

**DRAFT**

**City of Tracy Digital Freeway Sign Project  
Initial Study/Mitigated Negative Declaration  
City of Tracy, San Joaquin County, California**

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Report Date: August 20, 2021

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## ACRONYMS AND ABBREVIATIONS

°C	degrees Celsius (Centigrade)
°F	degrees Fahrenheit
µg/m <sup>3</sup>	micrograms per cubic meter
AB	Assembly Bill
ACM	asbestos-containing materials
Air Basin	San Joaquin Valley Air Basin
AQGGP	Air Quality Guidelines for General Plans
AQI	Air Quality Index
AQP	Air Quality Plan
ARB	California Air Resources Board
BAAQMD	Bay Area Air Quality Management District
BAU	Business as Usual
BERD	Built Environmental Research Directory
BMP	Best Management Practice
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
CBC	California Building Standards Code
CBSC	California Building Standards Commission
CCIC	Central California Information Center
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFL	compact fluorescent light
CNDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	carbon dioxide equivalent
CPUC	California Public Utility Commission
CRHR	California Register of Historical Resources
dB	decibel

**Acronyms and Abbreviations**

dBA	A-weighted decibel
DPR	California Department of Parks and Recreation
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
EV	Electric Vehicle
FCS	FirstCarbon Solutions
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GAMAQI	Guidance for Assessing and Mitigating Air Quality Impacts
GHG	greenhouse gas
IPaC	Information for Planning and Consultation
ISO	Independent System Operator
JJWTP	John Jones Water Treatment Plant
kWh	kilowatt-hour
LCFS	Low Carbon Fuel Standard
L <sub>dn</sub>	day/night sound level
LED	light-emitting diode
L <sub>eq</sub>	equivalent continuous sound level
L <sub>max</sub>	maximum instantaneous noise level
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
MM	Mitigation Measure
MMT	million metric tons
MND	Mitigated Negative Declaration
mph	miles per hour
MRF	Material Recovery Facility
NAHC	Native American Heritage Commission
ND	Negative Declaration
NO <sub>2</sub>	nitrogen dioxide
NOI	Notice of Intent
NOP	Notice of Preparation
NO <sub>x</sub>	oxides of nitrogen

NPDES	National Pollution Discharge Elimination System
NRHP	National Register of Historic Places
NSR	New Source Review
OAAA	Outdoor Advertising Association of America
PG&E	Pacific, Gas and Electric Company
PM <sub>10</sub>	particulate matter, including dust, 10 micrometers or less in diameter
PM <sub>2.5</sub>	particulate matter, including dust, 2.5 micrometers or less in diameter
ppb	parts per billion
ppm	parts per million
PPV	peak particle velocity
ROG	reactive organic gases
RPS	Renewables Portfolio Standard
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SJCOG	San Joaquin Council of Governments
SJMSCP	San Joaquin County Multi-Species Habitat Conservation and Open Space Plan
SO <sub>2</sub>	sulfur dioxide
SOI	Sphere of Influence
SO <sub>x</sub>	sulfur oxide
SRI	Solar Reflectance Index
TAC	toxic air contaminant
TCR	Tribal Cultural Resource
TPY	tons per year
USACE	United States Army Corps of Engineers
USDOT	United States Department of Transportation
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
Valley Air District	San Joaquin Valley Air Pollution Control District
VC	Village Center
VMT	Vehicle Miles Traveled
VOC	volatile organic compounds
WWTP	Wastewater Treatment Plant

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## **SECTION 1: INTRODUCTION**

### **1.1 - Purpose**

The purpose of this Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) is to identify any potential environmental impacts that would result from implementation of the City of Tracy Digital Freeway Sign Project (proposed project) located in the City of Tracy (City), in San Joaquin County, California. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15367, the City has discretionary authority over the proposed project and is the Lead Agency for the preparation of this Draft IS/MND and any additional environmental documentation required for the proposed project. The intended use of this document is to determine the level of environmental analysis required to adequately analyze the proposed project pursuant to the requirements of CEQA and to provide the basis for input from public agencies, organizations, and interested members of the public.

The remainder of this section provides a brief description of the project location and the primary project characteristics. Section 2 includes an environmental checklist that provides an overview of the potential impacts that may result from project implementation, elaborates on the information contained in the environmental checklist, and provides justification for each checklist response. Section 3 contains the List of Preparers.

### **1.2 - Overview**

The City proposes to amend Title 10, Chapter 10.08, Article 35 (Signs or Sign Ordinance) of the Tracy Municipal Code. The City also proposes to revise the Interstate 205 (I-205) Corridor Specific Plan to ensure consistency with the new Municipal Code provisions.

The I-205 Corridor Specific Plan area is the only part within the City in which digital freeway signs would be allowed. Based on the restrictions that would be imposed by the zoning text amendments, the City anticipates that up to two digital freeway signs could be constructed within the Specific Plan area:

- An existing freeway sign on Assessor's Parcel Number (APN) 213-060-40 (1005 East Pescadero Avenue) south of the I-205/MacArthur Boulevard interchange, would be converted to a digital freeway sign.
- A new digital freeway sign may be built in the vicinity of West Valley Mall, which is located north of the I-205/Naglee Road/Grant Line Road interchange.

Exhibits 1, 2, and 3 depict the proposed project's regional location (Exhibit 1), the boundaries of the I-205 Corridor Specific Plan (Exhibit 2), and the two locations where digital signs could potentially be located (Exhibit 3).

## **1.3 - Project Description**

### **1.3.1 - Project Background**

The City's Sign Ordinance is contained in Title 10, Chapter 10.08, Article 35 of the Tracy Municipal Code. The Sign Ordinance has not been updated comprehensively since 1978; accordingly, the City has now undertaken a comprehensive review and revision effort and the proposed text would replace the existing Article 35 in its entirety. The Sign Ordinance does not currently address digital freeway signs, and no digital freeway signs currently exist within the city limits.

### **1.3.2 - Sign Ordinance and I-205 Corridor Specific Plan Updates**

The Sign Ordinance will include new regulations (to be contained in Ordinance 10.08.4500(b)) on digital freeway signs. The City is also planning to revise the I-205 Corridor Specific Plan to ensure conformity with the updated Sign Ordinance. The proposed amendments to the Sign Ordinance and Specific Plan are contained in Appendix A and Appendix B.

### **1.3.3 - Digital Freeway Sign Characteristics**

Under the amended Sign Ordinance, a freeway sign is defined as a freestanding sign that is designed to be viewed from vehicles traveling on a freeway and is located within 350 feet of the freeway. A digital freeway sign is defined as a freeway sign “with a static message formed by selective internal illumination, and with a display that can be changed electronically. These may contain text or images and may be programmable.”

Like freeway signs in general, digital freeway signs would have a maximum height of 15 feet measured from the crown of the nearest freeway or 45 feet (whichever is less) and a maximum area of 300 square feet. Two digital display faces would be allowed, with each one positioned to be visible from opposing directions of traffic. The sign face display would not be allowed to change more often than every 8 seconds, and messages would be static (i.e., not moving or animated).

The I-205 Corridor Specific Plan amendments may allow digital freeway signs to be larger/taller than is specified in Ordinance 10.08.4500(b), pursuant to a Conditional Use Permit, but only for the conversion of an existing sign with a digital display of the same size and height.

In addition to the other requirements set forth in the amended Sign Ordinance and the I-205 Corridor Specific Plan, digital freeway signs would comply with the requirements of the Outdoor Advertising Act and Regulations, California Business and Professions Code Section 5200 *et seq.*, and other State and federal statutes. Federal and State law would prevail in the case of any conflict between those laws, the ordinance, and the Specific Plan.

### **1.3.4 - Potential Digital Freeway Sign Locations**

The I-205 Corridor Specific Plan area would be the only area in the City in which digital freeway signs would be allowed. Digital freeway signs would be permitted on “non-residentially designated land within the MacArthur Planning Area and the Grant Line North Planning Area,” and no more than one digital freeway sign would be allowed for every 2 miles of freeway frontage in those areas. Based on

these parameters, the City anticipates that no more than two signs would be constructed, as described below.

### **Existing Freeway Sign at APN 213-060-40**

As part of the proposed project, an existing freeway sign, located at 1005 East Pescadero Avenue, south of the I-205/MacArthur Boulevard interchange (the Tracy Outlets sign) would be converted to a digital freeway sign. The display would have the same dimensions as the existing sign. Only the billboard faces would be replaced; the pole would remain in place and no ground disturbance would be required for the conversion. Exhibit 4 depicts the existing freeway sign.

### **Potential Digital Freeway Sign at West Valley Mall**

A second sign could be placed in the vicinity of West Valley Mall. Because this would be a new sign, some ground disturbance would be required.

Collectively, these sites are described as the “project sites.” In instances where the project sites need to be analyzed separately, the individual sites are described as the “Tracy Outlets site” and the “West Valley Mall site.”

#### **1.3.5 - Relevant Lighting Regulations and Standards**

The California Department of Transportation (Caltrans) Outdoor Advertising Act and Regulations 2011 Edition (Outdoor Advertising Act) addresses illumination generated by advertising displays by stating that displays may not “interfere with the effectiveness of, or obscure any official traffic sign, device, or signal . . . nor shall any advertising display cause beams or rays of light to be directed at the traveled ways if the light is of an intensity or brilliance as to cause glare or to impair the vision of any driver, or to interfere with any driver’s operation of a motor vehicle.” Caltrans regulations prohibit images on signs from changing more than once every four seconds.<sup>1</sup>

With respect to the brightness of signs, Business and Professions Code Section 5403(g) defines the brightness standard for changeable electronic variable message billboards in relation to Vehicle Code Section 21466.5, which provides:

No person shall place or maintain or display, upon or in view of any highway, any light of any color of such brilliance as to impair the vision of drivers upon the highway. A light source shall be considered vision impairing when its brilliance exceeds the values listed below.

The brightness reading of an objectionable light source shall be measured with a 1½-degree photoelectric brightness meter placed at the driver’s point of view. The maximum measured brightness of the light source within 10 degrees from the driver’s normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver’s field of view, except that when the minimum

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<sup>1</sup> California Department of Transportation (Caltrans). 2011. Outdoor Advertising Act and Regulations 2011 Edition. California Business Professional Code Sections 5200–5486.

measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source.

The Outdoor Advertising Association of America (OAAA), however, recommends more conservative lighting intensity standards for billboards of the proposed size. The project commits to a maximum ambient light output level of 0.3 foot-candle at a distance of 250 feet from the billboards, as recommended by the OAAA. The light levels emitted from the billboards would be set to adjust based upon ambient light conditions at any given time (i.e., nighttime versus daytime).

## **1.4 - Required Discretionary Approvals**

As mentioned previously, the City has discretionary authority over the proposed project and is the CEQA Lead Agency for the preparation of this Draft IS/MND. To implement the proposed project, the City would need to secure the following permits/approvals:

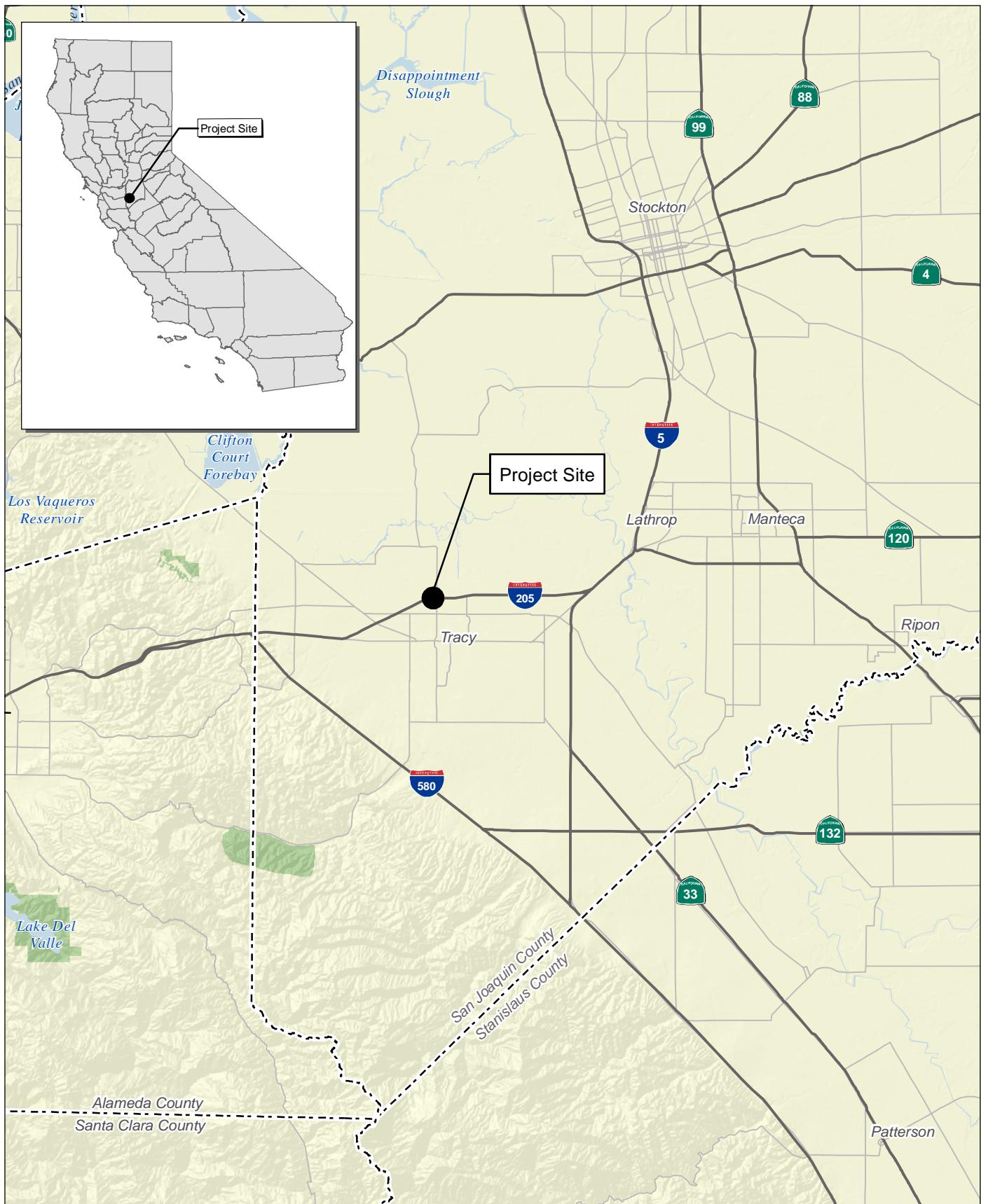
- Adoption of the Draft IS/MND
- Adoption of new Zoning Code Text for Chapter 10.08 Article 35 (Signs)
- Approval of corresponding amendments to the I-205 Specific Plan
- Encroachment Permits (if public right-of-way is used)
- Outdoor Advertising Permit/Relocation Agreement approval by Caltrans
- Conditional Use Permits
- Ministerial approvals, including building permits

Subsequent activities would be examined in light of the adopted Draft IS/MND to determine whether additional CEQA documentation would be required pursuant to Section 15162 of the CEQA Guidelines for subsequent approvals by the City and Caltrans, including the permits/approvals listed above.

## **1.5 - Intended Uses of this Document**

This Draft IS/MND has been prepared to determine the appropriate scope and level of detail required in completing the environmental analysis for the proposed project. This document will also serve as a basis for soliciting comments and input from public agencies, organizations, and interested members of the public. The Draft IS/MND will be circulated for a minimum of 20 days, during which comments concerning the analysis contained in the Draft IS/MND should be sent to:

Victoria Lombardo, Senior Planner  
City of Tracy  
333 Civic Plaza  
Tracy, CA 95376  
Phone: 209.831.6428  
Email: [Victoria.Lombardo@cityoftracy.org](mailto:Victoria.Lombardo@cityoftracy.org)



Source: Census 2000 Data, The California Spatial Information Library (CaSIL).

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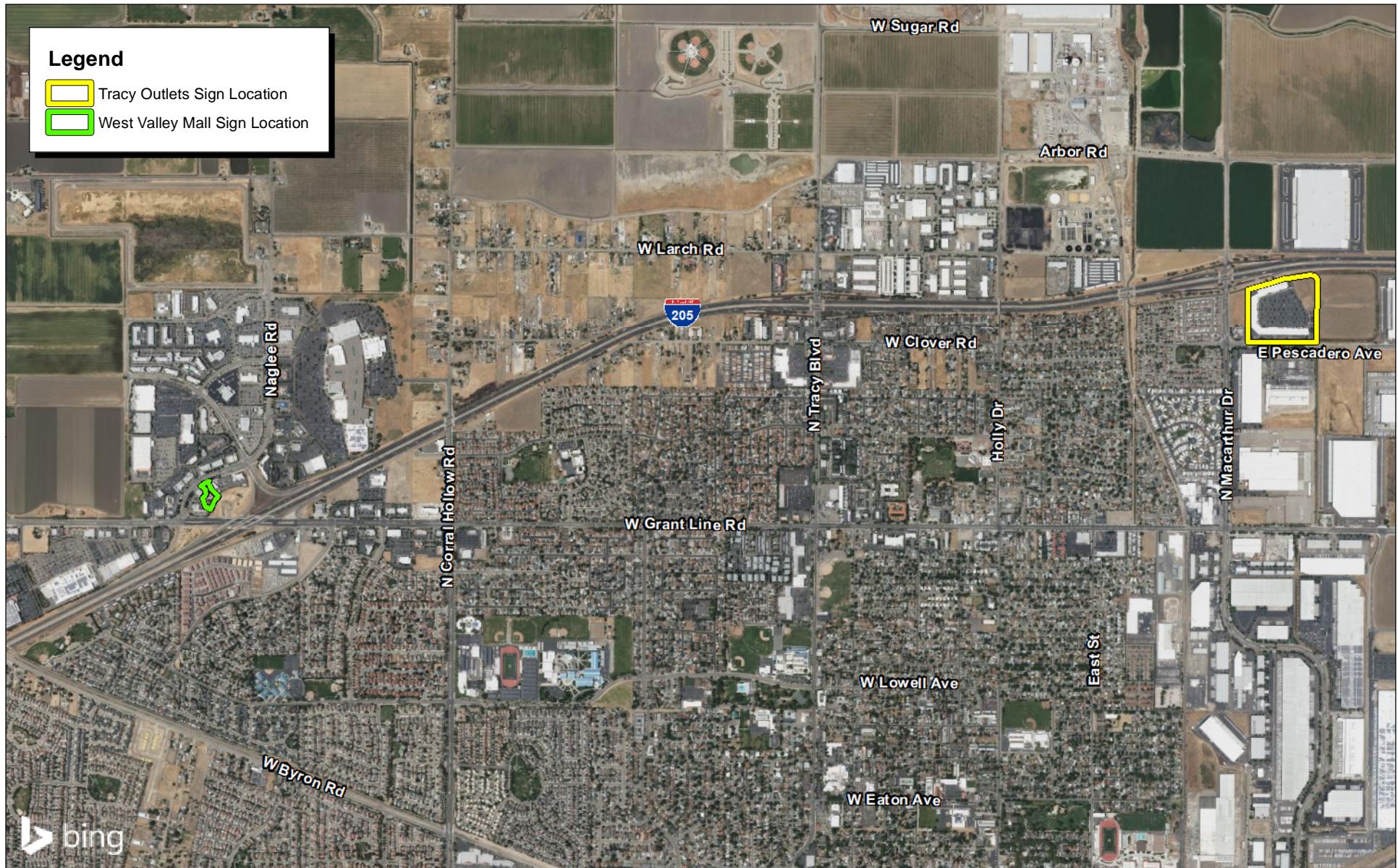


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Exhibit 1

Regional Location Map

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Source: Bing Aerial Imagery.

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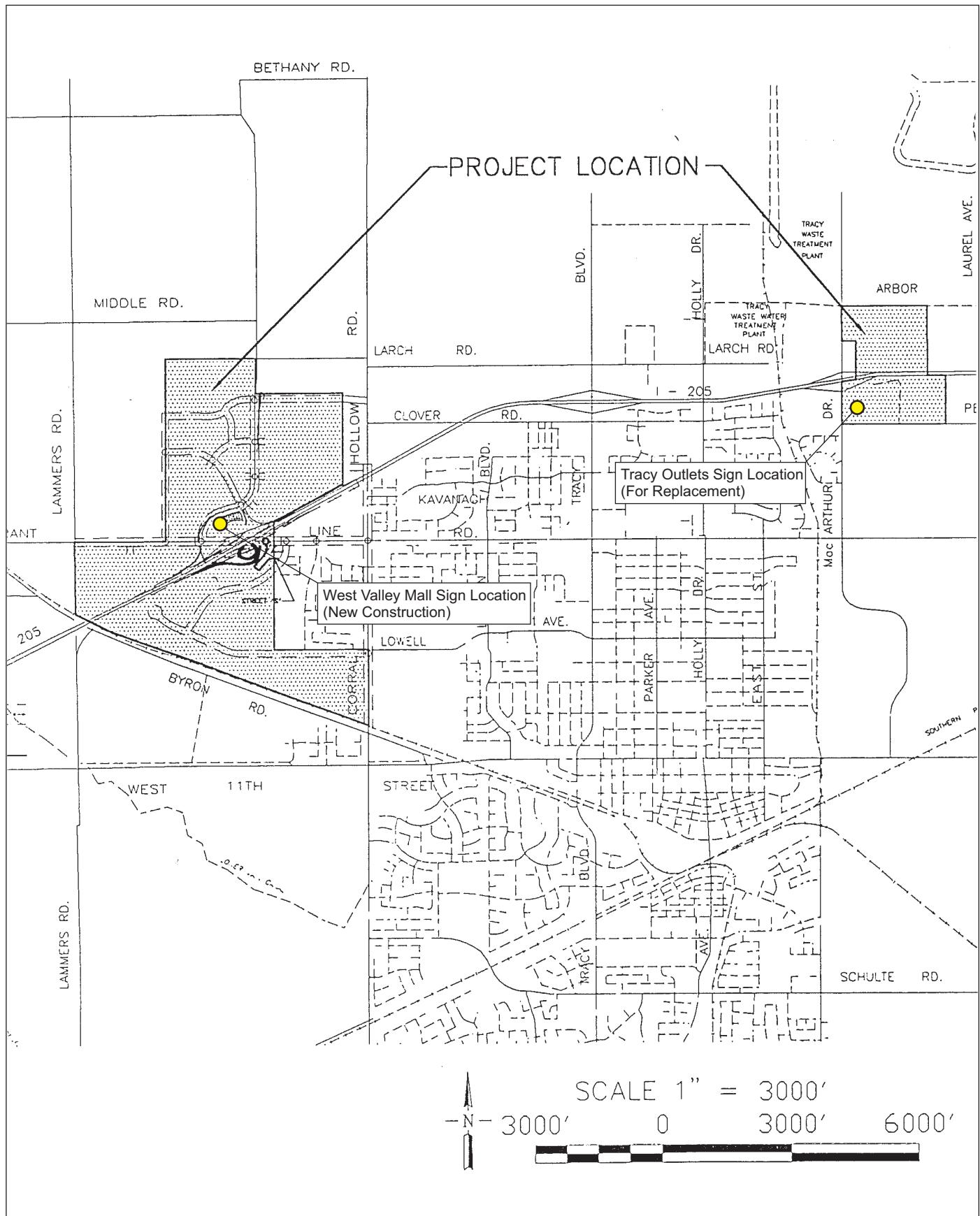
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## Exhibit 2 Local Vicinity Map

CITY OF TRACY  
DIGITAL FREEWAY SIGN PROJECT  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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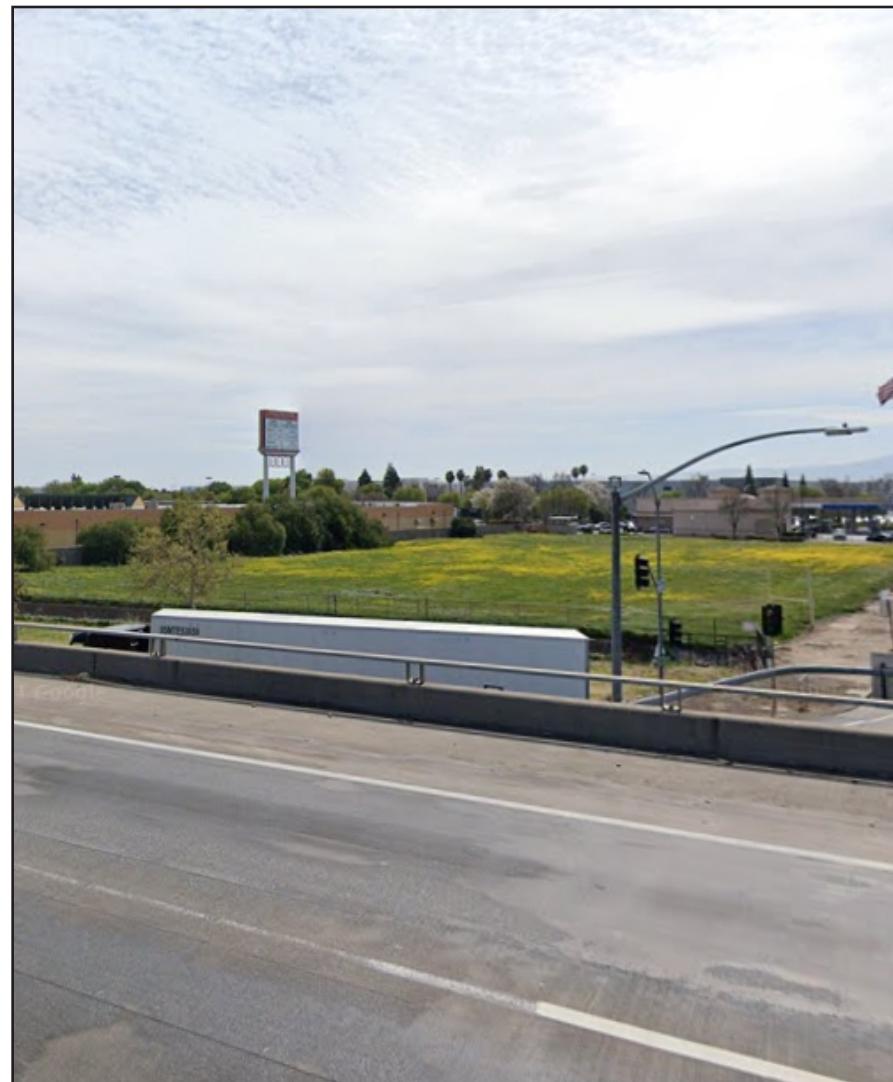
Source: City of Tracy I-205 Corridor Specific Plan Amendment.



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Existing Tracy Outlets Sign.



Existing Tracy Outlets Sign Viewed from I-205 (East Bound).

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## **SECTION 2: ENVIRONMENTAL CHECKLIST AND ENVIRONMENTAL EVALUATION**

<b>Environmental Factors Potentially Affected</b>					
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.					
<input checked="" type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry Resources	<input type="checkbox"/>	Air Quality
<input checked="" type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology/Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards/Hazardous Materials
<input type="checkbox"/>	Hydrology/Water Quality	<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities/Services Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

<b>Environmental Determination</b>
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On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

## SECTION 2: ENVIRONMENTAL CHECKLIST AND ENVIRONMENTAL EVALUATION

### Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/>	Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/> Energy
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/> Hazards/Hazardous Materials
<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Noise	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities/Services Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/> Mandatory Findings of Significance

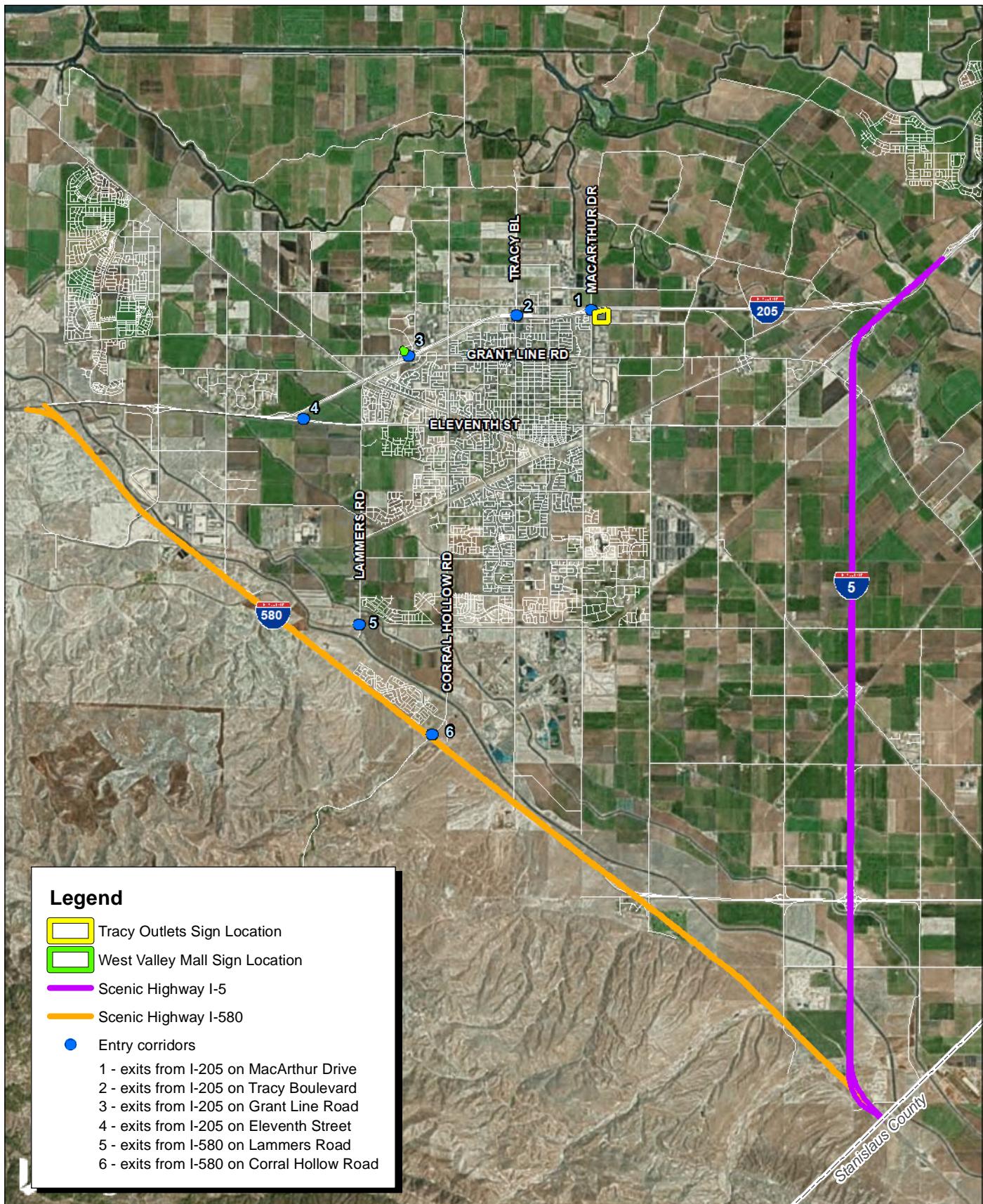
### Environmental Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Date: 8/24/2021

Signed: Vintona Lmehado



Source: Bing Aerial Imagery.

Exhibit 5

Designated California Scenic Highways and Entry Corridors

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The I-205 Freeway is located approximately 500 feet north of the Tracy Outlet site. The segment of the I-580 that is a dedicated California Scenic Highway is located approximately 3.5 miles west of the site. The segment of the I-5 is that is a dedicated California Scenic Highway is located approximately 3.9 miles east of the site.

The I-205 is located approximately 450 feet south of the West Valley Mall site. The segment of the I-580 that is a dedicated California Scenic Highway is located approximately 4.5 mile west of the site. The segment of the I-5 is that is a dedicated California Scenic Highway is located approximately 6.6 miles east of the site.

The analysis in this section is based, in part, on the Caltrans Outdoor Advertising Act and the Business and Professions Code Section 5403(g) for construction of electronic, light-emitting diode (LED) billboards.

Would the project:

**a) Have a substantial adverse effect on a scenic vista?**

**Less than significant impact.** The proposed Sign Ordinance update would include new regulations related to digital billboards; corresponding revisions for the I-205 Corridor Specific Plan would ensure conformity to the updated Sign Ordinance. Specifically, height restrictions would be imposed as part of the Sign Ordinance and I-205 Corridor Specific Plan updates to ensure that billboards would not have an adverse impact on scenic vistas.

The proposed upgrade of the current billboard at the Tracy Outlets site would replace the existing billboard faces and therefore would not have new impacts to a scenic vista. The West Valley Mall site does not afford any views to scenic vistas. Therefore, construction of a new billboard would not have a substantial adverse impact on a scenic vista. Impacts would be less than significant.

**b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?**

**No impact.** As previously described, under the amended I-205 Corridor Specific Plan, digital freeway signs would only be permitted on “non-residentially designated land within the MacArthur Planning Area and the Grant Line North Planning Area.” These Planning Areas are not part of a State Scenic Highway.

There are neither rock outcroppings nor historic buildings located on either of the project sites. None of the roadways located near the project sites are designated scenic highways. A segment of I-580 is a designated scenic highway and is located approximately 4.5 miles southwest of the West Valley Mall site and is approximately 3.5 miles southeast of the Tracy Outlets site. The proposed project involves an upgrade to digital faces for the existing billboard at the Tracy Outlets site and the installation of a two-faced digital billboard at the West Valley Mall site. The proposed project would not involve the removal of any trees. As a result, no impacts would occur.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

**Less than significant impact.** The proposed Sign Ordinance and proposed updates to the I-205 Corridor Specific Plan would require the proposed billboards to be located on “non-residentially designated land” of the I-205 Corridor Specific Plan area. Additionally, pursuant to other requirements set forth in the amended Sign Ordinance and the I-205 Corridor Specific Plan, digital freeway signs would be required to comply with the requirements of the Outdoor Advertising Act and Regulations. As such, the impacts related to degrading the existing visual character or quality of public views would be less than significant.

The project sites are located in an urbanized area and the existing visual setting of the billboard sites consist of commercial uses adjacent to heavily traveled roadways. The proposed new digital billboard would be consistent with the standards in the Caltrans Outdoor Advertising Act, the proposed project would commit to a maximum ambient light output level of 0.3 foot-candle at 250 feet from the billboards, which is a more conservative lighting intensity standard for billboards of this proposed size when compared to State standards related to illumination intensity. Because the project involves amendments to the applicable zoning provisions, it would be consistent with applicable zoning and other local regulations. Therefore, impacts would be less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

**Less than significant impact with mitigation incorporated.** The nearest sensitive receptors to the Tracy Outlets site are residential units located approximately 370 feet west of the site, and the nearest sensitive receptors to the West Valley Mall site are residential units located approximately 530 feet south of the site.

As noted above, the Sign Ordinance update would require billboard projects to commit to a maximum ambient light output level of 0.3 foot-candle at 250 feet from the billboards, which is a more conservative lighting intensity standard for billboards of this proposed size when compared to State standards. For a frame of reference, 0.3 foot-candle is comparable in brightness to the light emanating from a computer monitor, and the light levels emitted from the proposed billboards would be set to adjust based upon ambient light conditions at any given time (i.e., nighttime versus daytime).

At a distance of 350 feet and 530 feet, respectively, the nearest residences would not be adversely affected by the proposed digital displays.

To ensure that the proposed billboards constructed as part of the Sign Ordinance and I-205 Corridor Specific Plan updates would not have a significant impact on the nearby sensitive uses, the proposed project would be required to implement Mitigation Measure (MM) AES-1 and MM AES-2. MM AES-1 would ensure that the proposed billboards would include an operating mechanism that turns off the

display or turns it all black in the event of a malfunction. MM AES-2 would require that the digital billboard signs' operational parameters be provided to the City for review and approval prior to initial operation. With implementation of MM AES-1 and MM AES-2, the proposed project would not adversely affect day or nighttime views within the project area. Thus, impacts would be less than significant with mitigation incorporated.

### ***Analysis of Driver Distraction***

Driver distraction could occur due to the changing of electronic messages on the proposed LED billboards. Several federal and State regulations apply to the operation of electronic billboards, as discussed below. This data is provided for information purposes; it is not a CEQA threshold.

- California law allows LED billboards to operate at a minimum dwell time of no less than four seconds before the display may transition to the next image. This requirement is set forth in Business and Professions Code Section 5405(d)(1), which provides, in pertinent part, “. . . no message center display may include any illumination or message change that is in motion or appears to be in motion or that changes in intensity or exposes its message for less than four seconds.”
- OAAA likewise recommends that billboards display a message for no less than 4 seconds.
- The Federal Highway Administration (FHWA), meanwhile, has approved of a similar dwell time standard. According to a FHWA memorandum, the acceptable range for the “[d]uration of each display is generally between 4 and 10 seconds—8 seconds is recommended.”

The proposed Sign Ordinance updates require that the sign face display would not be allowed to change more often than every 8 seconds, and messages would be static (i.e., not moving or animated). The proposed Sign Ordinance updates would therefore ensure that construction of digital billboards pursuant to the Ordinance would not exceed the relevant State and federal requirements, and would therefore avoid any significant distraction drivers.

## **Mitigation Measures**

**MM AES-1** The plans for the light-emitting diode (LED) billboard to be approved by the City shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash.

**MM AES-2** The signs' operational lighting parameters shall be provided to the City of Tracy Community Development Department for review and approval prior to the regular operation of the light-emitting diode (LED) billboards, and shall be implemented by the project proponent to ensure no drivers will be adversely affected or impacted by trespass glare lighting.

<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant Impact with Mitigation Incorporated</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
<b>2.2 Agriculture and Forestry Resources</b>				
<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **Environmental Evaluation**

*In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection (CAL FIRE) regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and*

forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board (ARB).

## **Setting**

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) produces maps that display farmland within the State. The Department of Conservation Inventory Map confirms that the project sites are classified as Urban and Built-Up Land.<sup>4</sup> The nearest farmland is located approximately 820 feet north of the Tracy Outlets site and approximately 870 feet west of the West Valley Mall site.

Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan include new regulations related to digital freeway signs and would have no impacts regarding the conversion of farmland.

As discussed above, the project sites are designated as "Urban and Built-Up Land." Therefore, development of the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. No impact would occur.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan include new regulations related to digital freeway signs and would have no impacts regarding potential conflicts with agricultural zoning or a Williamson Act contract.

The project sites are not zoned for agricultural use. The West Valley Mall and the Tracy Outlets sites are both zoned for General Commercial within the I-205 Corridor Specific Plan. Neither project site is encumbered by a Williamson Act contract.<sup>5</sup> No impact would occur.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

and

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<sup>4</sup> Department of Conservation. 2018. California Important Farmland Finder. Website: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed May 18, 2021.

<sup>5</sup> Department of Conservation. 2017. State of California Williamson Act Contract Land. Website: [https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/Planning/EIR%20Schulte%20Road%20Logistics%20Center%20Draft/CDOC%202016\\_State%20of%20CA%20Williamson%20Act%20Map.pdf](https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/Planning/EIR%20Schulte%20Road%20Logistics%20Center%20Draft/CDOC%202016_State%20of%20CA%20Williamson%20Act%20Map.pdf). Accessed July 15, 2021.

**d) Result in the loss of forest land or conversion of forest land to non-forest use?**

**No impact.** According to the California Public Resources Code, “forest land” is land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.<sup>6</sup> As discussed above, The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan include new regulations related to digital freeway signs and would have no impacts regarding the loss or conversion of forest land.

The project sites are zoned as General Commercial, and are not zone for forest use. This condition precludes the possibility of a conflict with a forest zoning designation. The project sites do not contain nor are adjacent to any forested land. Therefore, there would be no loss of forest land or conversion of forest land to non-forest use as a result of the proposed project. No impact would occur.

**e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only include new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment which could result in conversion of farmland or forest land. As a result, no impact would occur.

The project sites do not support commercial scale cultivated agricultural activities. There is no Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Forest Land on-site. This condition precludes the possibility of conversion of farmland to non-agricultural use, or forest land to non-forest use. No impact would occur.

## **Mitigation Measures**

None required.

<sup>6</sup> Thomson Reuters Westlaw. 2019. California Code, Public Resources Code 12220.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.3 Air Quality</b>				
<i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.</i>				
<i>Would the project:</i>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors or) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

### Setting

The proposed project is located in the City of Tracy in San Joaquin County, within the San Joaquin Valley Air Basin (Air Basin). Regional and local air quality is impacted by topography, dominant airflows, atmospheric inversions, location, and season. The following section describes these conditions as they pertain to the Air Basin.

### Existing Air Quality Conditions

The local air quality can be evaluated by reviewing relevant air pollution concentrations near the project area. Table 1 summarizes 2017 through 2019 published monitoring data, which is the most recent 3-year period available. The table displays data from the Tracy Airport monitoring station (located approximately 5 miles southeast of the West Valley Mall site) for ozone, nitrogen dioxide, and particulate matter, including dust, 10 micrometers or less in diameter (PM<sub>10</sub>) concentrations. As particulate matter, including dust, 2.5 micrometers or less in diameter (PM<sub>2.5</sub>) concentrations were not available at the Tracy Airport monitoring station, the next closest station with PM<sub>2.5</sub> was used to provide PM<sub>2.5</sub> concentrations representative of the project area. Table 1 provides PM<sub>2.5</sub> concentrations from the Manteca-530 Fishback Road monitoring station, located approximately 7.5 miles northeast of the Tracy Outlets site. No CO or SO<sub>2</sub> concentrations were available at any nearby monitoring station. The data shows that during the past 3 years, the project area has exceeded the

national ozone and PM<sub>2.5</sub> standards and the State ozone and PM<sub>10</sub> standards. The data in the table reflects the concentration of the pollutants in the air, measured using air monitoring equipment. This differs from emissions, which are calculations of a pollutant being emitted over a certain period.

**Table 1: Air Quality Monitoring Summary**

Air Pollutant	Averaging Time	Item	2017	2018	2019
Ozone <sup>1</sup>	1 Hour	Max 1 Hour (ppm)	0.093	<b>0.099</b>	<b>0.095</b>
		Days > State Standard (0.09 ppm)	0	<b>1</b>	<b>1</b>
	8 Hours	Max 8 Hours (ppm)	<b>0.082</b>	<b>0.081</b>	<b>0.079</b>
		Days > State Standard (0.07 ppm)	7	<b>8</b>	<b>3</b>
		Days > National Standard (0.075 ppm)	<b>3</b>	<b>3</b>	<b>1</b>
Carbon monoxide <sup>3</sup>	8 Hours	Max 8 Hours (ppm)	ND	ND	ND
		Days > State Standard (9 ppm)	ND	ND	ND
		Days > National Standard (9 ppm)	ND	ND	ND
Nitrogen dioxide <sup>1</sup>	Annual	Annual Average (ppm)	0.004	0.005	0.004
	1 Hour	Max 1 Hour (ppm)	0.041	0.049	0.037
		Days > State Standard (0.18 ppm)	0	0	0
Sulfur dioxide <sup>3</sup>	Annual	Annual Average (ppm)	ND	ND	ND
	24 Hours	Max 24 Hours (ppm)	ND	ND	ND
		Days > State Standard (0.04 ppm)	ND	ND	ND
Inhalable coarse particles (PM <sub>10</sub> ) <sup>1</sup>	Annual	Annual Average (µg/m <sup>3</sup> )	22.6	24.7	19.4
	24 Hours	24 Hours (µg/m <sup>3</sup> )	152.0	<b>250.2</b>	<b>241.4</b>
		Days > State Standard (50 µg/m <sup>3</sup> )	ID	ID	ID
		Days > National Standard (150 µg/m <sup>3</sup> )	0	<b>2</b>	1
Fine particulate matter (PM <sub>2.5</sub> ) <sup>2</sup>	Annual	Annual Average (µg/m <sup>3</sup> )	11.1	13.4	ID
	24 Hours	24 Hours (µg/m <sup>3</sup> )	<b>50.0</b>	<b>180.0</b>	<b>42.4</b>
		Days > National Standard (35 µg/m <sup>3</sup> )	9	<b>15</b>	ID

Source: California Air Resources Board (ARB). 2021. Website: <https://www.arb.ca.gov/adam/trends/trends1.php>. Accessed June 2, 2021.

Notes:

> = exceed      ppm = parts per million      µg/m<sup>3</sup> = micrograms per cubic meter

ND = no data      max = maximum      **Bold** = exceedance

State Standard = California Ambient Air Quality Standard

National Standard = National Ambient Air Quality Standard

<sup>1</sup> Ozone, PM<sub>10</sub>, and NO<sub>2</sub> concentrations and exceedances were drawn from the Tracy Airport monitoring station.

<sup>2</sup> PM<sub>2.5</sub> concentrations and exceedances were drawn from the Manteca-530 Fishback Rd monitoring station.

<sup>3</sup> No concentrations of SO<sub>2</sub> and CO were unavailable for monitoring sites in the project area.

The health impacts of the various air pollutants of concern can be presented in a number of ways. The clearest in comparison is to the State and federal ozone standards. If concentrations are below the standard, it is safe to say that no health impact would occur to anyone. When concentrations exceed the standard, impacts will vary based on the amount the standard is exceeded. The United States Environmental Protection Agency (EPA) developed the Air Quality Index (AQI) as an easy-to-understand measure of health impacts compared with concentrations in the air. Table 2 provides a description of the health impacts ozone at different concentrations.

**Table 2: Air Quality Index and Health Effects**

<b>Air Quality Index/ 8-hour Ozone Concentration</b>	<b>Health Effects Description</b>
AQI—0–50 (Good) Concentration 0–54 parts per billion (ppb)	<b>Sensitive Groups:</b> Children and people with asthma are the groups most at risk.
	<b>Health Effects Statements:</b> None.
	<b>Cautionary Statements:</b> None.
AQI—51–100 (Moderate) Concentration 55–70 ppb	<b>Sensitive Groups:</b> Children and people with asthma are the groups most at risk.
	<b>Health Effects Statements:</b> Unusually sensitive individuals may experience respiratory symptoms.
	<b>Cautionary Statements:</b> Unusually sensitive people should consider limiting prolonged outdoor exertion.
AQI—101–150 (Unhealthy for Sensitive Groups) Concentration 71–85 ppb	<b>Sensitive Groups:</b> Children and people with asthma are the groups most at risk.
	<b>Health Effects Statements:</b> Increasing likelihood of respiratory symptoms and breathing discomfort in active children and adults and people with respiratory disease, such as asthma.
	<b>Cautionary Statements:</b> Active children and adults, and people with respiratory disease, such as asthma, should limit prolonged outdoor exertion.
AQI—151–200—(Unhealthy) Concentration 86–105 ppb	<b>Sensitive Groups:</b> Children and people with asthma are the groups most at risk.
	<b>Health Effects Statements:</b> Greater likelihood of respiratory symptoms and breathing difficulty in active children and adults and people with respiratory disease, such as asthma; possible respiratory effects in general population.
	<b>Cautionary Statements:</b> Active children and adults, and people with respiratory disease, such as asthma, should avoid prolonged outdoor exertion; everyone else, especially children, should limit prolonged outdoor exertion.

Air Quality Index/ 8-hour Ozone Concentration	Health Effects Description
AQI—201-300(Very Unhealthy) Concentration 106-200 ppb	<b>Sensitive Groups:</b> Children and people with asthma are the groups most at risk.
	<b>Health Effects Statements:</b> Increasingly severe symptoms and impaired breathing likely in active children and adults and people with respiratory disease, such as asthma; increasing likelihood of respiratory effects in general population.
	<b>Cautionary Statements:</b> Active children and adults, and people with respiratory disease, such as asthma, should avoid all outdoor exertion; everyone else, especially children, should limit outdoor exertion.

Source: airnow.gov. AQI Calculator. Website: <https://www.airnow.gov/aqi/aqi-calculator/>. Accessed May 16, 2021.

Based on the AQI scale for the 8-hour ozone standard, Tracy experienced 18 days in the last 3 years that would be categorized as unhealthy for sensitive groups (AQI 150), as measured at the Tracy Airport monitoring station.

### Attainment Status

The EPA and the ARB designate air basins where ambient air quality standards are exceeded as “nonattainment” areas. If standards are met, the area is designated as an “attainment” area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered “unclassified.” National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards.

Each standard has a different definition, or “form” of what constitutes attainment, based on specific air quality statistics. For example, the federal 8-hour CO standard is not to be exceeded more than once per year; therefore, an area is in attainment of the CO standard if no more than one 8-hour ambient air monitoring measurement exceeds the threshold per year. In contrast, the federal annual PM<sub>2.5</sub> standard is met if the 3-year average of the annual average PM<sub>2.5</sub> concentration is less than or equal to the standard.

The current attainment designations for the Air Basin are shown in Table 3. The Air Basin is designated as nonattainment for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>.

**Table 3: San Joaquin Valley Air Basin Attainment Status**

Pollutant	State Status	National Status
Ozone—1 Hour	Nonattainment/Severe	No Standard
Ozone—8 Hour	Nonattainment	Nonattainment/Extreme
Carbon monoxide	Attainment/Unclassified	Merced, Madera, and Kings Counties are unclassified; others are in Attainment
Nitrogen dioxide	Attainment	Attainment/Unclassified

Pollutant	State Status	National Status
Sulfur dioxide	Attainment	Attainment/Unclassified
PM <sub>10</sub>	Nonattainment	Attainment
PM <sub>2.5</sub>	Nonattainment	Nonattainment
Lead	Attainment	No Designation/Classification

Source: California Air Resources Board (ARB). 2021. Maps of State and Federal Area Designations. Website: <https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations>. Accessed May 28, 2021.

## **Regulatory Setting**

Air pollutants are regulated primarily to protect human health and for secondary effects such as visibility and property damage from pollutant deposition. The Clean Air Act of 1970 tasks the EPA with setting air quality standards. The State of California also sets air quality standards that are in some cases more stringent than federal standards and address additional pollutants. The following section describes these State and local standards and the health effects of the regulated pollutants.

### **San Joaquin Valley Air Pollution Control District**

#### ***Ozone Plans***

The Air Basin is designated nonattainment of State and federal health-based air quality standards for ozone. To meet Clean Air Act requirements for the one-hour ozone standard, the San Joaquin Valley Air Pollution Control District (Valley Air District) adopted an Extreme Ozone Attainment Demonstration Plan in 2004, with an attainment date of 2010. Although the EPA revoked the federal 1-hour ozone standard effective June 15, 2005, and replaced it with an 8-hour standard, the requirement to submit a plan for that standard remained in effect for the San Joaquin Valley.

The planning requirements for the 1-hour plan remain in effect until replaced by a federal 8-hour ozone attainment plan. The EPA approved the 2004 Extreme Ozone Attainment Demonstration Plan, including revisions to the plan, on March 8, 2010, effective April 7, 2010. However, the Air Basin failed to attain the standard in 2010 and was subject to a \$29 million Clean Air Act penalty. The penalty is being collected through an additional \$12 motor vehicle registration surcharge for each passenger vehicle registered in the Air Basin that will be applied to pollution reduction programs in the region. The Valley Air District also instituted a more robust ozone episodic program to reduce emissions on days with the potential to exceed the ozone standards. On July 18, 2016, the EPA published in the Federal Register a final action determining that the San Joaquin Valley has attained the 1-hour ozone national ambient air quality standard. This determination is based on the most recent 3-year period (2012–2014) of sufficient, quality-assured, and certified data.<sup>7</sup>

The EPA originally classified the Air Basin as serious nonattainment for the 1997 federal 8-hour ozone standard with an attainment date of 2013. On April 30, 2007, the Valley Air District Governing Board adopted the 2007 Ozone Plan, which contained analysis showing a 2013 attainment target to be

<sup>7</sup> California Air Resources Board (ARB). 2016. Fact Sheet, Final Rule for San Joaquin Valley Determination of Attainment of the 1-Hour Ozone National Ambient Air Quality Standards. June 30. Website: <https://www.federalregister.gov/documents/2016/07/18/2016-16792/determination-of-attainment-of-the-1-hour-ozone-national-ambient-air-quality-standard-in-the-san>. Accessed June 1, 2021.

infeasible. The 2007 Ozone Plan details the plan for achieving attainment on schedule with an “extreme nonattainment” deadline of 2024. At its adoption of the 2007 Ozone Plan, the Valley Air District also requested a reclassification to extreme nonattainment. ARB approved the plan in June 2007, and the EPA approved the request for reclassification to extreme nonattainment on April 15, 2010.

The 2007 Ozone Plan contains measures to reduce ozone and particulate matter precursor emissions to bring the Basin into attainment with the federal 8-hour ozone standard. The 2007 Ozone Plan calls for a 75 percent reduction of NO<sub>x</sub> and a 25 percent reduction of reactive organic gases (ROG). Figure 1, below, displays the anticipated NO<sub>x</sub> reductions attributed in the 2007 Ozone Plan.<sup>8</sup> The plan, with innovative measures and a “dual path” strategy, assures expeditious attainment of the federal 8-hour ozone standard for all Air Basin residents. The Valley Air District Governing Board adopted the 2007 Ozone Plan on April 30, 2007. The ARB approved the plan on June 14, 2007. The 2007 Ozone Plan requires yet to be determined “Advanced Technology” to achieve additional reductions after 2021, in order to attain the standard at all monitoring stations in the Air Basin by 2024 as allowed for areas designated extreme nonattainment by the Clean Air Act.

The Air Basin is designated as an extreme ozone nonattainment area for the EPA’s 2008 8-hour ozone standard of 75 ppb. The plan to address this standard was developed for the region to attain EPA’s 2008 8-hour ozone standard by December 31, 2031.

State ozone standards do not have an attainment deadline but require implementation of all feasible measures to achieve attainment at the earliest date possible. This is achieved through compliance with the federal deadlines and control measure requirements.

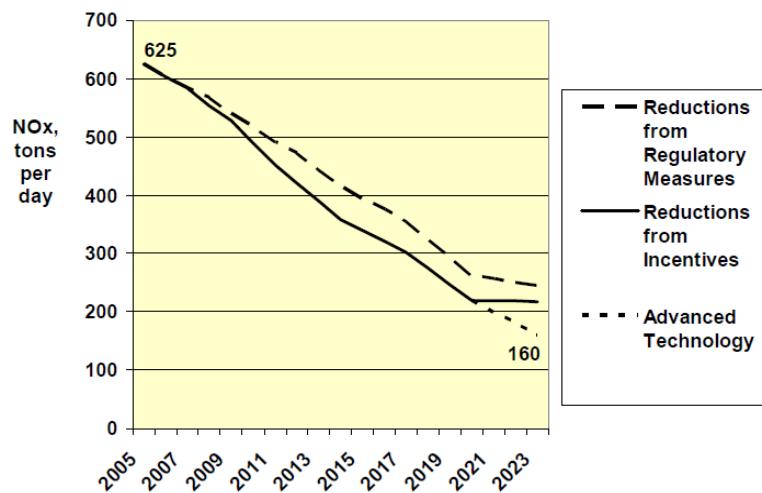


Figure 1: San Joaquin Valley NO<sub>x</sub> Emissions Forecast<sup>9</sup>

<sup>8</sup> San Joaquin Valley Air Pollution Control District (Valley Air District). 2007. 2007 8-Hour Ozone Plan. Website: [http://www.valleyair.org/air\\_quality\\_plans/docs/AQ\\_Ozone\\_2007\\_Adopted/2007\\_8HourOzone\\_CompletePlan.pdf](http://www.valleyair.org/air_quality_plans/docs/AQ_Ozone_2007_Adopted/2007_8HourOzone_CompletePlan.pdf). Accessed May 27, 2021.

<sup>9</sup> San Joaquin Valley Air Pollution Control District (Valley Air District). 2007. 2007 8-Hour Ozone Plan. Website: [http://www.valleyair.org/air\\_quality\\_plans/docs/AQ\\_Ozone\\_2007\\_Adopted/2007\\_8HourOzone\\_CompletePlan.pdf](http://www.valleyair.org/air_quality_plans/docs/AQ_Ozone_2007_Adopted/2007_8HourOzone_CompletePlan.pdf). Accessed May 27, 2021.

### **Particulate Matter Plans**

The Air Basin was designated nonattainment of State and federal health-based air quality standards for PM<sub>10</sub>. The Air Basin is also designated nonattainment of State and federal standards for PM<sub>2.5</sub>.

To meet Clean Air Act requirements for the PM<sub>10</sub> standard, the Valley Air District adopted a PM<sub>10</sub> Attainment Demonstration Plan (Amended 2003 PM<sub>10</sub> Plan and 2006 PM<sub>10</sub> Plan), which has an attainment date of 2010. The Valley Air District adopted the 2007 PM<sub>10</sub> Maintenance Plan in September 2007 to assure the San Joaquin Valley's continued attainment of the EPA's PM<sub>10</sub> standard. The EPA designated the Valley as an attainment/maintenance area for PM<sub>10</sub> on September 25, 2008. Although the San Joaquin Valley has exceeded the standard since then, those days were considered exceptional events that are not considered a violation of the standard for attainment purposes.

The 2008 PM<sub>2.5</sub> Plan builds upon the comprehensive strategy adopted in the 2007 Ozone Plan to bring the Air Basin into attainment of the 1997 national standards for PM<sub>2.5</sub>. The EPA has identified NO<sub>x</sub> and sulfur dioxide as precursors that must be addressed in air quality plans for the 1997 PM<sub>2.5</sub> standards. The 2008 PM<sub>2.5</sub> Plan is a continuation of the Valley Air District's strategy to improve the air quality in the Air Basin. The EPA issued final approval of the 2008 PM<sub>2.5</sub> Plan on November 9, 2011, which became effective on January 9, 2012. The EPA approved the emissions inventory, the reasonably available control measures/reasonably available control technology demonstration, reasonable further progress demonstration, attainment demonstration and associated air quality modeling, and the transportation conformity motor vehicle emissions budgets. The EPA also granted California's request to extend the attainment deadline for the San Joaquin Valley to April 5, 2015, and approved commitments to measures and reductions by the Valley Air District and the ARB. Finally, it disapproved the State Implementation Plan's contingency provisions and issued a protective finding for transportation conformity determinations.

In December 2012, the Valley Air District adopted the 2012 PM<sub>2.5</sub> Plan to bring the San Joaquin Valley into attainment of the EPA's 2006 24-hour PM<sub>2.5</sub> standard of 35 µg/m<sup>3</sup>. The ARB approved the Valley Air District's 2012 PM<sub>2.5</sub> Plan for the 2006 standard at a public hearing on January 24, 2013.<sup>10</sup> This plan seeks to bring the Valley into attainment with the standard by 2019, with the expectation that most areas will achieve attainment before that time.

The 2015 Plan for the 1997 PM<sub>2.5</sub> Standard, approved by the Valley Air District Governing Board on April 16, 2015, will bring the Valley into attainment of EPA's 1997 PM<sub>2.5</sub> standard as expeditiously as practicable, but no later than December 31, 2020. The Plan was required to request reclassification to Serious nonattainment and to extend the attainment date from 2018 to 2020.<sup>11</sup>

<sup>10</sup> San Joaquin Valley Air Pollution Control District (Valley Air District). 2012. 2012 PM<sub>2.5</sub> Plan. Website: [https://www.valleyair.org/Air\\_Quality\\_Plans/PM25Plan2012/CompletedPlanbookmarked.pdf](https://www.valleyair.org/Air_Quality_Plans/PM25Plan2012/CompletedPlanbookmarked.pdf). Accessed May 27, 2021.

<sup>11</sup> San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. 2015 Plan for the 1997 PM<sub>2.5</sub> Standard. Website: [http://www.valleyair.org/air\\_quality\\_plans/docs/pm25-2015/2015-PM2.5-plan\\_bookmarked.pdf](http://www.valleyair.org/air_quality_plans/docs/pm25-2015/2015-PM2.5-plan_bookmarked.pdf). Accessed May 21, 2021.

### ***San Joaquin Valley Air Pollution Control District Rules and Regulations***

The Valley Air District rules and regulations that may apply to projects that will occur during buildout of the project include, but are not limited to the following:

**Rule 4102—Nuisance.** The purpose of this rule is to protect the health and safety of the public and applies to any source operation that emits or may emit air contaminants or other materials.

**Rule 4601—Architectural Coatings.** The purpose of this rule is to limit Volatile Organic Compounds (VOC) emissions from architectural coatings. Emissions are reduced by limits on VOC content and providing requirements on coatings storage, cleanup, and labeling.

**Rule 4641—Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations.** The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. If asphalt paving will be used, then the paving operations will be subject to Rule 4641.

**Rule 4901—Wood Burning Fireplaces and Wood Burning Heaters.** The purposes of this rule are to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices, and to establish a public education program to reduce wood burning emissions. All development that includes woodburning devices are subject to this rule.

**Regulation VIII—Fugitive PM<sub>10</sub> Prohibitions.** Rules 8011-8081 are designed to reduce PM<sub>10</sub> emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and trackout, etc. All development projects that involve soil disturbance are subject to at least one provision of the Regulation VIII series of rules.

**Rule 9510—Indirect Source Review.** This rule reduces the impact of NO<sub>x</sub> and PM<sub>10</sub> emissions from growth within the Air Basin. The rule places application and emission reduction requirements on development projects meeting applicability criteria in order to reduce emissions through on-site mitigation, off-site Valley Air District -administered projects, or a combination of the two.

### ***CEQA***

The Valley Air District has three roles under CEQA:

1. *Lead Agency:* Responsible for preparing environmental analyses for its own projects (adoption of rules, regulations, or plans) or permit projects filed with the Valley Air District where the District has primary approval authority over the project.
2. *Responsible Agency:* The discretionary authority of a Responsible Agency is more limited than a Lead Agency; having responsibility for mitigating or avoiding only the environmental effects of those parts of the project which it decides to approve, carry out, or finance. The Valley Air District defers to the Lead Agency for preparation of environmental documents for land use projects that also have discretionary air quality permits, unless no document is prepared by the Lead Agency and potentially significant impacts related to the permit are possible. The

Valley Air District regularly submits comments on documents prepared by Lead Agencies to ensure that Valley Air District concerns are addressed.

3. *Commenting Agency:* The Valley Air District reviews and comments on air quality analyses prepared by other public agencies (such as the proposed project).

The Valley Air District also provides guidance and thresholds for CEQA air quality and greenhouse gas (GHG) emissions analyses. The result of this guidance, as well as State regulations to control air pollution, is an overall improvement in the Air Basin. In particular, the Valley Air District's 2015 Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) states the following:

1. The Valley Air District's Air Quality Attainment Plans include measures to promote air quality elements in county and city general plans as one of the primary indirect source programs. The general plan is the primary long range planning document used by cities and counties to direct development. Since air districts have no authority over land use decisions, it is up to cities and counties to ensure that their general plans help achieve air quality goals. Section 65302.1 of the California Government Code requires cities and counties in the San Joaquin Valley to amend appropriate elements of their general plans to include data, analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality in their next housing element revisions.
2. The Air Quality Guidelines for General Plans (AQGGP), adopted by the Valley Air District in 1994 and amended in 2005, is a guidance document containing goals and policy examples that cities and counties may want to incorporate into their General Plans to satisfy Section 65302.1. When adopted in a general plan and implemented, the suggestions in the AQGGP can reduce vehicle trips and miles traveled and improve air quality. The specific suggestions in the AQGGP are voluntary. The Valley Air District strongly encourages cities and counties to use their land use and transportation planning authority to help achieve air quality goals by adopting the suggested policies and programs.

## **City of Tracy**

The City of Tracy adopted its 2011 General Plan on February 1, 2011. The City's applicable air quality goals and policies from the Air Quality Element and Circulation Element are listed below.<sup>12</sup>

### ***City of Tracy Air Quality Goals and Policies***

#### *Air Quality Element*

##### **Goal AQ-1      Improved air quality and reduced greenhouse gas emissions.**

**Objective AQ-1.1**   Improve air quality and reduce greenhouse gas emissions through land use planning decisions.

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<sup>12</sup> City of Tracy. 2011. City of Tracy General Plan. February 1. Website: [https://www.ci.tracy.ca.us/documents/2011\\_General\\_Plan.pdf](https://www.ci.tracy.ca.us/documents/2011_General_Plan.pdf). Accessed May 27, 2021.

**Objective AQ-1.2** Promote development that minimizes air pollutant and greenhouse gas emissions and their impact on sensitive receptors as a result of indirect and stationary sources.

*Policies*

**P3** Developers shall implement best management practices to reduce air pollutant emissions associated with the construction and operation of development projects.

**P4** New development projects should incorporate energy-efficient design features for HVAC, lighting systems and insulation that exceed Title 24.

**P5** Use of solar water and pool heaters is encouraged.

**P6** Installation of solar voltaic panels on new homes and businesses shall be encouraged.

**P7** Trees should be planted on the south- and west-facing sides of new buildings or building undergoing substantial renovation in order to reduce energy usage.

**P 9** New developments shall follow the current requirements of the SJVAPCD [Valley Air District] with respect to wood burning fireplaces and heaters.

**Objective AQ-1.3** Provide a diverse and efficient transportation system that minimizes air pollutant and greenhouse gas emissions.

**Objective AQ-1.4** Support local and regional air quality improvement efforts.

*Circulation Element*

**Goal CIR-1** **A roadway system that provides access and mobility for all of Tracy's residents and businesses while maintaining the quality of life in the community.**

**Objective CIR-1.1** Implement a hierarchical street system in which each street serves a specific, primary function and is sensitive to the context of the land uses served.

*Policies*

**P3** The City shall continue to apply traffic mitigation fee programs to fund transportation infrastructure, based on a fair share of facility use.

**P6** The Roadway Master Plan update shall identify necessary improvements to various intersections on I-205 and I-580 based on land use designations and with particular attention to Terminal Access Routes in accordance with Surface Transportation Assistance Act of 1982 (STAA).

**Objective CIR-1.2** Provide a high level of street connectivity.

*Policies*

**P3** New development shall be designed to provide vehicular, bicycle and pedestrian connections with adjacent developments.

**P5** New development shall be designed with a grid or modified grid pattern to facilitate traffic flows and to provide multiple connections to arterial streets.

**Objective CIR-1.6** Maximize traffic safety for automobile, transit, bicycle users, and pedestrians.

**Objective CIR-1.8** Minimize transportation-related energy use and impacts on the environment.

**Goal CIR-3** **Safe and convenient bicycle and pedestrian travel as alternative modes of transportation in and around the city.**

**Objective CIR-3.1** Achieve a comprehensive system of citywide bikeways and pedestrian facilities.

*Policies*

**P6** New development shall include pedestrian and bicycle facilities internal to the development and that connect to citywide facilities, such as parks, schools, and recreational corridors, as well as adjacent development and other services.

**P7** New development sites for commercial, employment, educational, recreational, and park and ride land uses shall provide bicycle parking and/or storage facilities.

**Goal CIR-4** A balanced transportation system that encourages the use of public transit and high occupancy vehicles.

**Objective CIR-4.1** Promote public transit as an alternative to the automobile.

*Economic Development Element*

**Goal ED-1** A diversified and sustainable local economy.

**Objective ED-1.2** Support and encourage a sustainable local economy.

*Policies*

**P1** The City shall encourage businesses that use green practices.

**P2** The City shall conduct public education and outreach to support employment opportunities that minimize the need for automobile trips, such as live/work, telecommuting, satellite work centers, and home occupations, in addition to mixed-use development strategies.

**Objective ED-6.2** Support infill development of commercial and industrial properties within the City limits.

### *Policies*

**P1** The City shall promote the development and redevelopment of City infill areas.

**P2** A balanced mix of retail, restaurant, and other services should be encouraged throughout the city.

### **Approach to Analysis**

While the final determination of whether a project is significant is within the purview of the Lead Agency pursuant to Section 15064(b) of the CEQA Guidelines, the Valley Air District recommends that its quantitative air pollution thresholds be used to determine the significance of project emissions. If the Lead Agency finds that the project has the potential to exceed these air pollution thresholds, the proposed project should be considered to have significant air quality impacts. The applicable Valley Air District thresholds and methodologies are contained under each impact statement below.

### **Thresholds of Significance**

This analysis was performed consistent with the guidance and methodologies provided by Valley Air District's GAMAQI.<sup>13</sup> Based on Valley Air District New Source Review (NSR) offset requirements for stationary sources, the Valley Air District has established thresholds of significance for criteria pollutant emissions, shown in Table 4.

**Table 4: San Joaquin Valley Air Pollution Control District Significance Thresholds**

<b>Pollutant</b>	<b>Construction Thresholds (TPY)</b>	<b>Operational Thresholds (TPY)</b>	
		<b>Permitted Equipment and Activities</b>	<b>Non-Permitted Equipment and Activities</b>
ROG	10	10	10
NO <sub>x</sub>	10	10	10
CO	100	100	100
SO <sub>x</sub>	27	27	27
PM <sub>10</sub>	15	15	15
PM <sub>2.5</sub>	15	15	15

**Notes:**

TPY = tons per year; ROG = reactive organic gases; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = oxides of sulfur

PM<sub>10</sub> = particulate matter, including dust, 10 micrometers or less in diameter

PM<sub>2.5</sub> = particulate matter, including dust, 2.5 micrometers or less in diameter

Source: San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impact. Website: [http://www.valleyair.org/transportation/GAMAQI\\_12-26-19.pdf](http://www.valleyair.org/transportation/GAMAQI_12-26-19.pdf) Accessed January 28, 2021.

<sup>13</sup> San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impact. Website: [http://www.valleyair.org/transportation/GAMAQI\\_12-26-19.pdf](http://www.valleyair.org/transportation/GAMAQI_12-26-19.pdf) Accessed May 28, 2021.

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following significance determinations.

Would the project:

**a) Conflict with or obstruct implementation of the applicable air quality plan?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards is discussed below.

The General Plan does not provide specific guidance on analyzing conformity with the Air Quality Plan (AQP). Therefore, this document proposes the following criteria for determining project consistency with the current AQPs:

- **Criterion 1:** Does the proposed project support the primary goals of the AQP?
- **Criterion 2:** Does the proposed project include applicable control measures from the AQP?
- **Criterion 3:** Does the proposed project disrupt or hinder implementation of any AQP control measures?

AQPs are plans for reaching attainment of air quality standards. The assumptions, inputs, and control measures are analyzed to determine whether the Air Basin can reach attainment for the ambient air quality standards. To show attainment of the standards, the Valley Air District analyzes the growth projections in the Valley, contributing factors in air pollutant emissions and formations, and existing and adopted emissions controls. The Valley Air District then formulates a control strategy to reach attainment that includes both State and Valley Air District regulations and other local programs and measures.

### **Criterion 1**

A measure for determining whether the proposed project supports the primary goals of the AQP is if the proposed project would not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the air quality plans. The development of the AQP is based in part on the land use general plan determinations of the various cities and counties that constitute the Air Basin. The proposed project's changes to the zoning ordinance and subsequent construction of electronic billboards would be consistent with the General Plan because the proposed project would not change existing General Plan land use designations and would be consistent with allowable uses under the zoning ordinance. Moreover, as further discussed under Impact 3(b), Impact 3(c), and Impact 3(d), the proposed project would not create a localized violation of State or federal air quality standards, significantly contribute to cumulative nonattainment pollutant violations, or expose sensitive receptors to substantial pollutant concentrations.

## **Criterion 2**

The AQP contains a number of control measures, which are enforceable requirements through the adoption of rules and regulations. The proposed project would comply with all applicable Valley Air District rules and regulations. Therefore, the proposed project complies with this criterion and would not conflict with or obstruct implementation of the applicable air quality attainment plan.

## **Criterion 3**

A measure of determining whether the proposed project is consistent with the AQPs is if the proposed project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQPs. Because of the region's nonattainment status for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, if project-generated emissions of either of the ozone precursor pollutants (ROG and NO<sub>x</sub>), PM<sub>10</sub>, or PM<sub>2.5</sub> would exceed the Valley Air District's significance thresholds, then the proposed project would be considered to conflict with the attainment plans.

As discussed in Impact 3(b), emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> associated with the construction and operation of the proposed project would not exceed the Valley Air District's significance thresholds.

As discussed in Impact 3(b), the proposed project would implement all Best Management Practices (BMPs) for construction activities, which would be consistent with the assumptions in the AQP. The proposed project would not include any special features that would disrupt or hinder implementation of the AQP control measures. Therefore, the proposed project would not obstruct implementation of the 2007 Ozone Plan and the 2015 PM<sub>2.5</sub> Plan. The impact would be less than significant.

**b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards is discussed below.

If an area is in nonattainment for a criteria pollutant, then the background concentration of that pollutant has historically exceeded the ambient air quality standard. It follows that if a project exceeds the regional threshold for that nonattainment pollutant, then it would result in a cumulatively considerable net increase of that pollutant and result in a significant cumulative impact.

The Air Basin is in nonattainment for PM<sub>10</sub>, PM<sub>2.5</sub>, and ozone. Therefore, if the proposed project exceeds the regional thresholds for PM<sub>10</sub> or PM<sub>2.5</sub>, then it would contribute to a cumulatively considerable impact for those pollutants. If the proposed project exceeds the regional threshold for NO<sub>x</sub> or ROG, then it follows that the proposed project would contribute to a cumulatively considerable impact for ozone.

Regional emissions include those generated from all on-site and off-site activities. Regional significance thresholds have been established by the Valley Air District because emissions from projects in the Air Basin can potentially contribute to the existing emission burden and possibly affect the attainment and maintenance of ambient air quality standards. Projects within the Air Basin with regional emissions that exceed any of the thresholds presented previously are considered to have a significant regional air quality impact.

### **Construction Emissions**

Emissions from construction-related activities are generally short-term in duration but may still cause adverse air quality impacts. Construction of the proposed project is anticipated to occur over 24 total workdays. The proposed project's 24-day construction schedule would generate emissions from construction equipment exhaust, worker vehicle travel, and earthmoving activities.

Additionally, the project would result in approximately 25 square feet of ground disturbance in order to construct one new billboard structure at the West Valley Mall site. These construction emissions include criteria air pollutants and ozone precursors principally from the operation of heavy construction equipment. As shown in Table 5, the proposed construction schedule illustrates that no construction activities would overlap.

**Table 5: Proposed Construction Schedule**

Construction Activity	Start Date	End Date	Days per Week	Total Workdays
Demolition	9/1/2021	9/3/2021	5	2
Grading	9/4/2021	9/5/2021	5	1
Building Construction	9/6/2021	9/25/2021	5	19
Paving	9/27/2021	9/29/2021	5	2

As shown in Table 6, no criteria pollutant emissions would exceed Valley Air District thresholds of significance during mitigated construction for ROGs and NO<sub>x</sub> during construction of the proposed project. It should be noted that mitigated construction emissions incorporate the basic dust control measures required under District Rule 8201, which requires that vehicle speeds on unpaved roads and surfaces be reduced to no more than 15 miles per hour and exposed construction areas are watered during earthmoving activities.

**Table 6: Mitigated Annual Construction Emissions**

Project Phase/Year/Construction Activity	Emissions (Tons)					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub> (Total)	PM <sub>2.5</sub> (Total)
2021	<0.1	0.1	0.1	<0.1	<0.1	<0.1
Valley Air District Annual Thresholds	10	10	100	27	15	15

Project Phase/Year/Construction Activity	Emissions (Tons)					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub> (Total)	PM <sub>2.5</sub> (Total)
<b>Do Construction Emissions Exceed Thresholds?</b>	No	No	No	No	No	No

Notes:  
 ROG = reactive organic gases, NO<sub>x</sub> = oxides of nitrogen, CO = carbon monoxide, SO<sub>x</sub> = oxides of sulfur  
 PM<sub>10</sub> = particulate matter, including dust, 10 micrometers or less in diameter  
 PM<sub>2.5</sub> = particulate matter, including dust, 2.5 micrometers or less in diameter  
 Source: Appendix C

## Operational Emissions

The proposed project would entail the operation of two electronic billboards. The operation of electronic billboards would consume electricity to illuminate the sign and would result in regional operational emissions. It is anticipated that maintenance requirements would involve infrequent trips to the sites, usually involving only one light-duty truck occurring as frequent as once every one to two months. As a result, operational mobile emissions are not considered to be a substantial contribution to operational emission estimates and were not included in the emissions modeling for this analysis. Table 7 illustrates the proposed project's operational emissions.

**Table 7: Mitigated Annual Operational Emissions**

Project Phase/Year/Construction Activity	Emissions (Tons)					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub> (Total)	PM <sub>2.5</sub> (Total)
Operation	< 0.1	0.1	0.1	< 0.1	< 0.1	< 0.1
Valley Air District Annual Thresholds	10	10	100	27	15	15
<b>Do Construction Emissions Exceed Thresholds?</b>	No	No	No	No	No	No

Notes:  
 ROG = reactive organic gases, NO<sub>x</sub> = oxides of nitrogen, CO = carbon monoxide, SO<sub>x</sub> = oxides of sulfur  
 PM<sub>10</sub> = particulate matter, including dust, 10 micrometers or less in diameter  
 PM<sub>2.5</sub> = particulate matter, including dust, 2.5 micrometers or less in diameter  
 Source: Appendix C

As shown in Table 7, the proposed project would not have the potential to exceed any significant threshold adopted for this project. Therefore, proposed project operations would have a less than significant cumulative impact.

**c) Expose sensitive receptors to substantial pollutant concentrations?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards are discussed below.

The Valley Air District considers a sensitive receptor to be any facility or land use that includes members of the population who are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. If a project is likely to be a place where people live, play, or convalesce, it should be considered a receptor. It should also be considered a receptor if sensitive individuals are likely to spend a significant amount of time there. Examples of receptors include residences, schools and school yards, parks and playgrounds, daycare centers, nursing homes, and medical facilities. Playgrounds could be play areas associated with parks or community centers. The project sites are located in the vicinity of sensitive receptors, including single-family homes. The closest sensitive receptors are existing homes located approximately 1,300 feet to where the billboard would be converted to a digital sign.

The following analysis evaluates whether the proposed project would result in construction or operational-period impacts to sensitive receptors. To result in a less than significant impact with respect to exposing sensitive receptors to a substantial concentration of pollutants, the proposed project would need to meet the following three criteria:

- **Criterion 1:** Construction of the proposed project would not result in localized emissions that, if when combined with background emissions, would result in exceedance of any health-based air quality standard.
- **Criterion 2:** Operation of the proposed project would not result in localized emissions that, if when combined with background emissions, would result in exceedance of any health-based air quality standard.
- **Criterion 3:** Construction of the proposed project would not result in an exceedance of asbestos exposure.

**Criterion 1: Project Construction Localized Emissions**

Emissions occurring at or near the project sites have the potential to create a localized impact also referred to as an air pollutant hotspot. Localized emissions are considered significant if when combined with background emissions, they would result in exceedance of any health-based air quality standard. As discussed in Impact 3(b), emissions during construction would not exceed the Valley Air District significance thresholds and would not be expected to result in concentrations that would exceed ambient standards or contribute substantially to an existing exceedance of an ambient air quality standard. Therefore, construction of the proposed project would not result in localized emissions that, if when combined with background emissions, would result in exceedance of any health-based air quality standard. Impacts relating to Criterion 1 would be less than significant.

## Criterion 2: Project Construction Localized Emissions

The proposed project would entail the operation of electronic billboards, which have no localized emissions. Maintenance would involve irregular and infrequent vehicle trips to the sites, usually involving only one light-duty truck. As discussed under Impact 3b, emissions during operations would not exceed the Valley Air District significance thresholds and would not be expected to result in concentrations that would exceed ambient standards or contribute substantially to an existing exceedance of an ambient air quality standard. Therefore, the proposed project would not expose sensitive receptors to substantial pollutant concentrations during operation or result in localized emissions that, when combined with background emissions, would result in an exceedance of any health-based air quality standard. Impacts relating to Criterion 2 would be less than significant.

## Criterion 3: Asbestos from Demolition

The proposed project does not involve demolition but would include replacement of an existing static billboard faces with electronic ones. Since the existing billboard is constructed between 1993 and 2005, it is unlikely to contain asbestos materials. However, the proposed project would still be subject to California Code of Regulations, Section 66261.24; Title 8, California Code of Regulations, Section 1532.1; and Title 40, Code of Federal Regulations, Part 745, which are intended to limit asbestos emissions from demolition or renovation of structure and the associated disturbance of asbestos-containing waste material generated or handled during these activities. The rule addresses the national emissions standards for asbestos along with some additional requirements. Therefore, projects that comply with these regulations would ensure that asbestos-containing materials would be removed and disposed of appropriately and safely. By complying with these existing regulations, thereby minimizing the release of airborne asbestos emissions, demolition activity would not result in a significant impact to air quality. Impacts relating to Criterion 3 would be less than significant.

### d) Result in other emission (such as those leading to odors) adversely affecting a substantial number of people?

**Less than significant impact.** The proposed project would consist of updates to the City's Sign Ordinance and the I-205 Corridor Specific Plan to allow for a digital freeway sign at the West Valley Mall site and conversion of an existing billboard sign to a digital freeway sign at the Tracy Outlets site. The proposed project would not be a source of odor during operations since it generates no local emissions other than the occasional maintenance vehicle trip, which is anticipated to be gasoline-fueled. During construction, a limited number of diesel engines would be operated on the project sites for limited durations. Diesel exhaust and VOCs from these diesel engines would be emitted during construction of the proposed project, which are objectionable to some; however, emissions would disperse rapidly from the project site. Furthermore, the duration of construction activities is expected to be short (two to four weeks) and nearby single-family homes are located approximately 1,300 feet away. Considering this information, construction of the would not create objectionable odors affecting a substantial number of people; impacts would be less than significant.

## Mitigation Measures

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.4 Biological Resources</b>				
<i>Would the project:</i>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

### Setting

This section evaluates potential effects on biological resources that may result from project implementation. Prior to the field survey, a FirstCarbon Solutions (FCS) Biologist reviewed the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB), a special-status species and plant community account database; the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system; and the California Native

Plant Society (CNPS) Electronic Inventory (CNPSEI) of Rare and Endangered Vascular Plants of California database for the Union Island, California, United States Geological Survey (USGS) 7.5-minute Topographic Quadrangle Map and the eight surrounding quadrangles (Appendix D). An on-site assessment of biological resources was completed by FCS on May 20, 2021.

### **Tracy Outlets Site**

This location is composed of developed land with numerous retail stores and an associated parking lot that constitute the former Tracy Outlets. This location is bounded by I-205 to the north, a vacant lot and residential developments to the west, a mix of vacant land and industrial developments to the east, and industrial developments to the south. An off-site engineered drainage channel populated with cattails (*Typha* sp.) is located approximately 300 feet to the north of the billboard sign, adjacent to I-205. The billboard sign is situated within a planter on the western edge of the former Tracy Outlets development. Vegetation is limited to planted ornamental trees and shrubs.

### **West Valley Mall Site**

This location is also composed of developed land with numerous retail stores that comprise the southwestern portion of the West Valley Mall. The proposed site is generally located between 2512 Naglee Road and 2422 Naglee Road. The proposed site includes an active traffic circle, numerous restaurants, and a City monitoring well. This site is bounded by the West Valley Mall to the north and west, a mix of vacant land and the eastern portion of West Valley Mall to the east, and Grant Line Road and I-205 to the south. Vegetation was limited to planted ornamental trees and shrubs with ruderal vegetation on the periphery.

Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?**

**Less than significant impact with mitigation incorporated.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards are discussed below.

Special-status plant and wildlife species typically occur in undeveloped areas. Although it is less likely, it is also possible for them to occur within developed areas. The sites are infill sites located in an area that has undergone an extensive history of development built out with industrial and commercial uses. The project site contains characteristics of land that has been developed or disturbed, including disturbed soils and large areas of impervious surfaces.

### ***Special-status Plant Species Potentially Occurring Within the Project Site***

A plant species potential to occur on the project site was based on the presence of suitable habitats, soil types, and occurrences recorded by the USFWS, CNPS, or CNDDDB within 5 miles of the project sites, and a site survey conducted by a qualified Biologist. A total of three special-status plant species were evaluated for their potential to occur within the project site. These plants include big tarplant (*Blepharizonia plumosa*), Mason's lilaeopsis (*Lilaeopsis masonii*), and caper-fruited tropidocarpum (*Tropidocarpum capparideum*). Based on the absence of suitable habitat due to past development of the sites, all special-status plant species have no potential to occur on-site. The project sites lack alkaline clay soils, grassland, marshes, and riparian scrub habitats where these special-status plant species are found. Because of the highly disturbed nature of the project site and overall lack of suitable habitat, no special-status plant species have the potential to occur within the project sites; therefore, no special-status plant species would be impacted by project construction.

### ***Special-status Wildlife Species Potentially Occurring Within the Project Site***

Based upon the types of habitat that each special-status wildlife species requires, 15 special-status wildlife species were evaluated for their potential to occur within the project sites. Because of the highly urbanized nature of the project sites and previous development efforts coupled with an overall lack of suitable habitat on-site (marshes, meadows, grasslands, etc.), special-status wildlife species with the potential to occur the project sites is limited to potential nesting birds. Potential impacts to nesting birds would be considered significant given their status under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503.5.

The project sites and their adjacent areas contain ornamental trees and shrubs that may provide potential habitat for special-status birds. Additionally, the off-site channel at the Tracy Outlets site may provide additional nesting opportunities. These species include tricolored blackbird (*Agelaius tricolor*) as well as bird species protected by the MBTA and other special-status birds covered by Fish and Game Code Section 3503.5 and/or California Endangered Species Act (CESA).

#### *Tricolored Blackbird (Tracy Outlets Site)*

This analysis is only relevant at the Tracy Outlets site, as the West Valley Mall site lacks any potential habitat for this species.

Emergent vegetation within the off-site channel at the Tracy Outlets site represent potential nesting habitat, albeit marginal. No tricolored blackbird were observed during the site visit. The presence of a tricolored blackbird nesting colony adjacent to the Tracy Outlets site before or during construction is unlikely, but cannot be ruled out. If construction of the Tracy Outlets sign is proposed to be conducted during the nesting season, the project applicant shall implement MM BIO-1a, which requires a pre-construction survey and, if any active nests are identified, minimization measures specific to tricolored blackbird nesting colonies as defined in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) Section 5.2.4.16, which require that a setback of 500 feet from colonial nesting areas shall be established and maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave the nest(s). This setback applies whenever construction or other ground-disturbing activities must begin during the nesting season in the presence of nests which are known to be occupied. Setbacks shall be

marked by nest buffer signs, environmentally sensitive area fencing, pin flags, and/or flagging tape to ensure maintenance of the buffer. Implementation of MM BIO-1a would reduce potential impacts to tricolored blackbird to a less than significant level under CEQA.

*Nesting Birds (Tracy Outlets and West Valley Mall Sites)*

Potential direct and indirect impacts could occur to resident and migratory species during project construction, which would render the project temporarily unsuitable for birds because of the noise, vibrations, and increased activity levels associated with various construction activities. These activities could potentially subject birds to risk of death or injury, and they are likely to avoid using the area until such construction activities have dissipated or ceased. Relocation, in turn, could cause hunger or stress among individual birds by displacing them into adjacent territories belonging to other individuals.

Construction activities that occur during the nesting season (generally February 1 to August 31) could disturb nesting sites for birds protected by the MBTA and Fish and Game Code. No action is necessary if no active nests are found or if construction occurs during the nonbreeding season (generally September 1 through January 31).

Implementation of MM BIO-1b, which requires the applicants for development on both project sites to conduct a pre-construction survey and implement further avoidance and minimization measures (if necessary and required by the survey), would reduce potential impacts to nesting birds to a less than significant level under CEQA. (Note that potential impacts to tricolored blackbird, are addressed separately above.)

**b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards are discussed below.

The project sites do not contain riparian habitat or other sensitive natural communities identified in local or regional plans, policies, and regulations or by the CDFW or USFWS. The project sites are infill site within the urbanized context of the City of Tracy and contain impervious surfaces disturbed soils, and ruderal vegetation. The proposed project would not have a substantial adverse effect on any riparian habitat; therefore, there would be no impacts from project construction.

**c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text

would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards are discussed below.

The project sites do not contain jurisdictional drainages, wetlands, or hydrophytic vegetation; therefore, no United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), or CDFW jurisdictional areas are located on either site. As such, the proposed project would not directly or indirectly remove, fill, or hydrologically interrupt State or federally protected wetlands. No impacts would result from project construction.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards are discussed below.

An impact to fish or wildlife movement would be considered significant if the proposed construction or operation resulted in a substantial, adverse change in any of the physical conditions (such as the interruption of a channel or terrestrial movement corridor) within the area affected by the proposed plan. Fish or wildlife movement that have the potential to be impacted are discussed in detail below.

FCS Biologists evaluated the project sites for evidence of wildlife movement corridors during the biological resources survey. The project sites are surrounded by a mix of residential, retail, and industrial developments and are situated in urban landscapes with high amounts of traffic from local industrial operations. Further, I-205 is located in close proximity to both project sites. These barriers further constrain non-volant wildlife movement. Neither project site is part of or within a wildlife movement corridor and construction-related impacts would be less than significant.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**No Impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards are discussed below.

The City of Tracy Municipal Code, Chapter 7.08, pertains to the alteration or removal of street trees, which are not present on either project site. The City does not have an adopted Tree Protection Ordinance relating to alteration or removal of trees on private property. The project sites contain planted ornamental trees and shrubs from previous developments. Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources. As such, no impacts related to construction would occur and no mitigation is necessary.

**f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards are discussed below.

The project sites are located within the SJMSCP Planning Area and the City is a signatory to the SJMSCP. Participation in the SJMSCP ensures that potential impacts are mitigated below a level of significance in compliance with CEQA as well as the Federal Endangered Species Act (FESA) and CESA. Compliance with the SJMSCP may include payment of development fees for the conversion of lands that may provide habitat for covered special-status species. The project applicant and the City shall consult with San Joaquin Council of Governments (SJCOC) and determine coverage of the project pursuant to the SJMSCP. Implementation of mitigation and minimization measures (as identified above in Impact BIO-1) would ensure the proposed project complies with the requirements of the SJMSCP, would not conflict with any applicable habitat conservations plans, and would reduce specific impacts to listed species to a less than significant level under CEQA.

## **Mitigation Measures**

### **MM BIO-1a Tricolored Blackbird Mitigation (Tracy Outlets Site)**

Implementation of the following avoidance and minimization measures would avoid or minimize potential effects to tricolored blackbird in and adjacent to the project site. These measures shall be implemented for construction work that occurs during the nesting season (February 1 through August 31):

- If construction or habitat removal is proposed during the breeding/nesting season (typically February 1 through August 31), a qualified Biologist shall conduct pre-construction surveys for tricolored blackbird within potential nesting habitat of the construction area, (special attention should be paid to the off-site cattail channel) including a 500-foot survey buffer for tricolored blackbird, no more than 7 days prior to the start of ground-disturbing activities in the construction area. If no active nests are detected on the project site or within the buffer survey area, then no additional measures are required.
- If an active nest is located during pre-construction surveys, the California Department of Fish and Wildlife (CDFW) shall be notified regarding the status of the nest. A setback of 500 feet shall be established and maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave nests. This setback applies whenever construction or other ground-disturbing activities must begin during the nesting season in the presence of nests which are known to be occupied. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned, or a qualified Biologist deems disturbance potential to be minimal.

Restrictions shall include consultation with a qualified Biologist to determine appropriate exclusion zones or alteration of the construction schedule.

- The project applicant shall delineate the buffer using nest buffer signs, environmentally sensitive area fencing, pin flags, and/or flagging tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently.

**MM BIO-1b Migratory Birds (Tracy Outlets Site and West Valley Mall Site)**

- To prevent impacts to Migratory Bird Treaty Act (MBTA)-protected birds, nesting raptors, and their nests, removal of trees shall be limited to only those necessary to construct the proposed project.
- If any tree removal is necessary, then it should occur outside the nesting season between September 1 through January 31. If trees cannot be removed outside the nesting season, pre-construction surveys shall be conducted no more than 7 days prior to tree removal to verify the absence of active nests.
- If an active nest is located during pre-construction surveys, the United States Fish and Wildlife Service (USFWS) and/or the California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the nest. Construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned, or the agencies deem disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet around an active raptor nest and an appropriate radius around an active migratory bird nest depending on the species) or alteration of the construction schedule.
- A qualified Biologist shall delineate the buffer using nest buffer signs, environmentally sensitive area fencing, pin flags, and/or flagging tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.5 Cultural Resources and Tribal Cultural Resources</b>				
<i>Would the project:</i>				
a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>				
d) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

### Setting

This section describes the existing cultural resources setting and potential effects from project implementation on the project site and its surrounding area. Descriptions and analysis in this section are based on information provided by the California Native American Heritage Commission (NAHC), Central California Information Center (CCIC), National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), California Historic Landmarks list, California Points of Historical Interest list, Built Environmental Research Directory (BERD), and the California Historical Resources Inventory. Non-confidential records search results and other correspondence is included in Appendix E.

## **Central California Information Center**

A record search and literature review for the project sites and its 0.5-mile radius were conducted on May 28, 2021, at the CCIC, located at California State University, Turlock, California. The purpose of this review was to access existing cultural resource survey reports, archaeological site records, historic aerial photographs, and historic maps and evaluate whether any previously documented prehistoric or historic archaeological sites, architectural resources, cultural landscapes, or other resources exist within or near the project area. The results of the record searches for the two project sites are as follows:

### **Tracy Outlets Site**

The results from the CCIC indicated that there are no known archaeological or historic resources located within the project site. There are two resources, both of which are historic, located within a 0.5-mile radius of this project area. In addition, there are eight area-specific survey reports on file with the CCIC for the 0.5-mile search radius of the project area but none within the project site. A records search map identifying the project boundaries and 0.5-mile search radius and the relevant non-confidential records search results are included in Appendix E.

### **West Valley Mall Site**

The results from the CCIC indicated that there are no known archaeological or historic resources located within this site. There are 14 resources located within a 0.5-mile radius of this project area. All of the resources are historical. In addition, there are four area-specific survey reports on file with the CCIC for project site and another six for the 0.5-mile search radius of the project area. A records search map identifying the project boundaries and 0.5-mile search radius and the relevant non-confidential records search results are included in Appendix E.

### **Pedestrian Survey and Site Visit**

On July 13, 2021, FCS conducted a pedestrian survey to determine the presence of any unrecorded cultural resources within the Tracy Outlets site and the West Valley Mall site. During the pedestrian survey of both sites, all areas of the exposed ground surface were examined for prehistoric artifacts (e.g., fire-affected rock, milling tools, flaked stone tools, tool-making debris, ceramics), soil discoloration and depressions that might indicate the presence of a cultural midden, faunal and human osteological remains, and features indicative of the former presence of structures or buildings (e.g., postholes, standing exterior walls, foundations) or historic debris (e.g., glass, metal, ceramics). All areas of proposed development were inspected for culturally modified soils or other indicators of potential historic or prehistoric resources.

The Tracy Outlets site was completely hardscaped with intermittent landscaping elements. Visibility of native soils was non-existent. The area is comprised of commercial properties with a parking lot, suggesting that the project site has been previously excavated. The proposed project involves replacement of the existing billboard with a digital billboard, which would not involve any earth-disturbing activities. Therefore, the possibility of inadvertent discovery of archaeological or cultural resources would be negligible.

The West Valley Mall site was surveyed using north/south transects spaced at 15-meter intervals. The survey began in the northwest corner of the project area and moved south and east using transects spaced at 15-meter intervals. Due to the high level of vegetation growth in the project area, visibility of native soils was extremely poor, approximately averaging only 10 percent across the site. Approximately 45 percent of the site was composed of soil and fill brought in from outside of the area, most likely from the construction of the West Valley Mall and I-205. Visibility of native soils showed evidence of gravel, quartz, and elements of Franciscan Chert. Examination of the Franciscan Chert showed no signs of it being previously worked into tools. In addition, the soil did not contain artifacts or any materials consistent with prehistoric midden soils. No unrecorded archaeological or cultural resources were found in the survey of the project site.

Pedestrian survey photos for both sites can be found in Appendix E.

### **Native American Heritage Commission**

On June 20, 2021, FCS contacted the NAHC to determine whether any sacred sites were located within the site or project vicinity. A response was received on June 28, 2021, indicating that the Sacred Lands File search failed to indicate the presence of Native American cultural resources within the project site. The NAHC included a list of 12 tribal representatives available for consultation. To ensure that all Native American knowledge and concerns over potential Tribal Cultural Resources (TCRs) that may be affected by the proposed project are addressed, a letter containing project information was sent to each tribal representative on June 29, 2021. No responses have been received to date. NAHC correspondence and copies of the NAHC letters can be found in Appendix E.

### **Assembly Bill 52**

Assembly Bill (AB) 52 specifies that a project that may cause a substantial adverse change to defined TCRs may result in a significant effect on the environment. AB 52 requires tribes interested in development projects within a traditionally and culturally affiliated geographic area to notify a lead agency of such interest and to request notification of future projects subject to CEQA prior to determining whether a Negative Declaration (ND), Mitigated Negative Declaration (MND), or Environmental Impact Report (EIR) is required for a project. The lead agency is then required to notify the tribe within 14 days of deeming a development application subject to CEQA complete to notify the requesting tribe as an invitation to consult on the proposed project. AB 52 identifies examples of mitigation measures that would avoid or minimize impacts to TCRs. AB 52 makes the above provisions applicable to projects that have a Notice of Preparation (NOP) or a Notice of Intent (NOI) to adopt an ND/MND circulated on or after July 1, 2015. AB 52 amends Public Resource Code Section 5097.94 and adds Public Resource Code Sections 21073, 21074, 2108.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3, relating to Native Americans.

### **Cultural Resources**

Would the project:

**a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?**

**No Impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards are discussed below.

CEQA Guidelines Section 15064.5 defines “historical resources” as resources listed in the CRHR, a local register, determined significant by the lead agency, or determined to be eligible by the California Historical Resources Commission for listing in the CRHR. The criteria for eligibility are generally set by the National Historic Preservation Act of 1966, which established the NRHP, and which recognizes properties that are significant at the federal, State, and local levels. To be eligible for listing in the NRHP and CRHR, a district, site, building, structure, or object must possess integrity of location, design, setting, materials, workmanship, feeling, and association relative to American history, architecture, archaeology, engineering, or culture.<sup>14</sup> In addition, unless the property possesses exceptional significance, it must be at least 50 years old to be eligible.

The records search conducted at the CCIC for the Tracy Outlets site determined that there are no historic resources within the project site. There are two historic resources located within a 0.50-mile radius of the site. Of the two resources, the closest historical resource is a road/trail or railroad grade. The proposed project would not impact these resources, or any other historical resources located within a 0.5-mile radius of the project boundaries.

The records search conducted at the CCIC for the West Valley Mall site indicated that there are no known historic resources within the site. There are 14 historical resources located within a 0.5-mile radius of the project area, none of which would be impacted by the proposed project. Therefore, there would be no impact.

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

**Less than significant impact with mitigation incorporated.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards are discussed below.

Section 15064.5 of the CEQA Guidelines defines significant archaeological resources as resources that meet the criteria for historical resources, as discussed above, or resources that constitute unique archaeological resources. A project-related significant adverse effect could occur if a project were to affect archaeological resources that fall under either of these categories.

<sup>14</sup> National Register of Historic Places (NRHP). 2021. Publications of the National Register of Historic Places. Website: <https://www.nps.gov/subjects/nationalregister/publications.htm>. Accessed May 1, 2021.

The proposed project includes replacing the existing billboard at the Tracy Outlets site with a digital billboard, which would not involve any earth-disturbing activities. Therefore, the impact to archaeological resources or the potential for inadvertent discovery is negligible.

Although the proposed billboard construction at the West Valley Mall site would require subsurface construction activities, the CCIC record search results indicate that there are no known archaeological resources within the site or the 0.5-mile radius of the project area. The pedestrian survey did not find any evidence of potential undiscovered resources. In addition, the location of the project site adjacent to the West Valley Mall and I-205 indicates that it and the surrounding area have been previously excavated, therefore, the potential for the project to result in a significant impact of this type is low. Nonetheless, implementation of MM CUL-1 would ensure that this potential impact is reduced to a less-than-significant level.

**c) Disturb any human remains, including those interred outside of formal cemeteries?**

**Less than significant impact with mitigation incorporated.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards are discussed below.

As noted above, the Tracy Outlets site has been significantly disturbed and developed. Therefore, the potential for the disturbance of any human remains is negligible given that no earth-disturbing would occur.

The proposed billboard construction at the West Valley Mall site would require subsurface construction activities. While it is highly unlikely that human remains exist within or near the project site, there is always a possibility that subsurface construction activities associated with the proposed project, such as grading or trenching, could potentially damage or destroy previously undiscovered human remains. In the event of a discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 must be followed. MM CUL-2 further specifies the procedures to follow in the event human remains are uncovered. Along with compliance with required guidelines and statutes, implementation of MM CUL-2 would reduce potential impacts on human remains to a less-than-significant level.

### **Tribal Cultural Resources**

Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

**d) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or**

**Less than significant impact with mitigation incorporated.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction of the two proposed billboards are discussed below.

A review of the CRHR, local registers of historic resources, the CCIC records search results, and NAHC Sacred Lands File search results failed to identify any previously listed TCRs that may be adversely affected by both of the proposed projects. As such, no known eligible or potentially eligible TCRs would be adversely affected. Should any undiscovered TCRs be encountered during project construction, implementation of MM CUL-1 and MM CUL-2, which address the inadvertent discovery of cultural resources and human remains, would reduce potential impacts on TCRs to a less than significant level.

**e) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

**Less than significant impact with mitigation incorporated.** In compliance with AB 52, the City distributed letters to Native American tribes that have previously requested notification for AB 52 consultation, notifying each tribe of the opportunity to consult with the City regarding the proposed project. Consultation letters were mailed on August 10, 2021. The tribes have 30 days from receipt of the letter to respond to the City's consultation invitation. As of the date of this document, no responses had been received. Should any undiscovered TCRs be encountered during project construction, implementation of MM CUL-1 and MM CUL-2, which address the inadvertent discovery of cultural resources and human remains, would reduce potential impacts on TCRs to a less than significant level.

## **Mitigation Measures**

**MM CUL-1      Discovery of Cultural Resources.** In the event that significant cultural resources are discovered during construction activities, operations shall stop within a 100-foot radius of the find and an Archaeologist who meets the Secretary of Interior's Professional Qualification Standards for archaeology shall be consulted to determine whether the resource requires further study. The Lead Agency shall require the standard inadvertent discovery clause to be included on the grading plans to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. The qualified Archaeologist shall make recommendations to the Lead Agency concerning

appropriate measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines, Section 15064.5. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA Guidelines.

**MM CUL-2** **Discovery of Human Remains.** In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5; Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and Section 5097.98 must be followed. During the course of project development, if there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for appropriate treatment and disposition of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Code Section 5097.98.
2. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance:
  - The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission.
  - The descendant identified fails to make a recommendation.
  - The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains:

When an initial study identifies the existence of, or the probable likelihood of, Native American Remains within a project site, a lead agency shall work with the appropriate Native Americans as identified by the NAHC as provided in Public Resources Code Section 5097.98. The applicant may develop a plan for treating or

disposing of, with appropriate dignity, the human remains, and any items associated with Native American Burials with the appropriate Native Americans as identified by the NAHC.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.6 Energy</b>				
<i>Would the project:</i>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

### Setting

#### **Energy Basics**

Energy use, especially through fossil fuel consumption and combustion, relates directly to environmental quality since it can adversely affect air quality and generate GHG emissions that contribute to climate change. Electrical power is generated through a variety of sources, including fossil fuel combustion, hydropower, wind, solar, biofuels, and others. Natural gas is widely used to heat buildings, prepare food in restaurants and residences, and fuel vehicles, among other uses. Fuel use for transportation is related to the fuel efficiency of cars, trucks, and public transportation; choice of different travel modes such as auto, carpool, and public transit; and miles traveled by these modes, and generally based on petroleum-based fuels such as diesel and gasoline. Electric vehicles may not have any direct emissions but do have indirect emissions via the source of electricity generated to power the vehicle. Construction and routine operation and maintenance of transportation infrastructure also consume energy.

### 2.1.1 - Regulatory Framework

#### Local

##### ***City of Tracy***

###### *City of Tracy Sustainability Action Plan*

The City of Tracy Sustainability Action Plan was adopted in 2011 to achieve sustainability in numerous sectors including GHG emissions, energy, and transportation and land use. The Sustainability Action Plan includes specific measures to be implemented that the City estimates will reduce GHG emissions by 378,461 to 482,154 metric tons of carbon dioxide equivalent (CO<sub>2</sub>e). These reductions would come in part from reductions in Vehicle Miles Traveled (VMT) and energy consumption. None of the measures contained in the plan would apply to the project's energy consumption.

Would the project:

a) **Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan updates would only relate to new digital billboard requirements and regulations. A discussion of the proposed project's energy use related to the construction and operation of the two proposed billboards is presented below.

Energy use consumed by the proposed project is primarily based on comparison with similar digital billboard development projects and empirical studies that are publicly available. For the purpose of this energy analysis, the anticipated operational electricity consumption relies on Digital Billboard Energy Use in California, a study prepared for San Diego Gas and Electric Company for the estimation of typical electricity demand for digital billboards in California.<sup>15</sup> This study assumed that all data reflected electronic billboards operating at maximum brightness with an all-white display, which provided a maximum amount of energy use possible. However, any electronic billboard would not operate in this manner and as a result this analysis presents a conservative estimate. Energy calculations and supporting information are included as part of Appendix F of this Draft IS/MND.

## **Construction**

During construction, the proposed project would result in energy consumption through the combustion of fossil fuels in construction vehicles, worker commute vehicles, and construction equipment, and the use of electricity for temporary buildings, lighting, and other sources. No natural gas would be utilized as part of construction. Fossil fuels used for construction vehicles and other energy-consuming equipment would be used during demolition, grading, paving, and building construction activities. The types of equipment could include gasoline- and diesel-powered construction and transportation equipment, including trucks, bulldozers, frontend loaders, forklifts, and cranes. Other equipment could include electrically driven equipment such as pumps and other tools.

Based on the California Emissions Estimator Model (CalEEMod) estimates for the proposed project, (see modeling output files in Appendix C), construction-related vehicle trips would consume an estimated 1,561 gallons of diesel and gasoline combined during the construction phase (Appendix F). Other equipment could include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools. Single-wide mobile office trailers, which are commonly used in construction staging areas, generally range in size from 160 square feet to 720 square feet. A typical 720-square-foot office trailer would consume approximately 415 kilowatt-hour (kWh) during the 24-day construction phase (Appendix F).

Limitations on idling of vehicles and equipment and requirements that equipment be properly maintained would result in fuel savings. California Code of Regulations Title 13, Sections 2449(d)(3)

<sup>15</sup> San Diego Gas and Electric Company. 2014. Digital Billboard Energy Use in California. July. Website: [https://www.etcc.ca/sites/default/files/reports/et14sdg8011\\_digitalbillboardreport\\_2014-7.pdf](https://www.etcc.ca/sites/default/files/reports/et14sdg8011_digitalbillboardreport_2014-7.pdf). Accessed June 3, 2021.

and 2485 limit idling from both on-road and off-road diesel-powered equipment and are enforced by the ARB. In addition, given the cost of fuel, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction.

Because of the temporary nature of construction and the financial incentives for developers and contractors to implement energy-efficient practices, project construction activities would not result in wasteful, inefficient, and unnecessary consumption of energy. Therefore, the construction-related impact related to fuel and electricity consumption would be less than significant.

## **Operation**

### ***Electricity and Natural Gas***

Building operations for the proposed project would involve energy consumption for lighting and cooling fans. Based on publicly available information, the average 14-foot by 48-foot electronic billboard uses approximately 29,000 to 94,000 kWh of electricity per year.<sup>16</sup> Therefore, the proposed project could reasonably consume up to 94,000 kWh of electricity per year. Nonetheless, the proposed project would be designed and constructed in accordance with Article 35 of the Tracy Municipal Code. The proposed project is not anticipated to result in wasteful, inefficient, or unnecessary electricity consumption as the electronic billboards would require electricity to operate and would not facilitate greater electricity consumption beyond that required for their passive operative design. Moreover, the electronic billboards would not consume natural gas. Therefore, the operational impact related to building electricity and natural gas consumption would be less than significant.

### ***Fuel***

Long-term operational energy consumption related to fuel consumption would be very minimal because the only vehicle trips would be from irregular and infrequent maintenance vehicle trips. Maintenance vehicle trips associated with the proposed project are anticipated to occur once every 1 to 2 months at most and would not result in wasteful, inefficient, or significant energy use. This impact would be less than significant.

#### **b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. A discussion of the proposed two billboards' potential to conflict with or obstruct a State or local plan for renewable energy or energy efficiency is presented below.

## **Construction**

As described above, construction activities would involve energy consumption in various forms and would be limited by California regulations such as California Code of Regulations Title 13, Sections 2449(d)(3) and 2485 which limit idling from both on-road and off-road diesel-powered equipment

<sup>16</sup> San Diego Gas and Electric Company. 2014. Digital Billboard Energy Use in California. Website: [https://www.etcc-ca.com/sites/default/files/reports/et14sdg8011\\_digitalbillboardreport\\_2014-7.pdf](https://www.etcc-ca.com/sites/default/files/reports/et14sdg8011_digitalbillboardreport_2014-7.pdf). Accessed June 1, 2021.

and are enforced by the ARB. The proposed project would be required to comply with these regulations. There are no renewable energy standards applicable to construction activities for the proposed project.

Thus, it is anticipated that construction of the proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy. Therefore, impacts would be less than significant.

## **Operation**

Additionally, California's Renewables Portfolio Standard (RPS) requires that 33 percent of electricity retail sales be served be renewable energy sources by 2020. PG&E would provide the delivery of electricity to the proposed project through the existing grid. Senate Bill (SB) 32 mandates a Statewide GHG emissions reduction goal to 40 percent below 1990 levels by the year 2030. PG&E's power mix in 2018 consisted of 38.9 percent eligible renewable sources, including 18.2 percent from solar, 10.0 percent from wind, 3.7 percent from geothermal, 4.3 percent from biomass and waste, and 2.7 percent from eligible hydroelectric.<sup>17</sup> PG&E continues to add more renewable energy into their power mix under California's RPS and have a goal to reach 50 percent renewables by the end of 2030. Therefore, the proposed project would receive electricity from a utility company that meets California's RPS requirements as well as the State requirements for 2030.

In addition, the proposed project would be designed and constructed in accordance with the applicable State's Title 24 energy efficiency standards. Part 11, Chapter 4 and 5 of the State's Title 24 energy efficiency standards establishes mandatory measures for nonresidential buildings, including material conservation and resource efficiency. The proposed project would be required to comply with these mandatory measures and would be constructed in accordance with City standards. Thus, the proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy. This impact would be less than significant.

## **Mitigation Measures**

None required.

<sup>17</sup> Pacific Gas and Electric Company (PG&E). 2019. Corporate Responsibility and Sustainability Report 2019.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.7 Geology and Soils</b>				
<i>Would the project:</i>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

### Setting

The City of Tracy is located in the southwest portion of San Joaquin County and, according to the California Geological Survey, the project sites are not located in any earthquake fault zones nor do

they border any fault lines.<sup>18</sup> According to the Tracy General Plan, there are four major earthquake faults close to, but outside of the Tracy Planning Area: the San Andreas Fault, Calaveras Fault, Hayward Fault, and the Concord-Green Valley Fault. The nearest Alquist-Priolo Fault Zone to the City is the Calaveras Fault Zone, located approximately 25 miles west of the West Valley Mall site and more than 28 miles west of the Tracy Outlets site.<sup>19</sup>

There are four Seismic Zones in the United States, which are ranked according to their seismic hazard potential. Zone 1 has the least seismic potential and Zone 4 has the highest seismic potential. The seismic zone system is used for building codes, the closer an area to a seismic zone, the higher the seismic hazard zone.<sup>20</sup> According to the General Plan, the City lies primarily within Seismic Zone 3. The California Building Standards Code (CBC) contains special standards and regulations for each zone to ensure construction would be designed to withstand seismic activity.

Seismic-related ground failure most commonly occurs in areas underlain by loose, unconsolidated (e.g., sandy soils) and high groundwater levels. According to the California Department of Conservation, the project sites are not located within a State-designated Liquefaction Hazard Zone.<sup>21</sup> According to the General Plan, there are several hazards the Tracy Planning Area is susceptible to including ground rupture, ground shaking, liquefaction, and expansive soils due to the seismic and geologic conditions of the area.<sup>22</sup> The Tracy Planning Area is subject to moderate potential for liquefaction and a moderate to high potential for expansive soils depending on specific soil conditions and location.<sup>23</sup>

Would the project:

- a) **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:**
  - i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Impacts specific to the construction and operation of the two proposed billboards are discussed below.

<sup>18</sup> California Geological Survey. 2016. Earthquake Zones of Required Investigation. Website: <https://maps.conservation.ca.gov/cgs/EQZApp/>. Accessed June 03, 2021.

<sup>19</sup> United States Geological Survey (USGS). 2021. U.S Quaternary Faults Interactive Map. Website: <https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0adf88412fcf>. Accessed July 13, 2021.

<sup>20</sup> United States Geological Survey (USGS). What is a seismic zone, or seismic hazard zone? Website: [https://www.usgs.gov/faqs/what-a-seismic-zone-or-seismic-hazard-zone?qt-news\\_science\\_products=0#qt-news\\_science\\_products](https://www.usgs.gov/faqs/what-a-seismic-zone-or-seismic-hazard-zone?qt-news_science_products=0#qt-news_science_products). Accessed July 13, 2021.

<sup>21</sup> California Department of Conservation. 2020. CGS Seismic Hazards Program: Liquefaction Zones. Website: [https://maps-cnra-cadoc.opendata.arcgis.com/datasets/b70a766a60ad4c0688babdd47497dbad\\_0/explore?location=37.811160%2C-121.982332%2C8.84](https://maps-cnra-cadoc.opendata.arcgis.com/datasets/b70a766a60ad4c0688babdd47497dbad_0/explore?location=37.811160%2C-121.982332%2C8.84). Accessed July 13, 2021.

<sup>22</sup> City of Tracy. 2011. City of Tracy General Plan, Safety Element. Page 8-2.

<sup>23</sup> Ibid.

The project sites are not located within the vicinity of any Alquist-Priolo Earthquake Fault Zone. As previously stated, the nearest Alquist-Priolo Earthquake Fault Zone is the Calaveras Fault Zone, and it is approximately 25 miles west of the West Valley Mall site and more than 28 miles west of the Tracy Outlets site. To ensure the project upgrade and installation are conducted safely, construction and design would be undertaken using standard engineering and seismic safety design techniques in accordance with the 2019 CBC. Note that only the billboard faces would be replaced with digital displays on the existing Tracy Outlets sign and no ground disturbance would occur. As such, the impacts related to potential rupture of a known earthquake fault would be less than significant.

**ii) Strong seismic ground shaking?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Impacts specific to the construction and operation of the two proposed billboards are discussed below.

The project sites are located within a seismically active region and strong shaking would be expected during the lifetime of the project, which could damage future improvements on the site and expose people to injury. As the City lies primarily within Seismic Zone 3 with parts of the Tracy Hills Specific Plan area in Zone 4, the four major nearby earthquake faults historically have produced the earthquakes felt in the City.<sup>24</sup> The Calaveras Fault historically has created seismic activity in the City, but activity has lessened over time, with earthquake magnitudes ranging from 5.6 to 6.9.<sup>25</sup> To avoid or minimize potential damage from seismic shaking and liquefaction, the proposed project shall be built using standard engineering and seismic safety design techniques in accordance with the 2019 CBC. As stated above, no ground disturbance would be required for the digital billboard upgrade of existing Tracy Outlets sign. Therefore, the impact would be less than significant.

**iii) Seismic-related ground failure, including liquefaction?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The project sites are located in the Tracy Planning Area, which is subject to moderate potential for liquefaction. Liquefaction is the result of seismic activity and is characterized as the transformation of loosely water-saturated soils from a solid state to a liquid state after ground shaking. Variables that contribute to liquefaction include age of the soil, soil type, soil cohesion, soil density, and groundwater level. Soils most susceptible to liquefaction are loose, uniformly graded, fine-grained sands. The site is in an urbanized area. However, the proposed project would involve the construction of the West Valley Mall sign, but would not require any ground disturbance for the

<sup>24</sup> City of Tracy. 2011. City of Tracy General Plan, Safety Element. Page 8-2.

<sup>25</sup> Rogers, J and Halliday, J. Tracking the elusive Calaveras Fault from Sunol to San Ramon. Website: [https://web.mst.edu/~rogersda/forensic\\_geology/calaveras\\_fault/calaveras\\_fault.htm](https://web.mst.edu/~rogersda/forensic_geology/calaveras_fault/calaveras_fault.htm). Accessed July 13, 2021.

upgrade of the existing Tracy Outlets sign. The proposed digital freeway signs would not be intended for human occupancy. With adherence to the 2019 CBC, this impact would be less than significant.

**iv) Landslides?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The project sites are relatively flat and are surrounded by commercial buildings. Furthermore, the Tracy Outlets sign is an existing sign. Only the billboard faces would be replaced, and no ground disturbance would occur. Due primarily to the existing developed condition of the area and relatively flat topography, the probability of landslides occurring during a seismic event is low. Therefore, a landslide-related impact would be less than significant.

**b) Result in substantial soil erosion or the loss of topsoil?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The digital billboard upgrade at the Tracy Outlets site would not consist of any earth-disturbing activities and therefore, would not result in soil erosion or the loss of topsoil. Construction of the digital billboard at the West Valley Mall site would include limited excavation for the installation and foundation of the billboard. The billboard area of the West Valley Mall sign is estimated to be approximately 300 square feet or less. Standard construction practices would be followed to minimize soil erosion during construction of the West Valley Mall sign. As a result, the impacts would be less than significant.

**c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

Lateral spreading typically occurs as a form of horizontal displacement of a relatively flat-lying alluvial material toward an open or “free” face such as an open body of water, channel, or excavation. There are no creeks or open bodies of water adjacent to the proposed site area of the West Valley Mall sign, and the Tracy Outlets sign would only be an upgrade to a digital sign and no

ground disturbance would be required. Therefore, the potential for lateral spreading to affect the site is low.

As previously stated, the proposed digital billboard would be implemented using standard engineering and seismic safety design techniques in accordance with the 2019 CBC. As stated above, no ground disturbance would be required for the digital billboard upgrade of existing Tracy Outlets sign. As such, the proposed project would be compliant with all applicable State and local requirements. Therefore, the impact associated with unstable geologic unit or soil would be less than significant.

**d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

**Less than significant impact.** The proposed project does not include construction of any structures intended for human occupancy, which precludes substantial risks to life or property as a result of expansive soils. According to the Web Soil Survey by United States Department of Agriculture, the project sites are not located on expansive soil.<sup>26</sup> As previously stated, the proposed project would be implemented in accordance with the 2019 CBC. As such, the proposed project would be compliant with all applicable State and local requirements. Therefore, the impact associated with expansive soils would be less than significant.

**e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

**No impact.** The proposed project does not require the use of any septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur.

**f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The proposed project would not require ground disturbance for the digital billboard upgrade of the existing Tracy Outlets sign and therefore would have no potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature at this location. For the billboard construction at the West Valley Mall site, no paleontological resources or geologic features are anticipated to be encountered during the project's construction phase due to the disturbed nature of the site and the limited amount of excavation that would be required to implement the project. Therefore, no impact would occur.

<sup>26</sup> United States Department of Agriculture. Web Soil Survey. Website: <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>. Accessed July 13, 2021.

## **Mitigation Measures**

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.8 Greenhouse Gas Emissions</b>				
<i>Would the project:</i>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

### Setting

#### **Energy Basics**

Energy use, especially through fossil fuel consumption and combustion, relates directly to environmental quality since it can adversely affect air quality and generate GHG emissions that contribute to climate change. Electrical power is generated through a variety of sources, including fossil fuel combustion, hydropower, wind, solar, biofuels, and others. Natural gas is widely used to heat buildings, prepare food in restaurants and residences, and fuel vehicles, among other uses. Fuel use for transportation is related to the fuel efficiency of cars, trucks, and public transportation; choice of different travel modes such as auto, carpool, and public transit; and miles traveled by these modes, and generally based on petroleum-based fuels such as diesel and gasoline. Electric vehicles may not have any direct emissions but do have indirect emissions via the source of electricity generated to power the vehicle. Construction and routine operation and maintenance of transportation infrastructure also consume energy.

### 2.1.2 - Regulatory Framework

#### California

##### **Legislative Actions to Reduce GHGs**

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any State in the nation, much of which is centered on energy efficiency and clean fuels. Legislation such as Title 24 and Title 20 energy standards were adopted for energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

**AB 1493 Pavley Regulations and Fuel Efficiency Standards.** California AB 1493, enacted on July 22, 2002, required the ARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light-duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA's denial of an implementation waiver. The EPA subsequently granted the

requested waiver in 2009, which was upheld by the United States District Court for the District of Columbia in 2011.<sup>27</sup> The standards were to be phased in during the 2009 through 2016 model years.<sup>28</sup>

The second phase of the implementation for the Pavley Bill was incorporated into Amendments to the Low-emission Vehicle Program referred to as LEV III or the Advanced Clean Cars program. The Advanced Clean Car program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for model years 2017 through 2025. The regulation is anticipated to reduce GHGs from new cars by 34 percent from 2016 levels by 2025. The new rules will reduce pollutants from gasoline and diesel-powered cars, and deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid electric vehicles and hydrogen fuel cell cars. The regulations will also ensure adequate fueling infrastructure is available for the increasing numbers of hydrogen fuel cell vehicles planned for deployment in California.

**AB 32.** The California State Legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires that GHGs emitted in California be reduced to 1990 levels by the year 2020. “Greenhouse gases” as defined under AB 32 include CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Since AB 32 was enacted, a seventh chemical, nitrogen trifluoride, has also been added to the list of GHGs.

The ARB is the State agency charged with monitoring and regulating sources of GHGs. The ARB approved the 1990 GHG emissions level of 427 million metric tons (MMT) CO<sub>2</sub>e on December 6, 2007.<sup>29</sup> Therefore, to meet the State’s target, emissions generated in California in 2020 are required to be equal to or less than 427 MMT CO<sub>2</sub>e. Emissions in 2020 in a Business as Usual (BAU) scenario were estimated to be 596 MMT CO<sub>2</sub>e, which do not account for reductions from AB 32 regulations.<sup>30</sup> At that rate, a 28 percent reduction was required to achieve the 427 MMT CO<sub>2</sub>e 1990 inventory. In October 2010, ARB prepared an updated 2020 forecast to account for the effects of the 2008 recession and slower forecasted growth. Under the updated forecast, a 21.7 percent reduction from BAU is required to achieve 1990 levels.<sup>31</sup>

**ARB Scoping Plan.** The ARB Climate Change Scoping Plan (Scoping Plan) contains measures designed to reduce the State’s emissions to 1990 levels by the year 2020 to comply with AB 32.<sup>32</sup> The Scoping Plan identifies recommended measures for multiple GHG emission sectors and the associated emission reductions needed to achieve the year 2020 emissions target—each sector has a different

<sup>27</sup> California Air Resources Board (ARB). 2013. Clean Car Standards—Pavley, Assembly Bill 1493. Website: <http://www.arb.ca.gov/cc/ccms/ccms.htm>. Accessed June 14, 2021.

<sup>28</sup> California Air Resources Board (ARB). 2013. Facts About the Clean Cars Program. Website: [http://www.arb.ca.gov/msprog/zevprog/factsheets/advanced\\_clean\\_cars\\_eng.pdf](http://www.arb.ca.gov/msprog/zevprog/factsheets/advanced_clean_cars_eng.pdf). Accessed June 14, 2021.

<sup>29</sup> California Air Resources Board (ARB). 2007. Staff Report. California 1990 Greenhouse Gas Level and 2020 Emissions Limit. November 16, 2007. Website: [www.arb.ca.gov/cc/inventory/pubs/reports/staff\\_report\\_1990\\_level.pdf](http://www.arb.ca.gov/cc/inventory/pubs/reports/staff_report_1990_level.pdf). Accessed June 14, 2021.

<sup>30</sup> California Air Resources Board (ARB). 2008. (includes edits made in 2009) Climate Change Scoping Plan, a framework for change. Website: [http://www.arb.ca.gov/cc/scopingplan/document/adopted\\_scoping\\_plan.pdf](http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf). Accessed June 14, 2021.

<sup>31</sup> California Air Resources Board (ARB). 2010. 2020 Greenhouse Gas Emissions Projection and BAU Scenario Emissions Estimate. Website: [http://www.arb.ca.gov/cc/inventory/archive/captrade\\_2010\\_projection.pdf](http://www.arb.ca.gov/cc/inventory/archive/captrade_2010_projection.pdf). Accessed June 14, 2021.

<sup>32</sup> California Air Resources Board (ARB). 2008. (includes edits made in 2009) Climate Change Scoping Plan, a framework for change. Website: [http://www.arb.ca.gov/cc/scopingplan/document/adopted\\_scoping\\_plan.pdf](http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf). Accessed June 14, 2021

emission reduction target. Most of the measures target the transportation and electricity sectors. As stated in the Scoping Plan, the key elements of the strategy for achieving the 2020 GHG target include:

- Expanding and strengthening existing energy efficiency programs as well as building and appliance standards;
- Achieving a Statewide renewables energy mix of 33 percent;
- Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system;
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets;
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard (LCFS); and
- Creating targeted fees, including a public goods charge on water use, fees on high global warming potential gases, and a fee to fund the administrative costs of the State's long-term commitment to AB 32 implementation.

In addition, the Scoping Plan differentiates between “capped” and “uncapped” strategies. Capped strategies are subject to the proposed cap-and-trade program. Implementation of the capped strategies is calculated to achieve a sufficient amount of reductions by 2020 to achieve the emission target contained in AB 32. Uncapped strategies that will not be subject to the cap-and-trade emissions caps and requirements are provided as a margin of safety by accounting for additional GHG emission reductions.<sup>33</sup>

The ARB approved the First Update to the Scoping Plan on May 22, 2014. The First Update builds upon the Initial Scoping Plan with new strategies and recommendations.

**SB 375—the Sustainable Communities and Climate Protection Act of 2008.** SB 375 was signed into law on September 30, 2008. According to SB 375, the transportation sector is the largest contributor of GHG emissions, which emits more than 40 percent of the total GHG emissions in California. SB 375 states, “Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32.” SB 375 does the following: (1) requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

**SB 1078—Renewable Electricity Standards.** On September 12, 2002, Governor Gray Davis signed SB 1078, requiring California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, Governor Arnold

<sup>33</sup> California Air Resources Board (ARB). 2008 (includes edits made in 2009). Climate Change Scoping Plan, a framework for change. Website: [http://www.arb.ca.gov/cc/scopingplan/document/adopted\\_scoping\\_plan.pdf](http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf). Accessed June 14, 2021

Schwarzenegger signed Executive Order S-14-08, which established a Renewable Portfolio Standard target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Governor Schwarzenegger also directed the ARB (Executive Order S-21-09) to adopt a regulation by July 31, 2010, requiring the State's load serving entities to meet a 33 percent renewable energy target by 2020. The ARB Board approved the Renewable Electricity Standard on September 23, 2010, by Resolution 10-23.

**SB 350—Clean Energy and Pollution Reduction Act of 2015.** The legislature recently approved, and the Governor signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies toward a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Provisions for a 50 percent reduction in the use of petroleum Statewide were removed from the Bill due to opposition and concern that it would prevent the Bill's passage. Specifically, SB 350 requires the following to reduce Statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the California Energy Commission (CEC), and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

**SB 100—The 100 Percent Clean Energy Act of 2018.** The legislation directs the CPUC, CEC, and ARB to plan for 100 percent of total retail sales of electricity in California to come from eligible renewable energy resources and zero-carbon resources by December 31, 2045. This act amends Sections 399.11, 399.15, and 399.30 of, and adds Section 454.53 to, the Public Utilities Code, relating to energy.

#### ***Executive Orders Related to GHG Emissions***

California's Executive Branch has taken several actions to reduce energy consumption through the use of Executive Orders. Although not regulatory, they set the tone for the State and guide the actions of State agencies.

**Executive Order S-01-07—Low Carbon Fuel Standard.** The Governor signed Executive Order S 01-07 on January 18, 2007. The order mandates that a Statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. In particular, the executive order established a LCFS and directed the Secretary for Environmental Protection to coordinate the actions of the CEC, the ARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. The ARB adopted the LCFS on April 23, 2009.

The LCFS was subject to legal challenge in 2011. Ultimately, on August 8, 2013, the Fifth District Court of Appeal (California) ruled that ARB failed to comply with CEQA and the Administrative Procedure Act when adopting regulations for LCFS. In a partially published opinion, the Court of Appeal directed that Resolution 09-31 and two Executive Orders of ARB approving LCFS regulations promulgated to reduce GHG emissions be set aside. However, the Court tailored its remedy to protect the public interest by allowing the LCFS regulations to remain operative while ARB complies with the procedural requirements it failed to satisfy.

To address the Court ruling, the ARB was required to bring a new LCFS Regulation to the Board for consideration in February 2015. The proposed LCFS Regulation was required to contain revisions to the 2010 LCFS as well as new provisions designed to foster investments in the production of the low carbon fuels, offer additional flexibility to regulated parties, update critical technical information, simplify and streamline program operations, and enhance enforcement. The second public hearing for the new LCFS Regulation was held on September 24, 2015, and September 25, 2015, where the LCFS Regulation was adopted. The Final Rulemaking Package adopting the regulation was filed with the Office of Administrative Law on October 2, 2015. The OAL approved the regulation on November 16, 2015.

**Executive Order N-79-20.** On September 23, 2020, Governor Gavin Newsom issued an executive order establishing a goal that 100 percent of new passenger cars and trucks sold in California shall be zero-emission by 2035. The executive order also sets a goal that, where feasible, all operations include zero-emission medium- and heavy-duty trucks by 2045, and drayage trucks by 2035. Off-road vehicles have a goal to transition to 100 percent zero-emission vehicles by 2035, where feasible.

### ***California Regulations and Building Codes***

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

**Title 20 Appliance Efficiency Regulations.** California Code of Regulations, Title 20: Division 2, Chapter 4, Article 4, Sections 1601-1608: Appliance Efficiency Regulations regulates the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the State and those designed and sold exclusively for use in recreational vehicles or other mobile equipment.<sup>34</sup>

**Title 24 Energy Efficiency Standards.** California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are

<sup>34</sup> Bay Area Air Quality Management District (BAAQMD). 2017. CEQA Air Quality Guidelines. May. Website: [http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa\\_guidelines\\_may2017-pdf.pdf?la=en](http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en). Accessed June 1, 2021

updated periodically to allow consideration and possible incorporation of new energy-efficient technologies and methods. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The newest version of Title 24 adopted by the CEC went into effect on January 1, 2017.<sup>35</sup> The 2019 Building Energy Efficiency Standards are scheduled to go into effect on January 1, 2020. One of the notable changes in the 2019 Title 24 Standards includes the solar photovoltaic systems requirement for new low-rise residential homes.

**Title 24 California Green Building Standards Code.** California Code of Regulations, Title 24, Part 11 is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect January 1, 2011. The code is updated on a regular basis, with the most recent update consisting of the 2016 California Green Building Code Standards that became effective January 1, 2017.<sup>36</sup> Local jurisdictions are permitted to adopt more stringent requirements, as State law provides methods for local enhancements. State building code provides the minimum standard that buildings need to meet in order to be certified for occupancy, which is generally enforced by the local building official.

## **Local**

### ***City of Tracy***

#### *City of Tracy Sustainability Action Plan*

The City of Tracy Sustainability Action Plan was adopted in 2011 to achieve sustainability in numerous sectors including GHG emissions, energy, and transportation and land use. The Sustainability Action Plan includes specific measures to be implemented that the City estimates will reduce GHG emissions by 378,461 to 482,154 metric tons of CO<sub>2</sub>e. These reductions would come in part from reductions in VMT and energy consumption, with the relevant sustainability measures listed below.

#### **E-1                   Green Building Ordinance.**

Develop an incentives-based Green Building Ordinance that promotes energy-efficient design for new buildings.

#### **E-2                   Energy Efficiency in Site Planning and Design.**

Amend the Zoning Ordinance, City Standards, or Subdivision Guidelines to do the following:

- a. Establish measures that reduce energy use through solar orientation by taking advantage of landscaping and sunscreens.

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<sup>35</sup> California Energy Commission (CEC). 2016. 2016 Building Energy Efficiency Standards Frequently Asked Questions. Website: [http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2016\\_Building\\_Energy\\_Efficiency\\_Standards\\_FAQ.pdf](http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2016_Building_Energy_Efficiency_Standards_FAQ.pdf). Accessed June 1, 2021

<sup>36</sup> California Building Standards Commission (CBSC). 2016. Green Building Standards. Website: [https://www.ladbs.org/docs/default-source/publications/code-amendments/2016-calgreen\\_complete.pdf?sfvrsn=6](https://www.ladbs.org/docs/default-source/publications/code-amendments/2016-calgreen_complete.pdf?sfvrsn=6). Accessed June 27, 2021

- b. Allow increased height limits and greater development flexibility in exchange for incorporating energy-efficient green building practices. Provide permitting-related and other incentives for energy-efficient building projects, for example by giving green projects priority in plan review, processing, and field inspection services.
- c. Establish guidelines for cool pavements and strategically placed shade trees.
- d. Require all new development and major rehabilitation (i.e., additions of 25,000 square feet of office/retail commercial or 100,000 square feet of industrial floor area) projects to incorporate any combination of the following strategies to reduce heat gain for 50 percent of the non-roof impervious site landscape, which includes sidewalks, courtyards, parking lots, and driveways: shaded within five years of occupancy; use of paving materials with a Solar Reflectance Index (SRI) of at least 29; open grid pavement system; or locating parking spaces under deck, under roof, or under a building.
- e. Require outdoor lighting fixtures to be energy-efficient. Require parking lot light fixtures and light fixtures on buildings to be on full cut-off fixtures, except emergency exit or safety lighting, and all permanently installed exterior lighting shall be controlled by adjustable timers. Prohibit continuous all night outdoor lighting in sports stadiums, construction sites, and rural areas unless they are required for security reasons.
- f. Where feasible, increase solar access by requiring that new streets be designed so that the blocks have one axis within plus or minus 15 degrees of geographical east/west, and the east/west length of those blocks are at least as long, or longer, as the north/south length of the block. Areas with topological constraints, among others, may be excluded from this requirement.

**E-3**

**Green Building and Energy Efficiency Design and Education.**

- a. Amend the City of Tracy Design Goals and Standards to do the following:
  - i. Integrate guidelines from the Green Building Ordinance.
  - ii. Integrate guidelines related to cool pavements in the City Standards.
  - iii. Balance tradeoffs between solar access and landscape tree shading.
- b. Conduct the following public education and outreach campaigns:
  - i. Provide information about green building, marketing, training, and technical assistance to property owners, development professionals, schools, and special districts.
  - ii. Develop an "energy efficiency challenge" campaign for community residents or businesses.
  - iii. Provide public education and publicity about renewable resources, energy efficiency and emissions reduction programs and incentives.

**E-4**

**Energy-Efficient Products and Retrofits.**

- a. Partner with PG&E to do the following, using outside funds:

- i. Promote the use of energy-efficient appliances that meet Energy Star standards when higher than Title 24.
- ii. Distribute compact fluorescent light (CFL) bulbs and/or fixtures to community members.
- iii. Offer a halogen torchiere lamp exchange to community members.
- iv. Promote energy efficiency audits of existing buildings to check, repair, and readjust heating, ventilation, air conditioning, lighting, water heating equipment, insulation, and weatherization.
- v. Encourage energy audits to be performed when residential and commercial buildings are sold. Energy audits will include information regarding the opportunities for energy efficiency improvements, and will be presented to the buyer. Commercial buildings are encouraged to be “benchmarked” using EPA’s ENERGY STAR Portfolio Manager Tool.
- vi. Encourage individualized energy management planning and related services for large energy users. vii. Fund and schedule energy efficiency retrofits or “tune-ups” of existing buildings.
- b. Support San Joaquin Valley Unified Air Pollution Control District’s lawnmower exchange program for residents to exchange conventional gas-powered lawnmowers for electric and rechargeable battery-powered lawnmowers.
- c. Encourage new development to provide exterior electrical outlets so that electric lawnmowers and other landscaping equipment can be sufficiently powered.
- d. Encourage the installation of programmable thermostat timers.
- e. Encourage the installation of energy-efficient boilers.

**E-5 Weatherization Assistance.**

Continue to fund weatherization projects for households that meet the income eligibility criteria by utilizing the Community Development Agency’s Downtown Rehabilitation Loan and Grant programs.

**E-6 Financing for Energy Efficiency and Renewable Energy Projects.**

Develop a program under AB 811 to offer innovative, low-interest financing for energy efficiency and renewable energy projects for existing and new development, including heating, ventilation, air conditioning, lighting, water heating equipment, insulation, weatherization, and solar.

**E-7 Energy Efficient Retrofits for City Street Lights.**

Retrofit City streetlights to LED or induction lighting.

**E-8 Solar Panel Installations on Municipal Facilities.**

Install solar panels on municipal facilities.

**E-9**

**Energy Efficiency Settings for City Desktop Computers.**

Change the settings for all City desktop computers to achieve the following:

- a. All monitors shall go into sleep mode after 15 minutes of inactivity.
- b. All computers shall go into sleep mode after 90 minutes of inactivity Install solar panels on municipal facilities.

**T-1**

**Live-Work and Work-Live Uses.**

Amend the Zoning Ordinance to allow live-work and work-live uses in existing and future residential development and adopt more flexible home occupation requirements.

**T-2**

**Reduced Parking Requirements.**

Amend the Zoning Ordinance to allow a reduction in parking requirements under the following circumstances:

- a. Multiple uses with staggered parking demand
- b. Actual demand lower than as required in code as demonstrated by a parking study
- c. Proximity to bus stop/transit
- d. Mixed-use project
- e. In-lieu fee in Downtown

**T-3**

**Support for Bicycling.**

Promote bicycle usage through the following:

- a. Continue to require bicycle parking for nonresidential and multi-family uses.
- b. Amend the Zoning Ordinance to require shower facilities and dressing areas for significant new or redevelopment of nonresidential uses.
- c. Create a bicycle-sharing program.
- d. Provide bicycle parking near transit.

**T-4**

**Support for Transit.**

Promote transit ridership through the following:

- a. Add to the Transportation Master Plan, where justified by ridership and funding availability, an increase transit route coverage to within  $\frac{1}{2}$  mile of all residents in the developed city and to within  $\frac{1}{4}$  mile of 75 percent of residents within new development areas.

- b. Continue to implement the City's program to provide covered and partially enclosed shelters that are adequate to buffer wind and rain and with at least one bench at each existing public transit stop and to provide local public transit information in transit shelters.
- c. Provide information to city employees through the Human Resources Department and the City's Transit Coordinator on commute alternatives and incentives, including carpool/vanpool programs, transit service schedules, transit vouchers, alternative work week plans, telecommuting options, and incentives that can be used to increase employee use of alternative modes or work schedules.
- d. Work with the San Joaquin Regional Rail Commission to study the feasibility of creating rail service in Tracy's downtown.
- e. Continue to provide citywide door to door service for ADA customers and seniors on the City's Tracer service.
- f. Continue to run Tracer along commuter routes during peak times, providing remaining service to all the middle and high schools and high employment areas, such as the West Valley Mall.
- g. Encourage affordable housing to be located in transit-oriented development whenever feasible.

## **T-5**

### **Smart Growth, Urban Design and Planning.**

Promote pedestrian safety, neighborhood connectivity and walkable neighborhoods through the following:

- a. Create development standards for commercial, office, and retail zones to promote a principal functional entry that faces a public street. In the Zoning Code, evaluate more restrictive parking requirements to achieve greater pedestrian connections between streets and building entrances. Require all new buildings within the Corridor Overlay Zone and the Village Center (VC) Zone to be located an appropriate distance from the street to promote walkability, such as 10 feet. Within these zones, increase use of windows or storefronts with views into the building along a minimum of portion of the ground floor building walls fronting the primary street, depending on the building context.
- b. Amend the Municipal Code or create subdivision design standards to require all new development within applicable areas to do the following:
  - i. Include an interconnected grid of collectors and arterials within the developed city and connecting to and through new development areas with the goal of  $\frac{1}{4}$ -mile to  $\frac{1}{2}$ -mile minimum spacing of two- and four-lane roadways and minimal reliance on six-lane arterials.
  - ii. Include at least one through-street and/or nonmotorized right-of-way (nonmotorized rights-of-way may count for no more than 10 percent of the total) intersecting the project boundary at least every 400 feet, or at existing abutting street intervals, whichever is less.

- iii. Have internal connectivity such that there are at least 200 intersections per square mile.
- c. Amend the Zoning Ordinance to require adequate pedestrian access through all commercial, residential, and mixed-use development.
- d. Amend the Zoning Ordinance or create new subdivision standards to require new projects to include a pedestrian or bicycle through-connection in any new cul-de-sacs, except where prohibited by topographical conditions.
- e. Add to the Transportation Master Plan a program to close sidewalk gaps on key routes within the developed city, contingent on grant funding.
- f. Establish a ½-mile walkability standard for residents to access goods, services, and recreational facilities.

**T-6**

**Traffic Smoothing Through Congestion Management.**

Add to the Transportation Master Plan a program to implement traffic smoothing and congestion reduction at intersections along Eleventh Street, Grant Line Road, Schulte Road, Lammers Road, Tracy Boulevard, MacArthur Drive, and Chrisman Road corridors.

**T-7**

**San Joaquin County Park and Ride Lot Master Plan Implementation.**

Implement the County's Park and Ride Lot Master Plan, which identifies key locations for park and ride lots in Tracy.

**T-8**

**Alternative Transportation Choices for Students.**

Promote alternative transportation choices for students through the following:

- a. Continue to provide free or reduced bus passes for school students.
- b. Work with school districts to expand "Safe Routes to Schools" programs.
- c. Work with school districts to create ridesharing or "walking school bus" programs for students.

**T-9**

**Comprehensive Signal Coordination Program.**

Continue to implement a comprehensive signal coordination program for key routes in the developed city, connecting to and through new development areas and to the Interstate-205 interchanges. Include Intelligent Transportation System (ITS) elements to maximize effectiveness, such as adaptive traffic control, synchronized signals, transit and emergency signal priority, and other traffic flow management techniques.

**T-10      Ramp Metering on Interstate 205.**

Work with Caltrans and SJCOG to implement ramp metering on Interstate 205 to minimize congestion-related GHG emissions from both through trips and trips generated by Tracy that use Interstate 205.

**T-11      Increased Transit to Bay Area Cities and San Joaquin Valley Employment Centers.**

Work with regional transit agencies to increase the frequency and capacity of inter-city buses connecting Tracy to Bay Area cities, Stockton, and other San Joaquin Valley employment centers.

**T-12      Altamont Route Approval and Transit-Oriented Development Around Rail.**

Work with ACE and the High Speed Rail Authority to approve the Altamont Route and achieve successful integration of rail transit into a transit-oriented development zone, including an intra-city feeder bus system.

**T-13      Reduce Commute Trips.**

Support regional efforts to reduce commute trips, including the following:

- a. Support San Joaquin Valley Unified Air Pollution Control District requirements that large employers establish employee trip reduction programs such as Rule 9410.
- b. Promote the San Joaquin Council of Governments Commute Connection program, which provides information about commute options and connects commuters for carpooling, ridesharing and other activities.

**T-14      Parking Cash-Out Programs for Employees.**

Encourage businesses to offer parking cash-out programs and offer incentives to employees for giving up their employee provided parking space.

**T-15      Reduced Commuting from Out of the Region.**

Develop a program that will do the following:

- a. Encourage and support the development of satellite office space or “hoteling” space for use by employees of Bay Area firms who may be assigned to work temporarily in Tracy by offering development incentives to these types of projects. Incentives may include less restrictive height limit, setback, and parking requirements.
- b. Conduct public education and outreach to promote telecommuting and/or offices/businesses from home.

**T-16**

**Transit Passes for Residents and Employees of New Developments.**

The City shall provide transit passes valid for at least one year to each resident or employee of new development projects for a period of at least the first three years of project occupancy.

**T-17**

**Increased Use of Low Carbon Fueled Vehicles.**

Conduct the following to promote the use of low carbon fueled vehicles:

- a. Use the Zoning Ordinance to allow no/low carbon fueling stations as part of the “gas and service station” land use category.
- b. Amend the Zoning Ordinance or City Standards to require new projects to provide parking spaces reserved for hybrid or electric vehicles (EVs), carpool, or car share vehicles.
- c. Require dedicated parking spots for alternative fuel, hybrid, carpool, or car share vehicles in City parking lots and consider installing charging connections.
- d. Encourage employers to create vanpool or shuttle programs for employees.
- e. Encourage the use of hybrid and electric construction equipment and the use of alternative fuels for construction equipment.
- f. Convert the municipal automotive fleet to cleaner fuels and lower emissions. Convert the municipal nonautomotive fleet to cleaner fuels and lower emissions where technologically possible.

**T-18**

**Carbon Sequestration on Municipal Property.**

Develop a City program for maximizing carbon sequestration on municipal property through tree-planting.

**T-19**

**Mixed-Use and Traditional Residential Development.**

Continue City efforts to develop specific areas of the city as follows:

- a. Redevelop the Bowtie area with mixed-use development.
- b. Where appropriate, develop new neighborhoods based on traditional residential development patterns and mixed-use in a variety of densities with a pedestrian-friendly network of streets and parks.

**T-20**

**Employment-Generating and High-Density Infill Projects.**

Promote smart growth in Tracy through the following:

- a. Increase the development of employment-generating uses, in particular in West Tracy areas.

- b. Require mixed-use nodes surrounded by high-density development that transition to lower density development.
- c. In keeping with the City's Growth Management Ordinance Guidelines, prioritize high-density infill projects within Redevelopment Areas and Village Centers that have a high level of vehicular and pedestrian connectivity both internally and externally to the project through the allocation of Residential Growth Allotments.
- d. Develop each phase of Tracy Hills with an appropriate mix of density and uses consistent with the Tracy Hills Specific Plan.
- e. Develop each phase of new development in Tracy as close to existing development as practical and maximize the density and range of uses for each phase of development in a manner consistent with the applicable General Plan and Zoning designations.

## T-21 Compressed Natural Gas Buses for the City's Fleet.

Continue to use compressed natural gas buses for the City's bus fleet and evaluate the conversion of the bus fleet to diesel-electric hybrid.

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not generate greenhouse gas emissions. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The location of the project sites is regulated by the Valley Air District jurisdiction. Projects generate GHG emissions during construction and operation (e.g., mobile emissions, emissions from generation of electricity for operations, emissions of and from the manufacturing and transport of building materials).

The City of Tracy has not adopted its own GHG thresholds or prepared a Climate Action Plan that can be used as a basis for determining project significance, although it has a Sustainability Action Plan, which is a non-qualifying GHG reduction plan for the purposes of tiered analyses under CEQA Section 15183.5. The Valley Air District's Guidance for Valley Land Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA includes thresholds based on whether the project will reduce or mitigate GHG levels by 29 percent from BAU levels compared with 2005 levels.<sup>37</sup> This level of GHG reduction is based on the target established by ARB's AB 32 Scoping Plan, approved in 2008.

<sup>37</sup> San Joaquin Valley Air Pollution Control District (Valley Air District). 2009. "Final Staff Report, Addressing Greenhouse Gas Emissions Impacts under the California Environmental Quality Act." December 2009. Website: <https://www.valleyair.org/Programs/CCAP/12-17-09/1%20CCAP%20-%20FINAL%20CEQA%20GHG%20Staff%20Report%20-%20Dec%2017%202009.pdf>. Accessed June 29, 2021.

The 2010 Cap and Trade Inventory Update provided revised inventory projections to reflect slower growth in emissions during the recession and lower future year projections. The State's 2020 BAU inventory was reduced from 596 MMT CO<sub>2</sub>e to 545 MMT CO<sub>2</sub>e. The new GHG reduction level for the State to reach 1990 emission levels by 2020 is 21.7 percent from BAU in 2020. The First Update to the Climate Change Scoping Plan confirmed that the State is on track to achieve the 2020 target and to maintain and continue reductions beyond 2020 as required by AB 32.<sup>38</sup> In addition, the State has reported that the 2016 GHG inventory was below the 2020 target for the first time. Furthermore, the 2017 Scoping Plan states that California was on track to achieve the 2020 target at the time of its preparation. The proposed project is expected to become operational in 2021, which is beyond the AB 32 target year. Until a new threshold is identified for projects constructed after 2020, significance is based on making continued progress toward the SB 32 2030 target.

Consistency with the SB 32 targets and the 2017 Scoping Plan Update is also addressed with an assessment of the project's reduction from BAU based on emissions in 2030 compared with the 21.7 percent reduction. This approach considers project emissions in the context of the 21.7 percent reduction in the 2030 milestone year.

#### *Newhall Ranch*

On November 30, 2015, the California Supreme Court issued its decision in *Newhall Ranch* invalidating the GHG analysis for a large master planned residential development in Los Angeles County consisting of more than 20,000 residential dwelling units and other uses. In particular, the Court upheld: (1) use of the statewide emissions reduction goal in AB 32 as a significance criterion (pp. 15–19), (2) use of the Scoping Plan's BAU model “as a comparative tool for evaluating efficiency and conservation efforts” of the Project (pp. 18–19), and (3) a comparison of the project's expected emissions to a BAU model rather than a baseline of pre-project conditions (pp. 15–19). The Court invalidated the GHG analysis on the grounds that the “administrative record discloses no substantial evidence that the Newhall Ranch's project-level reduction of 31 percent in comparison to [BAU] is consistent with achieving AB 32's statewide goal of a 29 percent reduction from [BAU].” The Court indicated that a lead agency may use a BAU comparison based on the Scoping Plan's methodology if it also substantiates the reduction a particular project must achieve to comply with statewide goals. The Court suggested a lead agency could examine the “data behind the Scoping Plan's business as usual model” to determine the necessary project-level reductions from new land use development at the proposed location (p. 25). “Second, a lead agency might assess consistency with AB 32's goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities.”

The substantial evidence needed to support a project BAU threshold can be derived from data used to develop the Scoping Plan inventory and control strategy and from analysis conducted by the ARB to track progress in achieving the AB 32 2020 target. The critical factor in determining the appropriate project threshold is whether the State requires additional reductions beyond that achieved by regulations to achieve its target. If no additional reductions are required from individual

<sup>38</sup> California Air Resources Board (ARB). 2014. First Update to the Climate Change Scoping Plan. May. Website: [https://ww2.arb.ca.gov/sites/default/files/classic//cc/scopingplan/2013\\_update/first\\_update\\_climate\\_change\\_scoping\\_plan.pdf](https://ww2.arb.ca.gov/sites/default/files/classic//cc/scopingplan/2013_update/first_update_climate_change_scoping_plan.pdf). Accessed June 29, 2021.

projects, no nexus exists to require a project to mitigate its emissions. In that case, the percentage reductions achieved by projects is the amount needed to reach the AB 32 target.

The State's regulatory program implementing the 2008 Scoping Plan is now fully mature. All regulations envisioned in the Scoping Plan have been adopted, and the effectiveness of those regulations has been estimated by the agencies during the adoption process and then tracked to verify their effectiveness after implementation. The combined effect of this successful effort is that the State now projects that it will meet the 2020 target and achieve continued progress toward meeting post-2020 targets. Governor Brown, in the introduction to Executive Order B-30-15, stated "California is on track to meet or exceed the current target of reducing greenhouse gas emissions to 1990 levels by 2020, as established in the California Global Warming Solutions Act of 2006 (AB 32)."

The Supreme Court was concerned that new development may need to do more than existing development to reduce GHGs to demonstrate that it is doing its fair share of reductions. As will be shown below, new development does do more than existing development and, due to the nature of the sources of GHG emissions related to development, existing development is equally responsible for reducing emissions from the most important sources of emissions. It is important to note that most of the State's regulatory program applies to new and existing development.

The Scoping Plan reduction from BAU accounts for growth projected in the State and assumes that existing development would continue to emit GHGs at the same rate that occurred in the base year (2002–2004 average). The California Department of Finance Report E-5 estimates population growth in California from 2005 to 2020 to be 13.2 percent. This means that development that existed in 2005 will produce nearly 87 percent of the State's emissions in 2020. Conversely, new development is only responsible for about 13 percent of the emissions generated during this timeframe. If measures to reduce emissions from existing development were not available, new development could not provide sufficient reductions to reach the 2020 target even if their emissions were reduced to net zero.

The State's regulatory program is able to target both new and existing development because the two most important strategies, motor vehicle fuel efficiency and emissions from electricity generation, obtain reductions equally from existing sources and new sources. This is because all vehicle operators use cleaner low carbon fuels and buy vehicles subject to the fuel efficiency regulations and all building owners or operators purchase cleaner energy from the grid that is produced by increasing percentages of renewable fuels. This includes regulations on mobile sources such as the Pavley standards that apply to all vehicles purchased in California, the LCFS that applies to all fuel sold in California, and the Renewable Portfolio Standard and Renewable Energy Standard under SB 100 that apply to utilities providing electricity to all California end users. The reduction strategy where new development is required to do more than existing development is building energy efficiency and energy use related to water conservation regulations. For example, new projects are subject to Title 24 Energy Efficiency standards and CALGreen Code requirements. Buildings constructed to the 2013 Title 24 standards use 30 percent less energy than buildings complying with the 2008 standards, with continued improvement expected under the new 2016 standards. New buildings are much more energy-efficient than the development that has been built over the past decades and will require much less energy.

In summary, as previously discussed, the State requires an average reduction from all sources of the emission inventory of about 22 percent. The Scoping Plan strategy will achieve more than average reductions from energy and mobile source sectors that are the primary sources related to development projects and lower than average reductions from other sources such as agriculture.

### **Construction GHG Emissions**

During project construction, GHGs would be generated by construction activities such as site clearing, the operation of heavy-duty construction vehicles, materials and debris hauling, paving, and construction worker vehicle trips. These emissions would be considered short-term in duration. The Bay Area Air Quality Management District (BAAQMD) does not have an adopted threshold of significance for construction-related GHG emissions; however, the Valley Air District does not recommend assessing the significance of construction-related emissions.

Nonetheless, construction emissions were estimated using CalEEMod (Version 2016.3.2) and displayed in Table 8 for informational purposes. As shown in Table 8, the proposed project is estimated to generate approximately 15 metric ton (MT) CO<sub>2</sub>e. As the Valley Air District does not have construction-related thresholds and the BAU analysis approach is principally intended to measure operational GHG emissions, construction-related GHG impacts would be less than significant.

**Table 8: Construction GHG Emissions**

<b>Construction Year</b>	<b>MT CO<sub>2</sub>e per year<sup>1,2</sup></b>
Project Construction—2021	15
<b>Total Construction Emissions</b>	<b>15</b>

Notes:

MT CO<sub>2</sub>e = metric tons of carbon dioxide equivalent

<sup>1</sup> Emissions are rounded to the nearest whole number.

<sup>2</sup> Emissions were estimated assuming diesel fuel to represent a reasonably worse-case scenario in the absence of project-specific information that would be needed to override the CalEEMod default assumptions.

Source: CalEEMod Output (Appendix C).

### **Operational GHG Emissions**

Operational or long-term GHG emissions occur over the life of the project. Sources for operational emissions include:

- Motor Vehicles: These emissions refer to GHG emissions contained in the exhaust from the cars and trucks that would travel to and from the project site for sporadic maintenance.
- Indirect Electricity: These emissions refer to those generated by off-site power plants to supply electricity required for the project.

As previously discussed, the proposed project would develop and operate LED digital billboards. LED digital billboards (programmable electronic signs) are subject to energy efficiency requirements under Title 24 of the California Code of Regulations. The billboard is required to be dimmable, which would reduce energy use and GHG emissions associated with the generation of electricity. The proposed LED digital billboard would be illuminated 24 hours per day, 365 days per year. The light levels emitted from the billboard would be set to adjust based upon ambient light conditions at any given time (i.e., nighttime versus daytime). PG&E would supply the electrical energy needed to illuminate each billboard. It is unclear how much electricity currently is used to power the one illuminated, traditional billboard face that the proposed project would be removing; therefore, this existing energy usage is not factored into the environmental baseline. Based on publicly available information, the average 14' by 48' electronic billboard uses approximately 29,000 to 94,000 kWh of electricity per year.<sup>39</sup>

Billboards require occasional upkeep and maintenance activities, which generate vehicle trips and resulting GHG emissions. The updates to the Specific Plan allow for up to two billboards to exist in the plan area, one of which would be the existing billboard that would be converted to a digital freeway sign. GHG emissions related to the maintenance and upkeep of the new billboard would not increase.

As previously discussed, the State's regulatory program is able to target both new and existing development because the two most important strategies, motor vehicle fuel efficiency and emissions from electricity generation, obtain reductions equally from existing sources and new sources. This is because all vehicle operators use cleaner low carbon fuels and buy vehicles subject to the fuel efficiency regulations and all building owners or operators purchase cleaner energy from the grid that is produced by increasing percentages of renewable fuels. This includes regulations on mobile sources such as the Pavley standards that apply to all vehicles purchased in California, the LCFS that applies to all fuel sold in California, and the Renewable Portfolio Standard and Renewable Energy Standard under SB 100 that apply to utilities providing electricity to all California end users.

Moreover, the Scoping Plan strategy will achieve more than average reductions from energy and mobile source sectors that are the primary sources related to development projects and lower than average reductions from other sources such as agriculture. Because the proposed project's operational GHG emissions would principally be generated from electricity consumption and vehicle use, which both activities are directly under the purview of the Scoping Plan strategy and have experienced reductions above the State average reduction, the proposed project would be consistent with the State's AB 32 and SB 32 GHG reduction goals. Nonetheless, operational emissions were estimated using CalEEMod (Version 2016.3.2) for informational purposes. As modeled, the proposed project is expected to generate 24 MT CO<sub>2</sub>e per year.

As the proposed project's GHG-generating activities would experience the necessary reductions through fuel efficiency and electricity procurement from increased fuel standards and SB 100 RPS

<sup>39</sup> San Diego Gas and Electric Company. 2014. Digital Billboard Energy Use in California. July. Website: [https://www.etcc.ca/sites/default/files/reports/et14sdg8011\\_digitalbillboardreport\\_2014-7.pdf](https://www.etcc.ca/sites/default/files/reports/et14sdg8011_digitalbillboardreport_2014-7.pdf). Accessed June 3, 2021.

requirements, respectively, GHG impacts related to the operation of the proposed project would be less than significant.

**b) Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not conflict with any applicant GHG reduction plans. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

As previously discussed, the proposed project's operational GHG emissions would be consistent with the reduction goals established by AB 32 and SB 32. The proposed electronic billboards would comply with Goal E-4 of the Sustainability Action Plan by including LED or similar energy-efficient products to reduce energy use and associated greenhouse gas emissions. As a result, the proposed project would not conflict with the policies, regulations or guidelines in the City of Tracy Sustainability Action Plan or any other applicable plan and/or regulations adopted for the purposes of reducing GHG emissions. Furthermore, as discussed in Impact 7(a), the proposed project would not generate substantial GHG emissions during either construction or operations. Considering this information, this impact would be less than significant.

## **Mitigation Measures**

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.9 Hazards and Hazardous Materials</b>				
<i>Would the project:</i>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

### Setting

The area surrounding the project sites contain commercial and residential land uses as well as transportation corridors. The surrounding land uses utilize some hazardous materials such as cleaning products, paints, and pesticides. Trucks could also transport hazardous materials along the I-205 and adjacent roadways to the project sites. The Tracy Outlets existing billboard was constructed between 1993 and 2005, which was after the date when the use of asbestos-containing materials (ACM) and/or lead-based paint was generally banned.

According to the Hazardous Waste and Substances Site List from the Department of Toxic Substances Control (DTSC), there are no known Cortese List (Section 65962.5(a)), sites located in the City of Tracy.<sup>40</sup>

The nearest potential hazardous site to the Tracy Outlets site is a gas station approximately 400 feet southwest of the site at 8715 Grant Line Road – its cleanup status is complete as of December 1991.<sup>41</sup> The nearest potential hazardous site to the West Valley Mall site is also a gas station approximately 530 feet east of the site at 2375 Grant Line Road—its cleanup status is complete as of January 2011.<sup>42</sup> The closest airport to the project sites is the Tracy Municipal Airport, a private airport located approximately 4.2 miles south of the West Valley Mall site and approximately 4.8 miles south of the Tracy Outlets site. Finally, the project sites are in urban environments and are not located near wildlands.

Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations, and would have no impacts regarding the creation of significant hazards through transport, use or disposal of hazardous materials. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The digital billboard upgrade of the existing Tracy Outlets billboard and the addition of a new billboard at the West Valley Mall site may involve the use, transport, and disposal of hazardous materials such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances used during construction. Construction of the West Valley Mall sign would also require the use of gasoline- and diesel-powered heavy equipment, such as bulldozers, backhoes, water pumps, and air compressors. If not appropriately managed, accidental spills of these hazardous materials could result in a significant impact. No ground disturbance would be required for the digital billboard upgrade of the Tracy Outlets billboard.

Any handling of hazardous materials would be limited in both quantity and concentrations. Furthermore, the digital board upgrade at the Tracy Outlets site, and the addition of a new billboard

<sup>40</sup> EnviroStor. 2021. DTSC Hazardous Waste and Substances Site List. Website: [https://www.envirostor.dtsc.ca.gov/public/search.asp?page=1&cmd=search&business\\_name=&main\\_street\\_name=&city=&zip=&county=&status=ACT%2CBKLG%2CCOM&branch=&site\\_type=CSITES%2COPEN%2CFUDS%2CCLOSE&npl=&funding=&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST&reporttype=CORTESE&federal\\_superfund=&state\\_response=&voluntary\\_cleanup=&school\\_cleanup=&operating=&post\\_closure=&non\\_operating=&corrective\\_action=&tiered\\_permit=&evaluation=&spec\\_prog=&national\\_priority\\_list=&senate=&congress=&assembly=&critical\\_pol=&business\\_type=&case\\_type=&searchtype=&hwmp\\_site\\_type=&cleanup\\_type=&ocieerp=&hwmp=False&permitted=&pc\\_permitted=&inspections=&complaints=&censustract=&cesdecile=&school\\_district=&orderby=upper%28business%5Fname%29](https://www.envirostor.dtsc.ca.gov/public/search.asp?page=1&cmd=search&business_name=&main_street_name=&city=&zip=&county=&status=ACT%2CBKLG%2CCOM&branch=&site_type=CSITES%2COPEN%2CFUDS%2CCLOSE&npl=&funding=&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST&reporttype=CORTESE&federal_superfund=&state_response=&voluntary_cleanup=&school_cleanup=&operating=&post_closure=&non_operating=&corrective_action=&tiered_permit=&evaluation=&spec_prog=&national_priority_list=&senate=&congress=&assembly=&critical_pol=&business_type=&case_type=&searchtype=&hwmp_site_type=&cleanup_type=&ocieerp=&hwmp=False&permitted=&pc_permitted=&inspections=&complaints=&censustract=&cesdecile=&school_district=&orderby=upper%28business%5Fname%29). Accessed June 15, 2021.

<sup>41</sup> California State Water Resources Control Board (State Water Board). 2021. GeoTracker – Interland Corp (T0607700404). Website: [https://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T0607700404](https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0607700404). Accessed July 13, 2021.

<sup>42</sup> California State Water Resources Control Board (State Water Board). 2021. GeoTracker – Shell Service Station (T0607724298) Website: [https://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T0607724298](https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0607724298). Accessed July 13, 2021.

at the West Valley Mall site would be required to conform to Title 49 of the Code of Federal Regulations, United States Department of Transportation (USDOT), State of California, and local laws, ordinances, and procedures.

Finally, operation of the project would require sporadic maintenance, but would not involve the use of any hazardous materials with the potential to significantly impact the public. Therefore, with adherence to applicable State, local, and federal requirements, impacts would be less than significant.

**b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations, and would have no impacts related to the release of hazardous materials into the environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

As described prior, construction activities would require the use and transport of potentially hazardous materials including oils and combustible fuels, but would not be stored in large quantities on-site at either project site. The applicant and its contractors are required to implement and comply with all relevant local, State, and federal regulations related to the handling, transport, and storage of hazardous materials.

Disturbance of on-site soils at the West Valley Mall site would be limited to soil removal in the immediate area required to install a foundation for the billboard. There would be no ground disturbance required for the digital billboard upgrade of the existing Tracy Outlets sign. The faces of the existing sign would be dismantled, transported, and disposed of in compliance with applicable regulations.

Finally, operation of the proposed project, which entails the changing of messages on electronic billboard faces and sporadic maintenance, but would not involve the use of any hazardous materials with the potential to significantly impact the public. Impacts from operation of the signs would be less than significant.

Based on the above, impacts associated with the release of hazards materials into the environment through reasonably foreseeable upset and accident conditions would be less than significant.

**c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations, and would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

There are no schools within one-quarter mile of the project sites. The distance to the nearest schools are as follows:

*Tracy Outlets site:*

- North Elementary School is approximately 0.78 mile southwest of the project site.
- Duncan Russell Community Day School is approximately 0.97 mile southwest of the project site.

*West Valley Mall site:*

- Art Freiler School is approximately 0.46 mile south of the project site.
- Merrill F. West High School is approximately 0.87 mile southeast of the project site.
- Jacobson Elementary School is approximately 0.96 mile east of the project site.

Therefore, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within 0.25 mile of an existing or proposed school, and no impact would occur.

**d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations, and would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List, maintained by the DTSC. As discussed under the Setting section, the results of a database search determined that there are no Cortese sites located on or in the vicinity of the project sites. The Cortese List contains hazardous waste and substance sites including public drinking water wells with detectable levels of contamination, sites with known underground storage tanks (USTs) having a reportable release, solid waste disposal facilities from which there is a known migration, hazardous substance sites selected for remedial action, historic Cortese sites, and sites with known toxic material identified through the abandoned site assessment program. The Envirostor database indicated that there are no known Cortese sites located within the City.<sup>43</sup> As a result, no impacts would occur.

<sup>43</sup> California State Water Resources Control Board (State Water Board). 2021. GeoTracker – Shell Service Station (T0607724298) Website: [https://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T0607724298](https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0607724298). Accessed July 13, 2021.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. Both project sites are located further than 2 miles from the closest airport. Both project sites are located more than 4 miles north of the Tracy Municipal Airport. This condition precludes the possibility of the project resulting in a safety hazard. There would be no impact.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations,, and would not interfere with any adopted emergency response plan or emergency evacuation plan. At no time would the surrounding roadways of the Tracy Outlets site be closed to traffic as it does not involve the construction of a new sign, only upgrade of the billboard faces, therefore construction activities would be limited to the West Valley Mall site.

Though project plans are unknown at this time, it is anticipated that the potential digital billboard at the West Valley Mall site could, as a worse-case scenario, involve a temporary roadway closure in the roundabout of the project site. A construction plan would be prepared which would identify specific provisions for the regulation of construction vehicle ingress and egress to the site during billboard installation. As a result, impacts would be less than significant.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations, and would not expose people or structures either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires, because there are no wildlands on or surrounding the project sites. The project area has an extensive history of development, including residential and commercial buildings with minimal landscaping. No impact would occur.

## **Mitigation Measures**

None required.

<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant Impact with Mitigation Incorporated</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
<b>2.10 Hydrology and Water Quality</b> <i>Would the project:</i>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **Environmental Evaluation**

### **Setting**

Within the City, rainfall totals can vary widely over a distance with windward mountain areas west of the City averaging more than 24 inches of rain annually, and shadow areas, such as the City proper, averaging about 10 inches annually.<sup>44</sup> The existing local stormwater network collects precipitation and drainage in the project area. The only surface bodies of water that exists in the surrounding

<sup>44</sup> City of Tracy. 2011. Sustainability Action Plan. February 1. Website: [https://www.ci.tracy.ca.us/documents/Sustainability\\_Action\\_Plan.pdf](https://www.ci.tracy.ca.us/documents/Sustainability_Action_Plan.pdf). Accessed July 15, 2021.

project area is the Old River and the San Joaquin River. The Tracy Outlets site is approximately 1.1 miles south of the Old River and approximately 5.6 miles east of the San Joaquin River. The West Valley Mall site is approximately 2.1 miles south of the Old River and approximately 8.5 miles east of the San Joaquin River. No surface bodies of water traverse the project sites.

Would the project:

- a) **Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment and therefore would not violate any water quality standards or waste discharge requirements. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

No ground disturbance would be required for the Tracy Outlets site, while minimal ground disturbance would be involved at the West Valley Mall site. Construction activities at the West Valley Mall site could allow surface water to carry small quantities of pollutants (e.g., oil or fuel used in construction equipment) off-site, thereby potentially affecting local waterways by degrading water quality, however, the proposed project would only include construction activities for short durations and would not substantially affect water quality standards. Excavated soils would be hauled to a landfill and no exposed soils would remain on-site. As such, a limited amount of soil would be exposed during the brief construction period associated with excavation activities. Construction of the proposed project would result in less than significant impacts related to water quality standards.

Furthermore, the proposed project would not change the amount of impervious surfaces compared with current conditions at the Tracy Outlets site since this site is already paved and developed with an existing billboard sign. Once the West Valley Mall site billboard is constructed, the proposed project would not affect water quality or result in a violation of waste discharge requirements thereafter. Proper operation and maintenance of the digital billboards would continue to ensure that such structures do not contribute pollutants to stormwater runoff. Therefore, impacts would be less than significant.

- b) **Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The proposed project would not utilize groundwater sources, and there would be no need to drill wells to supply water for the proposed project. Since both sites are currently paved and would be

paved post construction, operation of the proposed project would not impact groundwater supplies or interfere with groundwater recharge. Therefore, no impact would occur.

- c) **Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**
  - (i) **result in substantial erosion or siltation on- or off-site;**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not have erosion, surface runoff, or flood flow impacts. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The proposed upgrade at the Tracy Outlets site would occur using the pole structure that already exists and would not require ground disturbance. As such, the proposed upgrade would not alter existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.

The West Valley Mall site is mostly paved and consists of impervious surfaces. Construction of the billboard's foundation structure would result in a small footprint that would not result in substantial erosion or siltation on- or off-site. Therefore, the impact would be less than significant.

- (ii) **substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;**

**Less than significant impact.** As discussed in Impact 2.10(a), the proposed upgrade at the Tracy Outlets site would only upgrade the existing billboard faces and would not affect the ground surface.

At the West Valley Mall site, construction of the billboard's foundation structure would result in a small footprint that would not substantially impact the amount of runoff from the site, nor would it increase the amount of impervious surfaces compared to existing conditions. Therefore, the proposed project would not substantially increase the rate of runoff water that would result in flooding on- or off-site. The impact would be less than significant.

- (iii) **create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or**

**Less than significant impact.** The Tracy Outlets site would upgrade the traditional billboard faces to digital faces on the existing billboard structure. The upgrade would utilize the pole structure that already exists and would not increase the amount of impervious surfaces on the project site. Therefore, the upgrade would not create or contribute runoff water that would exceed the capacity of existing or planned drainage systems or provide additional sources of polluted runoff. Therefore, impacts would be less than significant.

The West Valley Mall site is mostly paved. Construction of the billboard's foundation structure would result in a small footprint that would not substantially impact the amount of runoff from the site, nor would it increase the amount of impervious surfaces compared to existing conditions. Therefore, development of the West Valley Mall site would not substantially contribute to runoff water that could exceed the capacity of existing drainage systems or provide sources of polluted runoff. Impacts would be less than significant.

**(iv) impede or redirect flood flows?**

**No impact.** The Federal Emergency Management Agency (FEMA) flood maps identify areas that are prone to flooding. According to the FEMA Flood Insurance Rate Map (FIRM), 06077C0595F,<sup>45</sup> the Tracy Outlets site is designated as Zone AE—Areas subject to inundation by the 1 percent annual-chance flood. The potential location at the West Valley Mall site corresponds to FIRM 06077C05950F, is designated as Zone X—areas of 0.2 percent annual chance of flood.<sup>46</sup> Although the Tracy Outlets site is located within a flood hazard zone, the proposed project would not alter existing ground condition since only the billboard faces would be upgraded at that location. Therefore, there would be no impact related to flood flows.

**d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations, and would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

A seiche is a seismically or wind-induced wave on an enclosed body of water such as a lake or reservoir. The nearest lake is Oakwood Lake located approximately 6.4 miles east of the Tracy Outlets site. There are no lakes in the vicinity of the West Valley Mall site, so there would be no seiche hazard. The nearest reservoirs are the Bethany Reservoir, located approximately 7.4 miles west of the West Valley Mall site, and the Clifton Court Forebay located approximately 7.1 miles northwest of the West Valley Mall site. Both reservoirs are more than ten miles west of the Tracy Outlets site. Due to the distance of the project sites the identified lake and reservoirs, impacts from seiches would be less than significant.

Tsunami inundation would not occur because the project sites are more than 11 miles from the Pacific Ocean. The project sites are located in a relatively flat area, so mudflows are unlikely to occur. Therefore, no impacts related to tsunami inundation or mudflows would occur.

As discussed above, although the Tracy Outlets site is located within Flood Zone AE, the proposed project would only include upgrade of the existing billboard faces at that location. There would not

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<sup>45</sup> Federal Emergency Management Agency (FEMA). 2020. FEMA Flood Map Service Center. Website: <https://msc.fema.gov/portal/search#searchresultsanchor>. Accessed July 22, 2021.

<sup>46</sup> Ibid.

be any ground disturbance and the site would remain paved. Therefore, there would not be a risk of release of pollutants due to project inundation. Impacts would be less than significant.

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The proposed project would result in minimal ground disturbance at the West Valley Mall site and none at the Tracy Outlets site. Development of the West Valley Mall site would not substantially change the amount of impervious surface area, and the digital billboards would not utilize any materials or equipment that could lead to surface water pollution. Therefore, the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. No impact would occur.

## **Mitigation Measures**

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.11 Land Use and Planning</b>				
<i>Would the project:</i>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

### Setting

The project sites are within an established urban community that has a history of development. The West Valley Mall site is approximately 355 feet west of the I-205 Freeway. The Tracy Outlets site is approximately 60 feet east of the Tracy Outlets building and approximately 400 feet south of the I-205 Freeway.

Would the project:

**a) Physically divide an established community?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The physical division of an established community typically refers to the construction of a physical feature, such as an interstate highway or railroad tracks, or removal of a means of access, such as a local road or bridge that would impair mobility within an existing community or between a community and outlying area. The proposed new digital freeway sign at the West Valley Mall site is surrounded by Naglee Road and Grant Line Road, in an established urban area. The Tracy Outlets sign is an existing freeway sign located next to Tracy Outlets. The construction of digital billboards would not result in the division of an established community. Thus, no impact would occur.

**b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**Less than significant impact.** The City of Tracy Municipal Code Sign Ordinance, (Article 35, Signs, Title 10, Chapter 10.08) does not currently address digital freeway signs, and no digital freeway signs currently exist within the city limits. As part of the proposed project, Article 35, Section 10.084500(b)

would include new regulations to address the location, height, area, number of faces, display characteristics and other requirements for digital freeways signs. The I-205 Corridor Specific Plan would also be revised to address the location and other design standards governing digital freeway signs in conformity with the updated Sign Ordinance. The I-205 Corridor Specific Plan area would be the only area in the City where digital freeway signs would be allowed. (See Appendix A and B for the proposed amendments to the Sign Ordinance and I-205 Corridor Specific Plan.)

Digital freeway signs would be permitted on “non-residentially designated land within the MacArthur Planning Area and Grant Line North Planning Area,” and no more than one digital freeway sign would be allowed for every two miles of freeway frontage. Based on these parameters, it is anticipated that only two digital freeway signs would be allowed with the City: one at the Tracy Outlets site and one at the West Valley Mall site. The operation of the digital freeway signs would also require a Conditional Use Permit. The two digital signs would conform to the requirements of the amended Sign Ordinance and all other local regulations.

In addition, the proposed project would be subject to the Caltrans Outdoor Advertising Act, Section 5403(g) of the Business and Professions Code, and OAAA regulations and standards, which govern the illumination and brightness of electronic message billboards. The project’s compatibility with these regulations and standards is discussed further in the Project Description and in Impact 1(d) of this Draft IS/MND. Therefore, impacts regarding conflict with an existing land use plan, policy, or regulation adopted for the purpose of avoiding or would be less than significant.

## **Mitigation Measures**

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.12 Mineral Resources</b>				
<i>Would the project:</i>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

### Setting

According to the City of Tracy General Plan, the project sites do not contain nor are they adjacent to any mineral deposits.<sup>47</sup>

Would the project:

a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

According to the Tracy General Plan, known mineral resources in the County of San Joaquin are sand and gravel deposits located in the southern portion of the Tracy Planning Area, along the Corral Hollow alluvial fan.<sup>48</sup> The mineral deposits along the alluvial fan are not in the vicinity of either project site. Therefore, the proposed project would not result in the loss of a known mineral resource that would be of value to the region and the residents of the State. Thus, no impact would occur.

b) **Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text

<sup>47</sup> City of Tracy. 2011. General Plan, Open Space and Conservation Element. Page 6-7.

<sup>48</sup> Ibid.

would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

As discussed above, known mineral resources in the Planning Area are in the most southern portion of the Tracy Planning Area while the project sites are located in the northern portion of the Planning Area. The project sites are also not zoned for mineral resources extraction or recovery. Therefore, the proposed upgrade at the Tracy Outlets site and the addition of a billboard at the West Valley Mall site would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impact would occur.

## **Mitigation Measures**

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.13 Noise</b>				
<i>Would the project result in:</i>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

### Setting

The project areas contain major highways and other roadways. The consistent use of these roadways by vehicles results in steady ambient noise levels. The proposed new digital billboard sites are located adjacent to I-205 and associated on- and off-ramps, where there is ambient noise from regular vehicle trips.

### Characteristics of Noise

Noise is defined as unwanted sound. Sound levels are usually measured and expressed in decibels (dB), with 0 dB corresponding roughly to the threshold of hearing. Most of the sounds that we hear in the environment do not consist of a single frequency, but rather a broad band of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate a sound. Noise is typically generated by transportation, specific land uses, and ongoing human activity.

The standard unit of measurement of the loudness of sound is the dB. The 0 point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Changes of 3 dB or less are only perceptible in laboratory environments. A change of 3 dB is the lowest change that can be perceptible to the human ear in outdoor environments. While a change of 5 dBA is considered to be the minimum readily perceptible change to the human ear in outdoor environments.

Since the human ear is not equally sensitive to sound at all frequencies, the A-weighted decibel scale (dBA) was derived to relate noise to the sensitivity of humans, it gives greater weight to the

frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for a number of various sound level metrics, including the day/night sound level ( $L_{dn}$ ) and the Community Noise Equivalent Level (CNEL), both of which represent how humans are more sensitive to sound at night. In addition, the equivalent continuous sound level ( $L_{eq}$ ) is the average sound energy of time-varying noise over a sample period and  $L_{max}$  is the maximum instantaneous noise level occurring over a sample period.

### ***Regulatory Framework***

The project sites are located within the City of Tracy. The City of Tracy addresses noise in the Noise Element of the General Plan<sup>49</sup> and in the Municipal Code.<sup>50</sup>

#### *City of Tracy General Plan*

The Noise Element establishes standards to provide compatible noise environments for new development or redevelopment projects and to control excessive noise exposure of existing developments. Goals, policies, actions, and standards provided in the Noise Element provide the basis for decision-making on determining land use compatibility with noise sources associated with the proposed project, as well as mitigation requirements.

The Noise Element policies that address noise include the requirement that mitigation measures shall be required for new development projects that exceed the following criteria:

- Cause the  $L_{dn}$  at noise-sensitive uses to increase by 3 dB or more and exceed the “normally acceptable” level.
- Cause the  $L_{dn}$  at noise-sensitive uses to increase 5 dB or more and remain “normally acceptable.”
- Cause new noise levels to exceed the City of Tracy Noise Ordinance limits.

Furthermore, all construction in the vicinity of noise-sensitive land uses, such as residences, hospitals, or convalescent homes, shall be limited to daylight hours or 7:00 a.m. to 7:00 p.m. In addition, the following construction noise control measures shall be included as requirements at construction sites to minimize construction noise impacts:

- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Locate stationary noise-generating construction equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction area.
- Utilize “quiet” air compressors and other construction-related stationary noise sources where such technology exists.

<sup>49</sup> City of Tracy. 2011. City of Tracy General Plan. February 1. Website: [https://www.ci.tracy.ca.us/documents/2011\\_General\\_Plan.pdf](https://www.ci.tracy.ca.us/documents/2011_General_Plan.pdf). Accessed July 9, 2021.

<sup>50</sup> City of Tracy. 2019. City of Tracy Municipal Code. December 16. Website: [https://library.municode.com/ca/tracy/codes/code\\_of\\_ordinances?nodeId=174PUWEMOCO\\_CH4.12MIRE\\_ART9NOCO](https://library.municode.com/ca/tracy/codes/code_of_ordinances?nodeId=174PUWEMOCO_CH4.12MIRE_ART9NOCO). Accessed July 9, 2021.

### *Tracy Municipal Code*

Title 4, Chapter 12, Article 9 of the Tracy Municipal Code also contains guidance with the intent to control noise and vibration to promote and maintain the health, safety, and welfare of its residents. The Municipal Code generally prohibits certain activities that have the potential to result in loud, excessive, or unreasonable noise levels. According to Section 4.12.750, the general sound level limits for industrial districts, no person shall cause or allow the creation of any noise to the extent that the 1-hour average sound level, at any point on or beyond the boundaries of the property on which the sound is produced to exceed 75 dBA  $L_{eq(h)}$ .

Noise Ordinance Section 4.12.820 prohibits the operation of any pneumatic or air hammer, pile driver, steam shovel, derrick, steam, or electric hoist, parking lot cleaning equipment or other appliance, the use of which is attended by loud or unusual noise between the hours of 10:00 p.m. and 7:00 a.m. Section 4.12.830 requires that all equipment and machinery powered by internal combustion engines shall be equipped with a proper muffler and air intake silencer in good working order.

Would the project result in:

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

**Short-term Construction Noise Impacts.** For purposes of this analysis, a significant impact would occur if construction activities would result in a substantial temporary increase in ambient noise levels outside of the permissible hours for construction (7:00 a.m. to 7:00 p.m.) that would result in annoyance or sleep disturbance of nearby sensitive receptors.

### *Tracy Outlet Site*

The existing billboard sign at this location would be converted to a digital sign. The display would have the same dimensions as the existing sign. Only the billboard faces would be replaced; the pole would remain in place and no ground disturbance would be required for the conversion.

The heaviest types of construction equipment expected to be used to replace the billboard display would be a crane. According to the FHWA Highway Construction Noise Handbook,<sup>51</sup> the typical maximum noise level generated by a crane is approximately 85 dBA  $L_{max}$  at 50 feet.

The nearest off-site residential receptor to the proposed construction footprint are the single-family residences located more than 380 feet west of the existing sign location. At this distance,

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<sup>51</sup> Federal Highway Administration (FHWA) 2006. Highway Construction Noise Handbook. August.

construction noise levels from operation of the crane as measured at the nearest residential property line would attenuate to below 73 dBA  $L_{max}$  intermittently when the crane equipment is operating at maximum power.

*West Valley Mall Site*

This location does not currently contain an existing sign, so as part of the project a new sign would be constructed which would result in ground disturbance within the project boundaries.

The site preparation phase, which includes excavation and foundation construction activities, would generate the highest noise levels, because that is the phase in which the noisiest construction equipment would operate at the site. The heaviest types of construction equipment expected to be used in construction of this project include an auger drill rig, a backhoe, and a crane. The use of impact equipment, such as pile drivers, is not expected to be used during construction of the project. According to the FHWA Highway Construction Noise Handbook, the typical maximum noise level generated by an auger drill rig is assumed to be 85 dBA  $L_{max}$  at 50 feet from this equipment. Each backhoe would generate 80 dBA  $L_{max}$  at 50 feet. The maximum noise level generated by cranes is approximately 85 dBA  $L_{max}$  at 50 feet.

Due to the size of the construction footprint and the methods for installation, it is expected that only one of these heaviest pieces of construction would operate at a single time during the construction process (i.e., simultaneous operation of multiple pieces of these pieces of construction equipment would not occur). Therefore, a reasonable worst-case noise level during construction would be 85 dBA  $L_{max}$  at a distance of 50 feet from the construction footprint.

The nearest residential receptors to the proposed construction boundaries are the single-family residence located more than 570 feet south of the project's boundaries, across I-205 (the elevation of which blocks the line of sight). At this distance and assuming minimal noise reduction due to the terrain shielding of I-205, reasonable worst-case construction noise levels from operation of the crane as measured at the nearest residential property line would attenuate to below 60 dBA  $L_{max}$  intermittently when the crane equipment is operating at maximum power. These noise levels would not result in annoyance or sleep disturbance of these residential sensitive receptors.

All of these reasonable worst-case construction noise levels would be intermittent as the equipment would typically only operate at full power for 2- to 3-minutes at a time. Furthermore, the proposed project shall comply with Noise Ordinance Section 4.12,820 which prohibits the operation of any pneumatic or air hammer, pile driver, steam shovel, derrick, steam, or electric hoist, parking lot cleaning equipment or other appliance, the use of which is attended by loud or unusual noise between the hours of 10:00 p.m. and 7:00 a.m. Therefore, the effect of construction activity on hourly or daily ambient noise levels, as measured at the nearest sensitive receptors, would not result in a substantial increase in ambient noise levels in excess of established standards, and impacts would be less than significant.

**Long-term Operational Noise Impacts** The proposed new digital billboards are not designed to emit any sound, and the proposed project would not generate any regular vehicle trips. Therefore, the

proposed project would not generate a substantial permanent increase in ambient noise levels in the vicinity of the project. No impact would occur.

**b) Generation of excessive groundborne vibration or groundborne noise levels?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

A significant impact would occur if the proposed project would generate groundborne vibration or groundborne noise levels in excess of applicable standards. The City of Tracy has not adopted criteria for construction groundborne vibration impacts or for operational groundborne vibration impacts that would be applicable to this project. Therefore, for purposes of this analysis, the Federal Transit Administration's (FTA's) construction vibration impact criteria are utilized.<sup>52</sup> For operational impacts, a significant impact would occur if proposed project ongoing activities would produce groundborne vibrations that are perceptible without instruments by a reasonable person at the property lines of the site.

**Short-term Construction Vibration Impacts.** For purposes of this analysis, a significant impact would occur if the project would generate groundborne vibration or groundborne noise levels in excess of the FTA impact assessment criteria for construction (0.2 in/sec peak particle velocity [PPV] for non-engineer timber and masonry buildings).

Of the variety of equipment that would be used during construction, cranes would produce the greatest groundborne vibration levels. Cranes can produce groundborne vibration levels ranging up to 0.051 in/sec PPV at 25 feet from the operating equipment.<sup>53</sup> Impact equipment (e.g., pile drivers) is not expected to be used during construction of the proposed project.

*Tracy Outlet Site*

The existing billboard sign at this location would be converted to a digital sign. The display would have the same dimensions as the existing sign. Only the billboard faces would be replaced; the pole would remain in place and no ground disturbance would be required for the conversion.

The crane used to replace the billboard faces could operate as close as 15 feet from the nearest façade of the adjacent commercial building. At this distance, groundborne vibration levels from operation of the crane would attenuate to less than 0.11 in/sec PPV. This is below the FTA's damage threshold criteria of 0.2 in/sec PPV for the adjacent type of structure, a building of non-engineered timber and masonry construction. Therefore, impacts resulting from construction-related groundborne vibration levels would be less than significant.

<sup>52</sup> Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual. September.

<sup>53</sup> Federal Highway Administration (FHWA). 2006. Highway Construction Noise Handbook. August.

#### *West Valley Mall Site*

This location does not currently contain an existing sign, so as part of the project a new sign would be constructed which would result in ground disturbance within the project boundaries.

The crane used to install the new billboard could operate as close as 35 feet from the nearest façade of any existing structure within or adjacent to the project boundaries. At this distance, groundborne vibration levels from operation of the crane would attenuate to less than 0.07 in/sec PPV. This is well below the FTA's damage threshold criteria of 0.2 in/sec PPV for adjacent structures, buildings of non-engineered timber and masonry construction. Therefore, impacts resulting from construction-related groundborne vibration levels would be less than significant.

**Operational Vibration Impacts.** Implementation of the project would not include any permanent sources of vibration that would expose persons in the project vicinity to groundborne vibration levels that could be perceptible without instruments at any existing sensitive land use in the vicinity of the project site. Therefore, operational groundborne vibration impacts would be less than significant.

c) **For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

A significant impact would occur if the proposed project would expose people residing or working in the project area to excessive noise levels for a project located in the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.

Neither the Tracy Outlet nor the West Valley Mall project site is located within the vicinity of a private airstrip. Additionally, there is not a private airstrip located within a 5-mile radius of the project sites. The closest public airport is the Tracy Municipal Airport located more than 4 miles south of the proposed project sites. The project sites are also not located within the 65 dBA CNEL airport noise contours of any public or public use airport. As such, operation of the project would not expose people working at the project site to excessive noise levels associated with public airport or public use airport noise. Therefore, no impact related to exposure of persons residing or working at the project site to excessive noise levels associated with airport activity would occur.

### **Mitigation Measures**

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.14 Population and Housing</b>				
<i>Would the project:</i>				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

### Setting

According to the California Department of Finance, the City of Tracy's estimated population for 2021 is approximately 98,601.<sup>54</sup>

Would the project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**No impact.** The proposed project involves updates to the Sign Ordinance and the I-205 Corridor Specific Plan and construction of two billboards, and therefore would not involve the construction of homes or the extension of infrastructure. Therefore, the proposed project would not induce population growth directly or indirectly. No impact would occur.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

**No impact.** The proposed project involves updates to the Sign Ordinance and the I-205 Corridor Specific Plan and construction of two billboards, and therefore would not displace any existing housing. Therefore, project implementation would not necessitate the construction of replacement housing. No impact would occur.

<sup>54</sup> Department of Finance. 2021. E-1 Population Estimates for Cities, Counties, and the State —January 1, 2020 and 2021. Website: <https://dof.ca.gov/Forecasting/Demographics/Estimates/e-1/>. Accessed May 18, 2021.

## **Mitigation Measures**

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.15 Public Services</b>				
<i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

### Setting

Fire service for the City of Tracy is provided by the Tracy Fire Department and law enforcement services are provided by the Tracy Police Department.<sup>55</sup> The project area is served by the Tracy Unified School District. There are no fire, police, schools, or other public facilities located on the Tracy Outlets site or West Valley Mall site.

**Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

a) **Fire protection?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

Tracy Fire Department Station No. 92 is the closest station to the Tracey Outlets site, located approximately 0.9 mile south of the site. Station No. 96 is the closest station to the West Valley Mall site, located approximately 1.1 miles southeast of the site. The proposed project may increase the need for fire protection at the project sites, since LED billboards (or digital message signs) present a

<sup>55</sup> City of Tracy General Plan. 2011. [https://www.ci.tracy.ca.us/documents/2011\\_General\\_Plan.pdf](https://www.ci.tracy.ca.us/documents/2011_General_Plan.pdf). Accessed on May 19, 2021.

potential fire hazard due to the thermal heat that accumulates in the screen system.<sup>56</sup> The danger is relatively low, because although outdoor LED displays generate a great amount of heat, the LED lights maintain a relatively low temperature and produce much less heat than traditional bulbs (i.e., compact fluorescent lamp or incandescent bulbs).<sup>57</sup> Furthermore, the upgraded billboard faces for the Tracy Outlets site and the new billboard for the West Valley Mall site would be constructed in conformance with the current codes (i.e., CBC, California Electrical Code, and the California Fire Code) that would reduce potential fire hazards. The proposed billboards would not involve the construction of homes or the extension of infrastructure. As such, the project would not increase the population and thus would not result in the need for new or expanded fire protection facilities. This impact would be less than significant.

**b) Police protection?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The Tracy Police Department North Annex Substation is located closest to the Tracy Outlets site, at 1325 North MacArthur Drive, approximately 1.8 miles south of the site. The main Tracy Police Department is located closest to the West Valley Mall site, at 1000 Civic Center Drive, approximately 3.9 miles southeast of the site. The proposed project, which would allow for a billboard upgrade to a digital freeway sign (Tracy Outlets site) and the construction of a new digital freeway sign (West Valley Mall site), would not result in an increase in population, although the new digital freeway sign could create a potential target for graffiti, which could incrementally increase the need for service. This impact would be less than significant.

**c) Schools?**

**No impact.** The project sites are served by the Tracy Unified School District. The proposed project would not result in an increase in population, and thus would not result in an increased demand for school facilities. No impact would occur.

**d) Parks?**

**No impact.** The proposed project would not result in an increase in population, and thus would not result in an increased demand for existing parks and recreational facilities. Therefore, this project would not necessitate the construction of new parks and recreational facilities. No impact would occur.

<sup>56</sup> Viewpointec Blogs. 2021. LED Screen Fire Analysis. <https://www.viewpointec.com/analyze-fireproof-led-display/>. Accessed on May 19, 2021.

<sup>57</sup> Viewpointec Blogs. 2021. LED Screen Fire Analysis. <https://www.viewpointec.com/analyze-fireproof-led-display/>. Accessed on May 19, 2021.

**e) Other public facilities?**

**No impact.** The proposed project would not result in an increase in population, and thus would not result in an increased demand for other public facilities. Therefore, this project would not necessitate the construction of new public facilities. No impact would occur.

## **Mitigation Measures**

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.16 Recreation</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

### Setting

The project sites are located in urbanized environments that are adjacent to the I-205.

a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

**No impact.** The proposed project would not generate new residents that could increase the demand and use of nearby parks or recreational facilities. Therefore, the proposed project would not result in any physical deterioration of recreational facilities.

b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?**

**No impact.** As discussed above, the proposed project would not generate new residents that could increase the demand and use of nearby parks or recreational facilities. Therefore, construction or expansion of recreational facilities would not be required.

## Mitigation Measures

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.17 Transportation</b>				
<i>Would the project:</i>				
a) Conflict with a program plan, ordinance, or policy of the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

### Setting

The Tracy Outlets site is traversed by the I-205 and the MacArthur Boulevard interchange. The West Valley Mall site is along the I-205, Naglee Road, and the Grant Line Road interchange.

Would the project:

a) **Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

Construction-related traffic, including truck and construction worker trips, would be minimal and would not substantially affect traffic conditions during the short duration of project construction required for the upgrade of the existing freeway sign and the construction of the new digital freeway sign. The crane used for the upgrade of the existing freeway sign and construction of a new digital freeway sign and other construction activities would be staged on the respective project sites and would not occur within public right-of-way, nor require the need for street closures. Because the digital freeway signs would not require manual change of images like the static billboards require, it is anticipated these maintenance trips would be less frequent and of shorter duration than the trips necessary to service the existing Tracy Outlets sign. These trips would occur only as needed (less than once per month and likely only one vehicle). Therefore, the proposed project would not

increase traffic congestion on the surrounding roadways or freeways or affect level of service standards at nearby intersections and would not conflict with a program plan, ordinance, or policy addressing the circulation system. Thus, no impact would occur.

**b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). Analysis specific to the construction and operation of the two proposed billboards is discussed below.

According to CEQA Guidelines Section 15064.3, subdivision (b)(1), VMT exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within 0.5 mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease VMT in the project area compared to existing conditions should be considered to have a less than significant transportation impact. Due to the nature of the proposed project, there would not be any change in the traffic distribution over existing conditions. CEQA Guidelines Section 15064.3 subdivision (b)(2) focuses on impacts that result from certain transportation projects. The proposed project is not a transportation project. Therefore, no impact would occur.

CEQA Guidelines Section 15064.3 subdivision (b)(3) and (b)(4) focuses on the evaluation of a project's VMT. The only vehicle trips that would be generated would be those during the upgraded of the existing Tracy Outlets sign and the construction of the new West Valley Mall sign, which would involve negligible traffic, generated largely during off peak-hours. In terms of project operation, periodic maintenance would be required at the project sites, which would also generate negligible traffic. As a result, the proposed project would not result in a conflict or be inconsistent with Section 15064.3 subdivision (b) of the CEQA Guidelines and no impact would occur.

**c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations, and would include design criteria to ensure public safety. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The proposed project involves the construction of one new digital freeway sign and the replacement of an existing freeway sign with a digital freeway sign. Therefore, the proposed project would not require the alteration or construction of roadways, therefore no impact would occur, related to sharp curves or dangerous intersections. The digital billboards would be required to adhere to Caltrans Outdoor Advertising Act requirements and OAAA recommendations that govern illumination so as not to interfere with drivers' visibility. Furthermore, in accordance with the Sign Ordinance and I-205 Corridor Specific Plan, no more than one digital freeway sign would be allowed

for every 2 miles of freeway frontage. These requirements are designed to reduce hazards from digital freeway signs to the drivers on the surrounding roadways at both project sites, thus, the impacts would be less than significant.

**d) Result in inadequate emergency access?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment and therefore would not result in inadequate emergency access. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The proposed project involves the construction of one new digital freeway sign and the replacement of an existing freeway sign with a digital freeway sign. The existing freeway sign at Tracy Outlets does not interfere with emergency access, and the new digital freeway sign at West Valley Mall would not block or impede emergency access. The crane used for the upgrade of the existing freeway sign and construction of the new digital freeway sign would be staged on the respective project sites and would not occur within public right-of-way. Once operational, due to the nature of the proposed project, the digital freeway signs would not have impacts related to emergency access. Therefore, no impacts would occur.

## **Mitigation Measures**

None required.

<b>Environmental Issues</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant Impact with Mitigation Incorporated</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
<b>2.18 Utilities and Service Systems</b>				
<i>Would the project:</i>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## **Environmental Evaluation**

### **Setting**

According to the General Plan, the City of Tracy Utilities Department provides wastewater services within the Tracy Planning Area. The City uses the Tracy Wastewater Treatment Plant (WWTP) to treat and dispose of sewage collected from within the City. In addition, the John Jones Water Treatment Plant (JJWTP) operates the City's Water Treatment Plant and well system to provide a water supply from the Delta-Mendota Canal and distributes it to the City.

In addition, the Tracy Material Recovery Facility (MRF) and the Foothill Landfill serve the project area. The City of Tracy contracts with Tracy Disposal Service for solid waste collection and disposal and these services are under the supervision of the Parks and Community Services Department.<sup>58</sup>

<sup>58</sup> City of Tracy. 2011. General Plan, Public Facilities and Services Element, page 7-17.

The proposed new digital billboard site does not contain water or wastewater infrastructure and does not generate a demand for water supply, wastewater collection, or solid waste disposal. The existing freeway sign at the Tracy Outlets site does not generate demand for water supply, wastewater collection, or solid disposal.

Would the project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not require or result in relocation or construction of new or expanded water, wastewater treatment or stormwater drainage. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The City of Tracy provides water and wastewater services and utilizes the WWTP to treat and dispose of sewage within the project area. Stormwater runoff sheet flows to the street where it is collected by the local storm drain system. The existing Tracy Outlets sign, and new West Valley Mall sign would use electrical power service that is currently provided by PG&E. The proposed project would not construct habitable structures. In addition, it would not generate significant employment, as no additional employees are anticipated to be required to maintain the new digital freeway signs above the current level of maintenance workers required for the existing Tracy Outlets sign. Furthermore, construction of the digital freeway signs would require minimal demand on water, wastewater, stormwater, and other facilities due to the nature of the project, short-term duration of construction activities, and small area of the project sites. No ground disturbance would be required for the Tracy Outlets sign. The proposed digital billboard would be installed pursuant to current electrical codes, including Title 24 of the State Building Code. These standards would ensure that electrical energy would be used efficiently. Operation of the proposed project would not generate any wastewater, nor would the project require a supply of potable water. No new or expanded electrical, natural gas, or telecommunications facilities would be required as a result of the proposed project. Thus, no impact would occur.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The proposed project would not result in the construction of any habitable structures. In addition, the project would not generate significant employment, as no additional employees are anticipated to be required to maintain the new digital freeway signs above the current level of maintenance

workers required for the existing Tracy Outlets sign. Therefore, the proposed project would not generate demand for water. Construction and operation of the proposed project would not result in existing water systems exceeding capacity during normal, dry, or multiple dry years, or require the construction of new facilities or expansion of existing facilities. Therefore, there would be no impact.

**c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The proposed project would not result in the construction of habitable structures. In addition, the proposed project would not generate significant employment, as no additional employees are anticipated to be required to maintain the new digital freeway signs the current level of maintenance workers required for the existing Tracy Outlets sign. Therefore, the proposed project would not generate demand for wastewater services, and would not require the construction of new wastewater treatment facilities or expansion of existing facilities. Thus, no impact would occur.

**d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The upgrade of the billboard faces at the Tracy Outlets site and the construction of a new digital billboard sign at the West Valley Mall site would generate some construction and demolition debris. The MRF and Foothill Landfill both accept construction and demolition debris. Minimal solid waste generation would occur during operation at both sites. AB 939, the Integrated Waste Management Act, requires a 50 percent of diversion of solid waste from landfills. San Joaquin County also requires all applicable projects to divert 50 percent of all construction and demolition debris in accordance with the Construction, Demolition and Landscaping Debris Recycling and Diversion Ordinance.<sup>59</sup> There is sufficient capacity at the Foothill Landfill to receive solid waste materials that have not been diverted for resource recovery. Therefore, through compliance of AB 939 and the Ordinance, the proposed project would not generate excess solid waste or impair the attainment of solid waste reduction goals during construction and operation. The project would have a less than significant impact.

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<sup>59</sup> County of San Joaquin. 2009. Ordinance No. 4310.

e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

Solid waste disposal would follow the requirements of the franchised waste hauler (Tracy Disposal Service), which must adhere to federal, State, and local statutes and regulations related to the collection of solid waste. As discussed above, the proposed project would comply with all State and local waste diversion requirements. The proposed project would be consistent with policies and actions stated in the City of Tracy General Plan Public Facilities and Services Element regarding solid waste collection and disposal. As such, impacts would be less than significant.

## **Mitigation Measures**

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.19 Wildfire</b>				
<i>If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, would the project:</i>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

### Setting

According to California Department of Forestry and Fire Protection (CAL FIRE), the proposed sites are not located in a State Responsibility Area.<sup>60</sup> There are no very high or high fire hazard severity zones in the City of Tracy. Only some areas in the southern portion of the City of Tracy are listed as moderate fire hazard severity zones. The project sites are not located in any fire hazard severity zones.<sup>61</sup>

Would the project:

**a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment and would not impair any

<sup>60</sup> California Department of Forestry and Fire Protection (CAL FIRE). State Responsibility Area Viewer. Website: <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=468717e399fa4238ad86861638765ce1>. Accessed July 16, 2021.

<sup>61</sup> California Department of Forestry and Fire Protection (CAL FIRE). San Joaquin County Fire Hazard Severity Zones in LRA. 2007. Website: [https://osfm.fire.ca.gov/media/6794/fhszl06\\_1\\_map39.pdf](https://osfm.fire.ca.gov/media/6794/fhszl06_1_map39.pdf). Accessed May 19, 2021.

adopted emergency response plans or emergency evacuation plans. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

According to CAL FIRE's Fire Hazard Severity Zones map, the proposed project is not located near any Local Responsibility Areas in the City of Tracy. Neither the San Joaquin County Local Hazard Mitigation Plan nor the City of Tracy Local Hazard Mitigation Plan include evacuation routes. However, I-205 would serve as an evacuation route in case of emergency. Given there are several alternate routes that provide access to I-205, construction of the proposed project would not impede the evacuation route. With adherence to the procedures of the San Joaquin County Local Hazard Mitigation Plan and the City of Tracy Local Hazard Mitigation Plan, the proposed project would not conflict with the General Plan safety policies. During operation, the proposed billboards would not impair an adopted emergency response plan or emergency evacuation plan. Therefore, impacts related to emergency response and evacuation would be less than significant.

**b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The project sites are not located in or near any State Responsibility Areas or very high fire hazard severity zones. The area surrounding the project sites are characterized by urban development, and the sites are relatively flat, without steep terrain or unmanaged open space areas that would be prone to wildfires.

The ARB monitors air quality in the San Joaquin Valley at a number of stations. The closest station to the project sites is located at the Tracy Airport Station, at 5749 South Tracy Boulevard, approximately 5 miles southeast of the West Valley Mall site and approximately 5.2 miles southwest of the Tracy Outlets site. According to the ARB, the maximum wind speed ranged from approximately 6 to 33 miles per hour (mph) in 2020.<sup>62</sup> In addition, the project sites have not previously experienced wildfire. Given that the project sites do not experience consistent high winds and they are not located in or near an area of steep terrain or an area experiencing historical wildfire, the project site would not be prone to greater wildfire risk. Therefore, impacts would be less than significant.

**c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**Less than significant impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The

<sup>62</sup> California Air Resources Board (ARB). 2021. Quality Assurance Air Monitoring Site Information. Website: [https://ww3.arb.ca.gov/qaweb/site.php?s\\_arb\\_code=39271](https://ww3.arb.ca.gov/qaweb/site.php?s_arb_code=39271). Accessed June 9, 2021.

updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The proposed project would not involve the installation of new roads or power lines. The proposed project would include the installation of new electric utility lines to power the LED displays. The lines would be located below ground, which would reduce the likelihood of fire. Impacts would be less than significant.

**d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

**No impact.** The proposed Sign Ordinance and the proposed updates to the I-205 Corridor Specific Plan would only relate to new digital billboard requirements and regulations. The updated text would not involve changes in the existing environment. Analysis specific to the construction and operation of the two proposed billboards is discussed below.

The project sites are located within a completely urbanized area and are not located in a landslide zone. Therefore, the proposed project would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. No impact would occur.

## **Mitigation Measures**

None required.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>2.20 Mandatory Findings of Significance</b>				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

a) **Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?**

**Less than significant impact with mitigation incorporated.** As described in Section 2.4, Biological Resources, the proposed project would not result in significant environmental impacts to wildlife or plant species. The proposed project would not affect any riparian habitat or other sensitive natural community, nor would it impact any State or federally protected wetlands or interfere with wildlife movement, wildlife corridors, or wildlife nursery sites. Though this analysis provides for mitigation in the event any nests are encountered, MM BIO-1a, regarding tricolored blackbird mitigation, is only relevant to the Tracy Outlets site, as the West Valley Mall site lacks any potential nesting habitat. MM BIO-1b regarding migratory birds applies to both project sites. With the implementation of mitigation, the proposed project would not eliminate a plant or animal community, nor would it substantially reduce the number or restrict the range of a rare or endangered plant or animal. Therefore, potential impacts to biological resources would be less than significant with mitigation incorporated.

Based on the discussion provided in Section 2.5, Cultural Resources, the proposed project would not cause a substantial adverse impact to historical or archaeological resources. MM CUL-1 and MM CUL-2 specify the procedures to follow in the event archaeological, historical, or human remains are uncovered. Along with compliance with required guidelines and statutes, implementation of MM CUL-1 and CUL-2 would reduce potential impacts on cultural resources to a less-than-significant level.

In addition, the proposed project would not adversely affect geology and soils or hydrology and water quality in any significant matter. The proposed project includes mitigation and avoidance measures to reduce construction-related impacts related to archaeological and paleontological resources. Therefore, with implementation of MM BIO-1a, MM BIO-1b, MM CUL-1, and MM CUL-2, the proposed project would not substantially degrade the quality of the environment at a project- or cumulative-level in terms of biological resources, geology and soils, hydrology and water quality, or cultural resources.

**b) Does the project have impacts that are individually limited, but cumulatively considerable?**  
("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

**Less than significant impact** The combined effects of past, current, and future projects in the project area in combination with the proposed project—installation of a new electronic billboard and the upgrade of an existing billboard in an urban area of the City of Tracy—would not result in significant cumulative impacts.

Operation of the proposed project would involve the display of messages on two electronic billboards near I-205. Operation entails no noise production, minimal maintenance traffic, and no emissions. The project's lighting would have the potential to cumulate with other reasonably foreseeable projects, but the proposed project's lighting specifications (limiting operation to a maximum of 0.3 foot-candle at 250 feet) takes account of existing ambient lighting. Separately, there are no reasonably foreseeable development projects in the immediate vicinities of the project site that would have lighting impacts that could cumulate with the proposed project's lighting. With respect to electricity usage, the LED lighting used in the proposed billboard would meet Title 24 requirements for energy efficiency. While the signs electricity usage is associated with off-site emissions where power is generated, the Draft IS/MNDs analysis of GHG emissions demonstrates the proposed project falls well below applicable BAAQMD thresholds, which account for cumulative impacts of climate change. Therefore, the proposed project, because of its size and utilization of energy-efficient lighting, would not make a cumulatively considerable contribution to cumulative GHG emissions or result in an overall impact to local and regional levels of GHG emissions.

With respect to construction, the construction activities necessary to construct one new LED sign at the West Valley Mall site and upgrade the existing billboard at the Tracy Outlets site, require very little equipment and occur within a short timeframe. The proposed project would have less than significant impacts related to air quality, GHG emissions, and noise. The proposed project,

individually, would not have a significant impact, and it would not make a considerable contribution to any cumulative impact. Meanwhile, the proposed project does not contemplate activities within close proximity of any reasonably foreseeable construction projects (i.e., at least 1,000 feet), and so the potential for cumulative impacts to occur is low to non-existent. Therefore, with implementation of the foregoing mitigation measures, the proposed project would not result in adverse impacts at a project- or cumulative-level in terms of air quality or GHG emissions. See analyses under Impact 18(a) and Impact 18(c) for further discussions with regard to cumulative impacts.

**c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Less than significant impact with mitigation incorporated.** The proposed project would be consistent with the City's goals set forth in the I-205 Corridor Specific Plan and would ensure consistency with revisions made to the Sign Ordinance of the Tracy Municipal Code.

The proposed project would include mitigation measures (MM AES-1 and MM AES-2) to minimize light and glare and traffic hazards for vehicle drivers along I-205. The proposed project would not make sizable contributions to traffic or noise or substantially change land uses. In addition, the proposed project would not affect public services, utilities, recreation, mineral resources, agriculture and forestry resources, or population and housing balance. The proposed project would not cause direct or indirect substantial adverse effects on human beings at a project- or cumulative-level in terms of aesthetics, light, and glare, traffic and traffic safety, noise, land use, public services, utilities, recreation, mineral resources, agriculture and forestry resources, population and housing, or hazards and hazardous materials. See analyses under Impact 18(a) and 18(b) for further discussions with regard to geology and soils, hydrology and water quality, air quality, biological resources, cultural resources, and GHG emissions that can result in indirect substantial adverse effects on human beings.

## **Mitigation Measures**

See MM AES-1, MM BIO-1a, MM BIO-1b, MM CUL-1, and MM CUL-2.

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