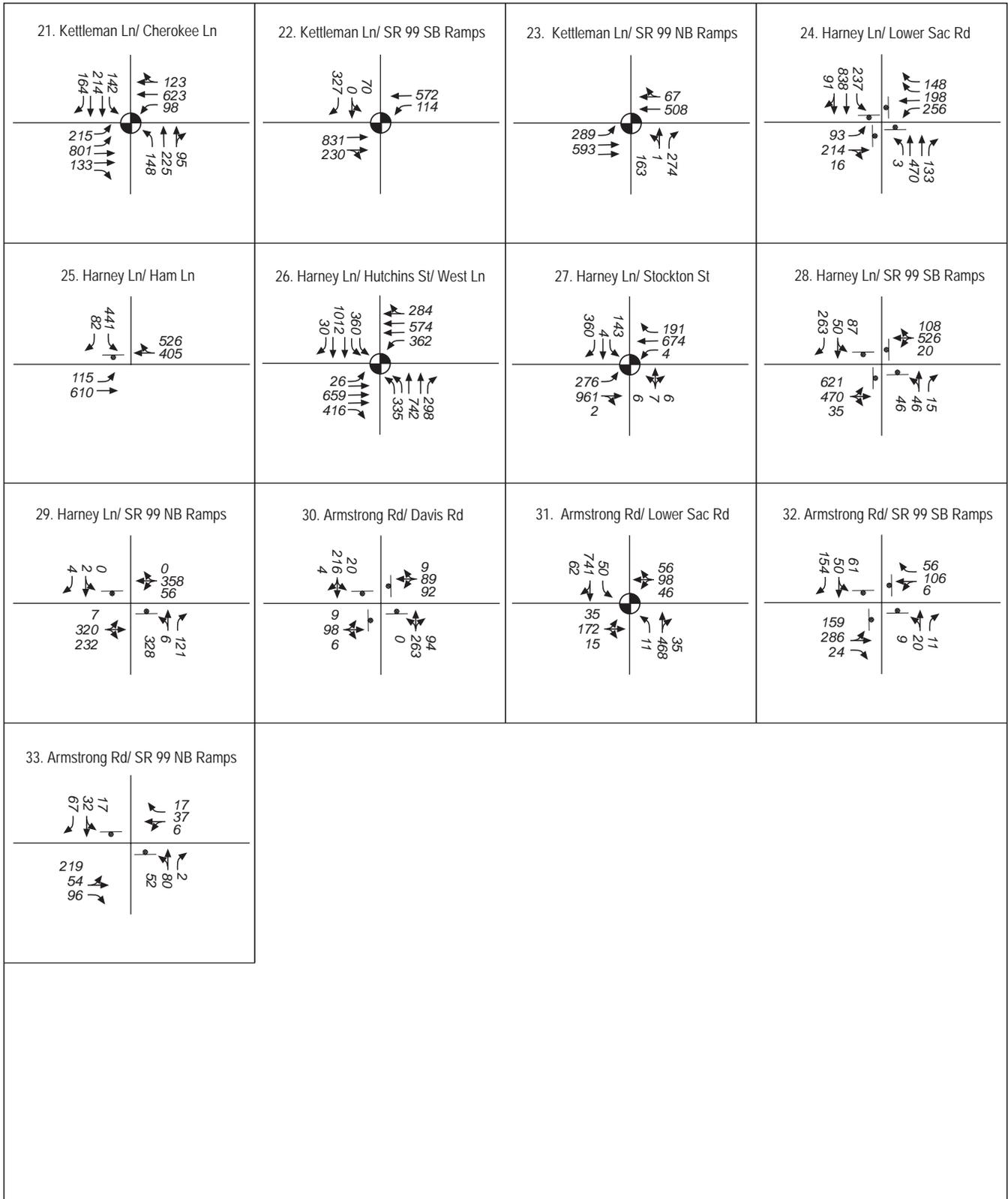
LSA

LEGEND

- Intersection Geometry
- 29 Peak Hour Volume
- Stop Control
- Signalized Intersection

FIGURE IV.9a

Lodi Annexation EIR
 Cumulative With Project
 Conditions (AM)



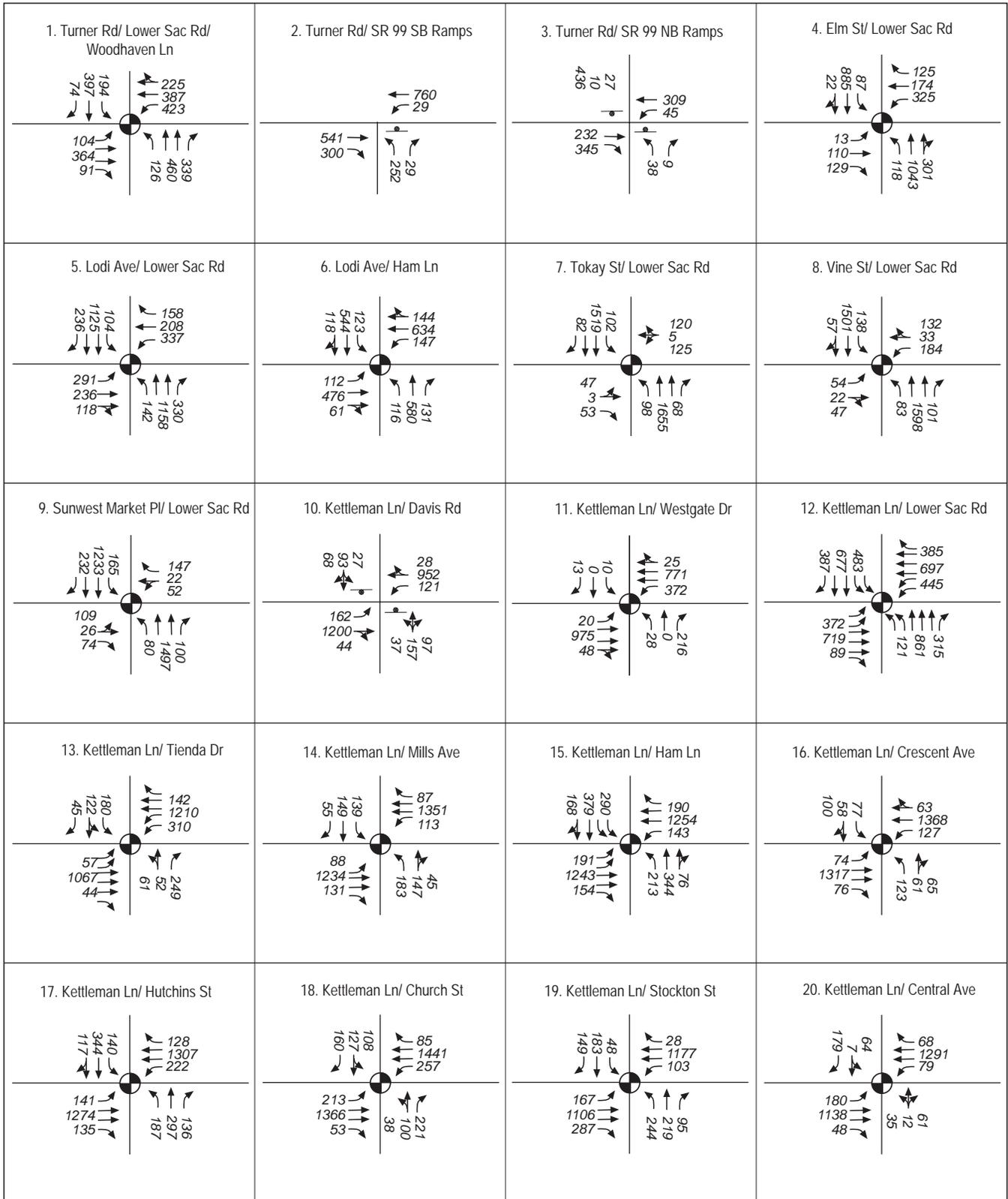
LSA

LEGEND

- Intersection Geometry
- 29 Peak Hour Volume
- Stop Control
- Signalized Intersection

FIGURE IV.B-9b

Lodi Annexation EIR
 Cumulative With Project
 Conditions (AM)



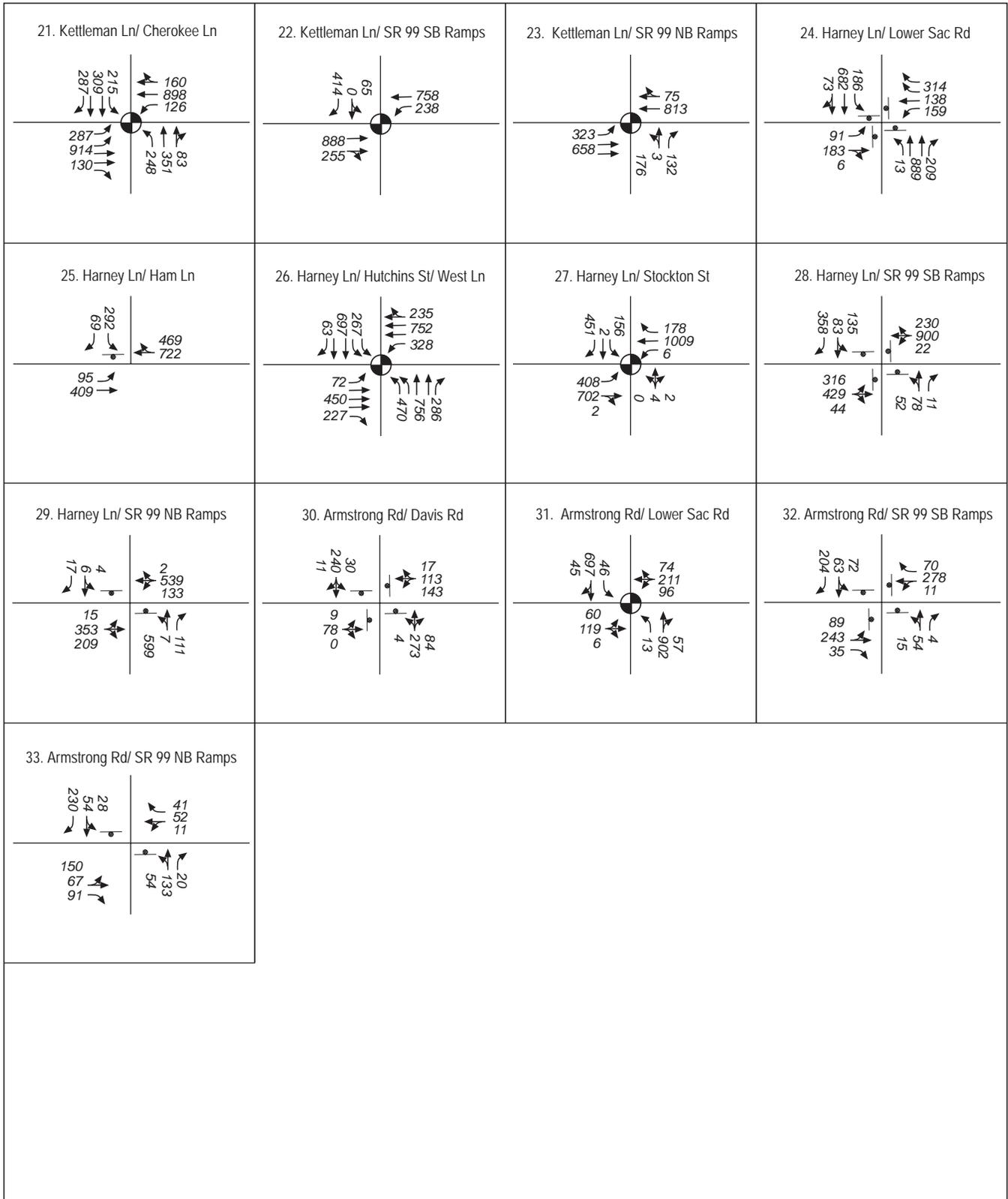
LSA

LEGEND

- Intersection Geometry
- 29 Peak Hour Volume
- Stop Control
- Signalized Intersection

FIGURE IV.B-10a

Lodi Annexation EIR
 Cumulative with Project
 Conditions (PM)



LSA

LEGEND

- Intersection Geometry
- 29 Peak Hour Volume
- Stop Control
- Signalized Intersection

FIGURE IV.B-10b

Lodi Annexation EIR
 Cumulative with Project
 Conditions (PM)

The following revisions have been made to page 156 of the Draft EIR:

- **Kettleman Lane/Cherokee Lane (#21)** would exacerbate to 109.6 seconds of average delay (LOS F) during the PM peak hour under cumulative conditions. *With the consideration of the mitigation measures for Existing with All Projects conditions of adding an additional northbound and southbound left-turn lane, the average delay decreases to 36.4 seconds (LOS D). This is less delay than the intersection would be experiencing under Existing with Project conditions, but not to a less-than-significant level; this impact would remain significant and unavoidable.*
- **Harney Lane/Lower Sacramento Road (#24)** currently operates at LOS D during the AM peak hour with 29.2 seconds of average delay and LOS E with 49.0 seconds of average delay during the PM peak hour. The proposed future geometry with the addition of the project is not able to be analyzed as a four-way stop controlled intersection. With the addition of project-generated traffic and the growth of background traffic through 2030, it can be assumed that the operations at the intersection will degrade. The four-way stop controlled intersection of Harney Lane/Lower Sacramento Road currently operates at LOS D during the AM peak hour and LOS D during the PM peak hour. Additionally, it also meets the Peak Hour Signal warrant during both peak hours. A traffic signal is under construction by the county. Implementation of this improvement would result in 26.3 seconds of average delay (LOS C) during the AM peak hour and 26.1 seconds of average delay (LOS C) during the PM peak hour and reduce the project's contribution to this cumulative impact to a less-than-significant level.
- **Harney Lane/Ham Lane (#25)** would further degrade to over 120.0 seconds of average delay (LOS F) during both the AM and PM peak hours under cumulative conditions. The side-street stop controlled intersection of Harney Lane/Ham Lane operates at LOS F during the AM peak hour and LOS E during the PM peak hour with the proposed developments added. Additionally, it meets the Peak Hour Signal warrant during both peak hours. *Installation of a traffic signal and a right-turn lane in the westbound direction would result in 13.9 seconds of average delay (LOS B) during the AM peak hour and 15.6 seconds of average delay (LOS B) during the PM peak hour and reduce the project's contribution to this cumulative impact to a less-than-significant level. (This intersection is on the Signal Priority List.)*
- **Harney Lane/Hutchins Street – West Lane (#26)** would further degrade to over 120.0 seconds of average delay (LOS F) during both the AM and PM peak hours under cumulative conditions. *To improve operations to levels at least equal to those under Existing with Project conditions the following geometric improvements are necessary. A second and third through lane in the eastbound and westbound directions shall be added. Also, a second left-turn lane shall be added in the northbound and southbound, ~~and westbound~~ directions as well as a right-turn lane in the eastbound and westbound directions. These improvements would result in ~~55.9~~ 54.7 seconds of average delay (LOS ~~D E~~) during the AM peak hour and ~~43.6~~ 46.6 seconds of average delay (LOS D) during the PM peak hour. This is less delay than the intersection would experience under Existing with Project conditions, but not to a less than significant level; this impact would remain significant and unavoidable.*

Page 138 and 139 of the Draft EIR are revised as follows:

Table IV.B-6: Significant Intersection Impacts and Recommended Mitigation Measures

Intersections	Significant Impact		Recommended Mitigation	
	Existing + Project	Cumulative	Existing + Project	Cumulative
1. Turner Road/Lower Sacramento Road – Woodhaven Lane	√	√	Second westbound left-turn lane (signal retiming would not enhance the signal’s performance to LOS C). (LTS)	Second westbound, northbound and southbound left-turn lane. (LTS)
2. Turner Road/SR 99 SB Ramps	√	√	Traffic signal. (LTS)	Traffic signal. (LTS)
3. Turner Road/SR 99 NB Ramps	√	√	Traffic signal. (LTS)	Traffic signal. (LTS)
4. Elm Street/Lower Sacramento Road		√		Second westbound left-turn lane and signal retimed to a 115.0-second cycle length. (LTS)
5. Lodi Avenue – Sargent Road/Lower Sacramento Road	√	√	Retime signal to a 110.0-second cycle length (LTS)	Second left-turn lane in the eastbound and westbound directions and retime to a 110.0-second cycle length. (LTS)
6. Lodi Avenue/Ham Lane	√	√	Retime signal to an 80.0-second cycle length. (LTS)	In the PM peak hour, retime signal to a 90.0-second cycle length resulting in 39.2 seconds of average delay (LOS D). (SU in PM peak) (LTS)
10. Kettleman Lane/Davis Road	√	√	Traffic signal. <i>The County and Caltrans are currently planning for a signal at this location.</i> (LTS)	Traffic signal and an additional westbound and eastbound through lane. (LTS)
12. Kettleman Lane/ Lower Sacramento Road	-	√	-	(SU) (Timing improvements additional geometric improvements are not feasible.)
15. Kettleman Lane/Ham Lane	√	√	Adjust the amount of time given to each signal phase during the PM peak hour and improve intersection coordination offset to better fit traffic conditions. (LTS, but not acceptable LOS)	Add a second northbound left-turn lane. (SU) (LTS)
17. Kettleman Lane/Hutchins Street	√	√	Add northbound second left turn lane. (LTS)	Add northbound, southbound and westbound second left turn lane. (LTS)
18. Kettleman Lane/Church Street	√	√	Adjust the southbound lane geometries to a left-turn lane and a shared through-right lane. (LTS, but not acceptable LOS)	A westbound and eastbound second left-turn lanes. (LTS)
19. Kettleman Lane/Stockton Street	√	√	Adjust signal phasing splits during the AM peak hour. (LTS)	A northbound second left-turn lane. (LTS)

Note: √ indicates that the project would result in a significant impact.

Intersections	Significant Impact		Recommended Mitigation	
	Existing + Project	Cumulative	Existing + Project	Cumulative
21. Kettleman Lane/Cherokee Lane	√	√	Add a second northbound and southbound left-turn lane. (LTS)	(SU) (LTS)
24. Harney Lane/Lower Sacramento Road	√	√	Traffic signal is under construction by the county.(LTS)	A traffic signal is under construction by the county.(LTS)
25. Harney Lane/Ham Lane	√	√	Traffic signal. (LTS)	Traffic signal and a westbound right-turn lane. (LTS)
26. Harney Lane/Hutchins Street – West Lane	√	√	A eastbound and westbound second through lane and dedicated right-turn lane. (LTS)	A second eastbound and westbound through lane in the directions; a second northbound, southbound, and westbound left-turn lane. (SU) (LTS)
27. Harney Lane/Stockton Street		√		A eastbound and westbound second through lane. (LTS)
28. Harney Lane/SR 99 SB Ramps	√	√	Traffic signal. (LTS)	Traffic signal and a eastbound left-turn lane and a westbound second through lane. (LTS)
29. Harney Lane/SR 99 NB Ramps	√	√	Traffic signal. (LTS)	Traffic signal shall be installed and westbound left-turn lane and a eastbound right-turn lane and modify the northbound approach lane configuration to a left-turn lane and a shared through-right lane. (LTS)
31. Armstrong Road/Lower Sacramento Road		√		Retime signal to a 60.0-second cycle length. (LTS)
33. Armstrong Road/SR 99 NB Ramps		√		Change operation to an All-Way Stop Control. (LTS)

Note: √ indicates that the project would result in a significant impact.

Source: LSA and Fehr & Peers, 2006.

Page 157 of the Draft EIR is revised as follows:

Mitigation Measure TRANS-2: Implementation of Measure TRANS-1a and TRANS-1b, would mitigate the project's contribution to Cumulative condition to a less-than-significant level at 16 of the 21 intersections that would be significantly impacted in the 2030 Cumulative condition. ~~A significant and unavoidable impact would remain at the intersections of Lodi Avenue/Ham Lane, Kettleman Lane/Lower Sacramento Road, Kettleman Lane/Ham Lane, Kettleman Lane/Cherokee Lane, and Harney Lane/Huchins Street – West Lane; no physical improvements are feasible to mitigate the cumulative impact to a less than significant level.~~ For the intersections that could be mitigated to a less-than significant level, the City may decide to not implement select improvements in order to avoid trending towards a community that is too orientated to the automobile, which would conflict with some of the General Plan policies that emphasize pedestrian scale. Additionally some of the improvements identified are short-term solutions that the City may not choose to implement if a more significant long-term improvement is being planned (i.e., reconstruction of the Kettleman Lane/SR 99 interchange).

Page 303 of the Draft EIR has been revised as follows:

a. Electrical Service. The Lodi Electric Utility provides electrical services to the City of Lodi. The Lodi Electric Utility is a city-owned and operated utility that provides electrical service for residential, commercial and industrial customers in Lodi. As the annexation areas are not within the City of Lodi, Pacific Gas & Electric Company (PG&E) currently provides service to the limited amount of development that is located on the annexation sites.

Page 304 of the Draft EIR has been revised as follows:

(1) Electrical Infrastructure. Overhead electrical lines are located along Lower Sacramento Road. The construction of an electrical substation is planned for a parcel located adjacent to the north portion of the SW Gateway site and south of Kettleman Lane (APN 058-030-10). The substation would service the western part of the City, including the project sites. It is anticipated that the substation will be the terminus of two ~~new~~ 60 kV circuits mounted on a single pole line, paralleling Kettleman Lane (Highway 12), which are currently under construction. The substation would also be linked to an existing 60 kV overhead circuit paralleling Lower Sacramento Road. All 12 kV distribution lines from the substation would be placed underground.

Pages 307 and 308 of the Draft EIR have been revised as follows:

The following impacts are significant and unavoidable, and can not be reduced to a less-than-significant level with implementation of mitigation measures. After mitigation, the revised project would result in the following significant unavoidable impacts:

- The proposed projects would result in the conversion of approximately 392 acres of Prime Farmland to non-agricultural uses.
- The proposed projects would result in a conflict with existing Agricultural Use and Williamson Act contracts.

- The proposed project would degrade the Existing Visual Character.
- ~~Operations at the Lodi Avenue/Ham Lane intersection would be at an unacceptable service level under the Cumulative scenario.~~
- ~~Operations at the Kettleman Lane/Lower Sacramento Road intersection would be at an unacceptable service level under the Cumulative scenario.~~
- ~~Operations at the Kettleman Lane/Cherokee Lane intersection would be at an unacceptable service level under the Cumulative scenario.~~
- ~~Operations at the Kettleman Lane/Ham Lane intersection would be at an unacceptable service level under the Cumulative scenario.~~
- ~~Operations at the Harney Lane/Hutchins Street West Lane intersection would be at an unacceptable service level under the Cumulative scenario.~~
- Project-related regional emissions would exceed the SJVAPCD thresholds of significance for ozone precursors.
- Potential growth-inducing impacts associated with the project's potential to facilitate development to the west if the City decides it wants to grow west.

APPENDIX A

APPENDIX A

Possible funding sources for mitigation measures are listed below and shown in Table A. A description of funding sources are found below:

- **City of Lodi Development Impact Mitigation Fee Program (Lodi IMF).** Historically, the projects in the Lodi IMF program have been constructed and funded at the time of construction of the development triggering the requirement for the project.
- **San Joaquin County Regional Transportation Impact Fee (County RTIF).** This is a new program and the timing of construction for individual projects has not been established.
- **Measure K (Existing Program).**
- **Measure K (Renewal Program on November 2006 ballot).** This is a new program and the timing of construction for individual projects has not been established.
- **San Joaquin Council of Governments Regional Transportation Improvement Program (RTIP).** None of the recommended mitigations are identified as projects in this program.
- **Other.** Indicates that the recommended mitigation is not included in any current public funding program for transportation improvements. Funding will have to be identified in the Financing Plan for the project(s).

TABLE A: INTERSECTION IMPROVEMENT FUNDING SOURCES

Intersections	Funding Source					
	Lodi Impact Mitigation Fee Program	San Joaquin County Regional Transportation Impact Fee	Measure K (Existing)	Measure K (Renewal on 2006 Ballot)	San Joaquin COG RTIP	Other
1. Turner Road/Lower Sacramento Road – Woodhaven Lane						X
2. Turner Road/SR 99 SB Ramps	X			X		
3. Turner Road/SR 99 NB Ramps	X			X		
4. Elm Street/Lower Sacramento Road						X
5. Lodi Avenue – Sargent Road/Lower Sacramento Road						X
6. Lodi Avenue/Ham Lane						X
10. Kettleman Lane/Davis Road						X
15. Kettleman Lane/Ham Lane						X
18. Kettleman Lane/Church Street						X
19. Kettleman Lane/Stockton Street						X
21. Kettleman Lane/Cherokee Lane						X
24. Harney Lane/Lower Sacramento Road			X			
25. Harney Lane/Ham Lane	X					X
26. Harney Lane/Hutchins Street – West Lane	X	X		X		
27. Harney Lane/Stockton Street	X	X				
28. Harney Lane/SR 99 SB Ramps				X		
29. Harney Lane/SR 99 NB Ramps				X		
31. Armstrong Road/Lower Sacramento Road	X		X			
33. Armstrong Road/SR 99 NB Ramps						X

Source: City of Lodi, 2006

