

CITY OF TRACY GENERAL PLAN FINAL SUPPLEMENTAL EIR

STATE CLEARINGHOUSE NUMBER: 2008092006



City of Tracy | December 1, 2010



DESIGN, COMMUNITY & ENVIRONMENT

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I INTRODUCTION

A. Purpose of the Environmental Impact Report

This document has been prepared in the form of an addendum to the Draft Supplemental Environmental Impact Report (EIR) for the proposed City of Tracy General Plan and Sustainability Action Plan. The Draft Supplemental EIR identified the likely environmental consequences associated with the project, and identified policies and measures contained in the proposed General Plan and Sustainability Action Plan that help to reduce potentially significant impacts.

This Final Supplemental EIR responds to comments on the Draft Supplemental EIR and makes revisions to the Draft Supplemental EIR as necessary in response to these comments. The General Plan and Sustainability Action Plan have been revised in response to these comments, and revised versions of these documents will be released with publication of this Final Supplemental EIR. None of these revisions result in significant changes to the Project Description or findings of the Draft Supplemental EIR that would trigger the need to recirculate the Draft Supplemental EIR.

This document, together with the Draft Supplemental EIR, will constitute the Final Supplemental EIR if the City of Tracy City Council certifies it as complete and adequate under the California Environmental Quality Act (CEQA).

B. Environmental Review Process

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project, and to provide the general public and project applicant with an opportunity to comment on the Draft Supplemental EIR. This Final Supplemental EIR has been prepared to respond to those comments received on the Draft Supplemental EIR and to clarify any errors, omissions or misinterpretations of discussions of findings in the Draft Supplemental EIR.

The Draft Supplemental EIR was made available for public review on July 22, 2010. The Draft Supplemental EIR was distributed to local and State responsible and trustee agencies and the general public was advised of the availability of the Draft Supplemental EIR through public notice published in the local newspaper and posted by the County Clerk as required by law. The CEQA-mandated 45-day public comment period ended on September 7, 2010.

This Final Supplemental EIR will be presented at a Planning Commission hearing at which the Commission will advise the City Council on certification of the EIR as a full disclosure of potential impacts, mitigation measures, and alternatives.

However, the Planning Commission will not take final action on the EIR or the proposed project. Instead, the City Council will consider the Planning Commission's recommendations on the Final Supplemental EIR and the proposed General Plan during a noticed public hearing, and make the final action in regards to adoption of the Final Supplemental EIR.

C. Document Organization

This document is organized into the following chapters:

- ♦ **Chapter 1: Introduction.** This chapter discusses the use and organization of this Final Supplemental EIR.
- ♦ **Chapter 2: Report Summary.** This chapter is a summary of the findings of the Draft and the Final Supplemental EIR. It has been reprinted from the Draft Supplemental EIR with necessary changes made in this Final Supplemental EIR shown in underline and ~~strikethrough~~.
- ♦ **Chapter 3: Revisions to the Draft EIR.** Corrections to the text and graphics of the Draft Supplemental EIR are contained in this chapter. Underline text represents language that has been added to the EIR; text with ~~strikethrough~~ has been deleted from the EIR.

C I T Y O F T R A C Y
G E N E R A L P L A N
F I N A L S U P P L E M E N T A L E I R
I N T R O D U C T I O N

- ◆ **Chapter 4: List of Commentors.** Names of agencies and individuals who commented on the Draft Supplemental EIR are included in this chapter.
- ◆ **Chapter 5: Comments and Responses.** This chapter contains reproductions of the letters received from agencies and the public on the Draft Supplemental EIR. The responses are keyed to the comments which precede them.

**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
INTRODUCTION**

2 REPORT SUMMARY

This is a summary of the findings of the Draft and Final EIRs. This document has been reprinted from the Draft Supplemental EIR with necessary changes made in this Final Supplemental EIR shown in underline and ~~strike-through~~. Underline text represents language that has been added to the Draft Supplemental EIR; text with ~~strike-through~~ has been deleted from the Draft Supplemental EIR.

This summary presents an overview of the analysis contained in Chapter 4, Environmental Evaluation, of the Draft Supplemental EIR. It also summarizes the analysis of alternatives to the project and cumulative significant impacts discussed in Draft EIR Chapters 5 and 6, respectively. CEQA requires that this chapter summarize the following: 1) areas of controversy; 2) significant impacts; 3) unavoidable significant impacts; 4) implementation of mitigation measures; and 5) alternatives to the project.

A. Project Under Review

This EIR provides an assessment of the potential environmental consequences of adoption of the City of Tracy General Plan and Sustainability Action Plan. The General Plan serves as the principal policy document for guiding future development and conservation in and around the City. The proposed General Plan includes goals, objectives, policies and actions which have been designed to implement the City's and the community's vision for Tracy. The policies and actions would be used by the City to guide day-to-day decision-making so there is continuing progress toward the attainment of the Plan's goals. The proposed General Plan proposes land use designations that would implement the overall goals and vision of the General Plan. The proposed Sustainability Action Plan is intended to guide Tracy's actions to reduce its GHG emissions, conserve and protect natural resources, improve public health, promote economic vitality, and engage residents. The proposed Sustainability Action Plan establishes targets related to a variety of sustainability topics, and sets forth measures that will assist the City of Tracy in reaching

those goals. The General Plan and Sustainability Action Plan are further detailed in Chapter 3, Project Description, of the Draft Supplemental EIR.

B. Areas of Controversy

The proposed General Plan and Sustainability Action Plan are largely self-mitigating with regard to environmental impacts. However, there has been controversy in the past regarding several issues related to the General Plan and Sustainability Action Plan, which are provided below. The City of Tracy received comment letters in response to the Notice of Preparation that was issued on September 2, 2008 for the General Plan Amendment Draft Supplemental EIR that highlight several issues related to the General Plan. The City has also received comment letters in response to the Notice of Preparation that was issued on April 10, 2010 for the Recirculated Draft Supplemental EIR. Issues raised through the public comment process are summarized below.

- ◆ Rate, location and type of growth planned in the city limits and Sphere of Influence (SOI).
- ◆ Potential congestion on County roads as development occurs in the SOI.
- ◆ Traffic impacts of development under the General Plan.
- ◆ SOI contractions that remove lands previously designated for development.
- ◆ Loss of agricultural lands and open space around the city and potential related impacts on income, jobs, food production, and vegetation.
- ◆ Buffers between agricultural lands and new urban uses.
- ◆ Availability of infrastructure to support new development.
- ◆ Availability of rail transit to support transportation needs.
- ◆ Protection and enhancement of the unique qualities and urban design character of the community.
- ◆ Preservation of existing communities outside of Tracy as growth occurs in the SOI.

- ◆ Provision of adequate parks and recreation facilities for the community.
- ◆ Opportunities for sustainable development on SOI properties.
- ◆ Balance between jobs and housing in Tracy.
- ◆ Pedestrian and vehicular safety at railroad crossings.
- ◆ Conversion of industrial lands to residential uses.
- ◆ Impacts of new growth on water supply.
- ◆ Air quality and greenhouse gas emissions impacts and planning efforts.
- ◆ Commercial and economic development.
- ◆ Impacts to biological resources, including waters of the United States.
- ◆ Land use compatibility with the Tracy Municipal Airport.
- ◆ Planning for a sustainable and logical SOI.

These issues were addressed in the proposed General Plan and Sustainability Action Plan. To the extent that they have environmental impacts, they are also addressed in this EIR.

C. Significant Impacts

Under CEQA, a significant impact on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.

Implementation of the proposed General Plan and Sustainability Action Plan has the potential to generate 22 environmental impacts in a number of areas, including both plan level and cumulative impacts. These topic areas are listed below.

- ◆ Population, Employment and Housing
- ◆ Visual Quality

- ◆ Traffic and Circulation
- ◆ Cultural Resources
- ◆ Agricultural Resources
- ◆ Infrastructure
- ◆ Noise
- ◆ Air Quality
- ◆ Greenhouse Gas Emissions

Some of the impacts can be reduced to a less-than-significant level with mitigation measures, while others are significant unavoidable impacts. Each are discussed in the following two sections and summarized in Table 2-1.

D. Mitigation Measures

This EIR suggests specific mitigation measures that would reduce four of the impacts in the topic areas identified above to a less-than-significant level. Topic areas where impacts are mitigated to a less-than-significant level area:

- ◆ Visual Quality
- ◆ Cultural Resources
- ◆ Noise
- ◆ Air Quality

The mitigation measures in this EIR will form the basis of a Mitigation Monitoring Program to be implemented in accordance with State law.

E. Significant Unavoidable Impacts

The proposed General Plan would have 18 significant and unavoidable impacts, as follows. These impacts are discussed further in Draft Supplemental EIR Sections 4.2, 4.3, 4.4, 4.7, 4.10, 4.14, 4.15 and 4.16 and in Chapter 6, which addresses cumulative impacts.

1. Population, Employment and Housing

There would be two significant and unavoidable impacts to population and housing growth as a result of the proposed General Plan. Despite policies and regulations designed to reduce impacts to future population and housing growth, development under the proposed General Plan at total buildout would result in significant increases in residential and employee populations, relative to existing conditions, which would result in a project-level and a cumulative impact.

2. Visual Quality

There would be three significant unavoidable visual quality impacts under the proposed General Plan for the Tracy Planning Area and under cumulative conditions in the region as a whole. Despite policies in the proposed General Plan ~~policies~~—to preserve open space and agricultural lands, scenic resources and community character, policies in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and the City's Agricultural Mitigation Fee Ordinance, development occurring within the city and its SOI Sphere of Influence would result in a change in visual character from an agricultural appearance to a more urban appearance and a deterioration of views from scenic roadways.

3. Traffic and Circulation

The increase from current conditions in population and employment under the proposed General Plan and Sustainability Action Plan would result in two significant unavoidable impacts on the regional roadway system, as is discussed in Section 4.4 and Chapter 6 of the Draft Supplemental EIR. The five regional roadways that will be impacted are: Interstate 205, Interstate 580, Interstate 5, Patterson Pass Road and Tesla Road. The significant and unavoidable impacts would occur at the project and cumulative level.

4. Agricultural Resources

Four significant and unavoidable impacts to agricultural resources would occur under the proposed General Plan. Development under the General Plan would result in conversion of Prime and Unique Farmland, and Farmland of Statewide importance to urban uses. Buildout of the proposed Plan may also

result in conversion of land under active Williamson Act contracts to urban uses. The proposed General Plan could also result in the development of incompatible urban uses adjacent to agricultural uses, which could result in the conversion of these lands from farmland. Finally, there would be a cumulative significant unavoidable impact associated with the proposed General Plan, which would contribute to the on-going loss of agricultural lands in the region as a whole. The permanent loss of farmland is considered, in each of these cases, to be a significant and unavoidable impact.

5. Infrastructure

Two significant and unavoidable impacts related to infrastructure would result under the proposed General Plan. While the project would not contribute to significant project-level or cumulative impacts associated with water services during the 20-year planning horizon, it would contribute to a project-level and a cumulative significant and unavoidable impact at total buildout. Despite policies included in the proposed General Plan calling for the acquisition of reliable, additional sources of water, current supplies are insufficient for the projected development at total buildout of the proposed General Plan; regional water supplies are also not ensured into the future beyond a 20-year planning horizon.

6. Noise

There would be two significant and unavoidable noise impacts under the proposed General Plan and Sustainability Action Plan. As discussed in detail in Section 4.14, future noise level increases (3 dBA L_{dn} or greater) from increased traffic associated with new and existing roadways facilitated by the proposed General Plan would occur adjacent to existing noise sensitive uses. This would result in a significant impact at the project and cumulative level.

7. Air Quality

There would be two significant and unavoidable air quality impacts as a result of the project. The proposed General Plan would be inconsistent with applicable air quality plans of the San Joaquin Valley Air Pollution Control District (SJVAPCD), since it results in a higher level of vehicle miles traveled than accounted for in the District's clean air planning efforts. The proposed

General Plan and Sustainability Action Plan would also contribute cumulatively to on-going air quality issues in the San Joaquin Valley, to an extent that cannot be mitigated by policies and programs to reduce pollutant emissions of the Draft Supplemental EIR.

8. Greenhouse Gas Emissions

The proposed General Plan is also expected to lead to one significant and unavoidable greenhouse gas (GHG) emission impact. The proposed General Plan would result in substantial GHG emission increases, conflicting with State efforts to reduce GHG emissions and meet AB 32 targets by 2020. Although the proposed General Plan and Sustainability Action Plan incorporate policies and measures to reduce GHG emissions, reductions would not be sufficient to avoid a significant impact.

F. Alternatives to the Project

This EIR analyzes alternatives to the proposed General Plan. The following four alternatives to the proposed project are considered and described in detail in Chapter 5 of the 2006 Draft EIR:

- ◆ No Project Alternative
- ◆ Concentrated Growth Alternative
- ◆ City Limits Alternative
- ◆ Existing SOI Alternative

As discussed in Chapter 5 of the 2006 Draft EIR, the Concentrated Growth Alternative is environmentally superior to both the proposed General Plan and the other alternatives. This alternative would offer a substantial improvement with respect to visual quality, community character and agriculture, although it would not avoid the significant and unavoidable impacts associated with those areas for the proposed General Plan. The Concentrated Growth Alternative would also offer an insubstantial improvement with respect to land use; population, employment and housing; traffic and circulation; biology; infrastructure; hydrology and flooding; hazardous materials and other hazards; and air quality.

The City Limits Alternative is also environmentally superior to the proposed General Plan, but on balance it is marginally inferior to the Concentrated Growth Alternative. As shown in Table 5-1 of the 2006 Draft EIR, the City Limits Alternative does not offer as much of an improvement as the Concentrated Growth Alternative with respect to visual quality and it also does not offer improvements with respect to land use, hazardous materials and hazards, and air quality.

The City of Tracy has developed the proposed General Plan to represent the best possible balance between on-going residential growth, development of employment areas, and open space and agricultural preservation. Although two of the alternatives each have the potential of substantially reducing significant impacts that have been identified in this EIR, overall, the alternatives analysis shows that none of the alternatives would result in a level of improvement that would completely avoid a significant impact that is associated with the proposed General Plan.

TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES**

	Significant Impact	Significance		Significance With Mitigation		
		Before Mitigation	Mitigation Measures			
LAND USE						
<i>There are no significant land use impacts; therefore, no mitigation measures are necessary.</i>						
POPULATION, EMPLOYMENT AND HOUSING						
POP-1:	Despite policies in the Community Character Element of the proposed General Plan to maintain and enhance quality of life as future growth occurs, development permitted under the proposed General Plan would result in approximately an additional 43,000 to 70,000 residents, 163,000 employees and 13,225 to 21,300 housing units for a total of 124,500 to 151,500 residents, 193,000 employees and 38,700 to 46,700 housing units at total buildout.	SU	This is a <i>significant and unavoidable</i> impact. No additional mitigation is available.			
POP-2:	Despite processes to plan for and control future growth by the City of Tracy and other jurisdictions, significant growth will occur under the proposed General Plan and in other communities in the region, constituting a significant cumulative impact on population and employment.	SU	No mitigation measures have been identified for this impact. Therefore, it is a <i>significant and unavoidable</i> cumulative impact.			

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Significance With Mitigation	
		Mitigation	Mitigation Measures
VISUAL QUALITY			
V-1: In addition to policies in the SJMSCP and the City's Agricultural Mitigation Fee Ordinance, the proposed General Plan contains policies to preserve open space and agricultural lands and community character. Despite such policies to enhance "hometown feel" and preserve open space, development permitted under the proposed General Plan for both the 2025 and total buildup of the City limits and SOI will result in a significant impact to the existing visual identity and character of the City.	SU	No additional mitigation is available for this impact, since the permanent visual change from rural, agricultural lands to urban use is considered <i>significant and unavoidable</i> .	
V-2: Despite policies in the proposed General Plan to protect scenic resources, including those along state designated scenic highways for development projected through 2025, a significant and unavoidable impact would occur with regards to scenic resources along the state designated scenic routes I-580 (between I-205 and I-5) and I-5 (south of I-205) at total buildup of the proposed General Plan.	SU	This is a <i>significant and unavoidable</i> impact. No additional mitigation is available.	
V-3: Development permitted under the proposed General Plan would increase levels of light and glare to a significant level resulting in adverse impacts to the visual quality of Tracy.	S	V-3: The City should include a policy under Objective CC-1.1 to require that lighting on private and public property should be designed to provide safe and adequate lighting while minimizing light spillage to adjacent properties.	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
V-4: The proposed General Plan, in combination with cumulative growth in San Joaquin County, would convert the visual character from the current rural/agricultural character to a more urban visual character. This change in visual quality will constitute a significant cumulative impact.	SU	No mitigation measures have been identified for this impact. Therefore, it is a <i>significant and unavoidable</i> cumulative impact.	
TRAFFIC AND CIRCULATION			
CIR-1: The General Plan incorporates a range of features to help reduce the potential impact of future growth on regional roadways. However, traffic levels along regional roadways listed below will increase, creating a significant and unavoidable impact.	SU	This is a <i>significant and unavoidable</i> impact. No additional mitigation is available.	
◆ I-205 ◆ I-580 ◆ I-5 ◆ Patterson Pass Road ◆ Tesla Road			
CIR-2: Despite measures in the proposed General Plan and Sustainability Action Plan to help reduce the potential impact of future growth in Tracy to regional roadways, traffic levels along regional roadways will increase. Significant regional roadway impacts are anticipated to continue to occur after 2030. This will constitute a significant cumulative impact.	SU	No mitigation measures have been identified for this impact. Therefore, it is a <i>significant and unavoidable</i> cumulative impact.	

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Significance With Mitigation		Significance With Mitigation
		Mitigation	Mitigation Measures	
CULTURAL RESOURCES				
CUL-1: Undiscovered archaeological and paleontological sites in the Planning Area, including human burial sites that could be impacted from development activities involving soil removal or disturbance.	S		<p><u>CUL-1a:</u> The City shall include a policy under Objective CC-3.1 (Policy 4) to require, as part of the development review process, a standard condition of approval that if any resources are found during construction, all operations within the project area shall halt until an assessment can be made by appropriate professionals regarding the presence of archaeological and paleontological resources and the potential for adverse impacts on these resources.</p> <p><u>CUL-1b:</u> The City shall include a policy under Objective CC-3.1 (Policy 5) to require that any archaeological or paleontological resources on private property be either preserved on their sites or adequately documented and conserved as a condition of removal. The policy shall further require that if any resources are found unexpectedly during development, then construction must cease immediately until accurate study and conservation measures are implemented.</p> <p><u>CUL-1c:</u> The City shall include a policy under Objective CC-3.1 (Policy 6) requiring that if Native American artifacts are discovered on a site, the City shall consult representatives of the Native American community to ensure the respectful treatment of Native American sacred places.</p>	LTS

LTS = Less Than Significant S = Significant SU = Significant Unavoidable Impact

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

	Significance Before Mitigation		Significance With Mitigation Measures	
	Significant Impact	Mitigation	Mitigation Measures	Mitigation
BIOLOGICAL RESOURCES				
<i>There are no significant biological impacts, therefore, no mitigation measures are necessary.</i>				
AGRICULTURAL RESOURCES				
AG-1: The proposed General Plan contains policies to preserve agricultural lands, in addition to policies in the SJMSCP and the City's Agricultural Mitigation Fee Ordinance. Despite these policies and regulations, development permitted under the proposed General Plan would result in the conversion of Prime Farmland, Unique Farmland and Farmland of Statewide Importance to urban uses.	SU	No additional mitigation is available, since the permanent loss of farmland is considered <i>significant and unavoidable</i> .		
AG-2: Despite policies in the proposed General Plan to support and encourage preservation of Williamson Act lands and the voluntary nature of the Williamson Act program, total buildup of the City limits and SOI may result in the conversion of land under active contracts to urban uses.	SU	No additional mitigation is available, since the permanent loss of farmland is considered <i>significant and unavoidable</i> .		
AG-3: The proposed General Plan contains several policies to mitigate impacts to agricultural resources due to the conversion of additional farmland to urban uses. However, implementation of the proposed General Plan would result in additional and incompatible urban development adjacent to agricultural uses.	SU	No additional mitigation is available, since the permanent loss of farmland is considered <i>significant and unavoidable</i> .		
AG-4: Significant growth will occur under the proposed General Plan and in other communities in the region, constituting a significant cumulative impact on agricultural resources.	SU	No mitigation measures have been identified for this impact. Therefore, it is a <i>significant and unavoidable</i> cumulative impact.		

LTS = Less Than-Significant S = Significant SU = Significant Unavoidable Impact

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

	Significance Before Mitigation		Significance With Mitigation Measures	
	Significant Impact	Mitigation	Mitigation Measures	Mitigation
MINERAL RESOURCES				
				<i>There are no significant impacts on mineral resources; therefore, no mitigation measures are necessary.</i>
COMMUNITY SERVICES				
				<i>There are no significant impacts to community services, including police, fire, schools, solid waste collection and disposal, and parks and recreation facilities; therefore, no mitigation measures are necessary.</i>
INFRASTRUCTURE				
				<p>INF-1: No significant water-related impacts have been identified for development projected through 2025. However, despite policies in the Land Use and Public Facilities Elements of the proposed General Plan directing the City to acquire reliable, additional sources of water supplies to meet the city's future demand as new development occurs, there is currently insufficient water supply secured to serve projected development under total buildup of the proposed General Plan.</p> <p>No additional mitigation is available. Despite policies in the proposed General Plan to ensure infrastructure is in place or planned to support growth, current water supplies would be insufficient to accommodate projected development at total buildup. However, no significant impacts would occur related to development through 2025, since current water supply could accommodate projected development through this period.</p>

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Significance With Mitigation	Mitigation Measures	Significance With Mitigation
INF-2: The proposed General Plan at total buildup, in combination with cumulative growth in San Joaquin County, would not have ensured water supplies. This will constitute a significant cumulative impact.	SU	No mitigation measures have been identified for this impact. Therefore, it is a <i>significant and unavoidable</i> cumulative impact.		
GEOLOGY, SOILS AND SEISMIC HAZARDS				
	<i>There are no significant impacts to geology, soils and seismic hazards; therefore, no mitigation measures are necessary.</i>			
HYDROLOGY AND FLOODING				
	<i>There are no significant impacts to hydrology and flooding; therefore, no mitigation measures are necessary.</i>			
HAZARDOUS MATERIALS AND OTHER HAZARDS				
	<i>There are no significant impacts to hazardous materials and other hazards; therefore, no mitigation measures are necessary.</i>			
NOISE				
NOI-1: The City's Noise Ordinance and policies in the proposed General Plan serve to control excessive sources of noise in the city and ensure that noise impacts from new projects are evaluated when they are reviewed. Despite these policies and regulations, significant noise levels increases (3 dBA L _{dn} or greater) associated with increased traffic would occur adjacent to existing noise sensitive uses along portions of I-205, Grant Line Road, Schulte Road, Linne Road, Lammers Road, Corral Hollow Road, Tracy Boulevard, and MacArthur Drive. New roadways facilitated by the General Plan would also increase existing noise levels at receivers in Tracy.	SU	This is a <i>significant and unavoidable</i> impact. No additional mitigation is available.		

LTS = Less Than-Significant S = Significant SU = Significant Unavoidable Impact

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
NOI-2: Construction associated with development projected during the planning horizon of the proposed General Plan would temporarily elevate noise levels at adjacent land uses by 15 to 20 dBA or more.	\$	<p><u>Mitigation Measure NOI-2:</u> In addition to the time-of-day restriction and construction noise control measures in Objective N-1.2, Policy 4, the following standard construction noise control measures should be included as requirements at construction sites to minimize construction noise impacts:</p> <ul style="list-style-type: none"> When necessary, temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield the adjacent land uses. Such noise control blanket barriers can be rented and quickly erected. Foundation pile holes shall be pre-drilled to minimize the number of impacts required to seat the pile. The pre-drilling of foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile. All construction projects shall comply with the Article 9 of the City of Tracy Municipal Code, the City's Noise Control Ordinance. 	LTS
NOI-3: Increases in traffic associated with new roadways facilitated by the proposed General Plan and Sustainability Action Plan would contribute to significant noise levels increases adjacent to existing noise sensitive uses. These noise level increases related to regional traffic are anticipated to continue to occur after 2030. This will constitute a significant cumulative impact.	SU	No mitigation measures have been identified for this impact. Therefore, it is a <i>significant and unavoidable</i> cumulative impact.	

LTS = Less Than Significant S = Significant SU = Significant Unavoidable Impact

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Significance With Mitigation	
		Mitigation Measures	Significance With Mitigation
AIR QUALITY			
AIR-1: The General Plan and Sustainability Action Plan would not be consistent with applicable clean air planning efforts of the SJVAPCD, since vehicle miles traveled that could occur under the proposed General Plan would exceed that projected by the SJCOG, which are used in projections for air quality planning. The projected growth could lead to an increase in the region's VMT beyond that anticipated in the SJCOG and SJVAPCD clean air planning efforts. Development in Tracy would contribute to the on-going air quality issues in the San Joaquin Valley Air Basin.	SU	<u>AIR-1:</u> The City of Tracy will facilitate development applicants' participation in the San Joaquin Valley Air Pollution Control District's Indirect Source Review program. The Indirect Source Review program requires developers of larger projects to reduce emissions and provides on-site mitigation measures to help developers reduce air impacts. However, the mitigation measure identified above may not completely mitigate this impact. Therefore, it is considered a <i>significant and unavoidable</i> impact.	SU
AIR-2: The proposed General Plan does not provide adequate buffers between new or existing sources of toxic air contaminants and new or existing residences or sensitive receptors.	\$	<u>AIR-2:</u> Add a new Action under Objective AQ-1.2 as follows: “Require supplemental project studies in accordance with <u>CARB and SJVAPCD recommendations</u> to that evaluate air quality health risks for proposed developments that <u>phase with</u> sensitive receptors proximate to within 400 feet of Interstate 205, within 230 feet of Interstate 580, or within 1,000 feet of large truck warehousing facilities or truck facilities where trucks with transportation refrigeration units operate almost continuously. Mitigation measures to reduce significant health risks shall be included in final project designs.”	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Significance With Mitigation	Mitigation Measures
AIR-3: Buildout under the proposed General Plan and Sustainability Action Plan is projected to lead to substantial increases in vehicle miles traveled and contribute to existing air quality issues in the San Joaquin Valley Air Basin. These air quality impacts associated with increases in regional traffic are anticipated to occur after 2030, constituting a cumulatively significant impact.	SU	No mitigation measures have been identified for this impact. Therefore, it is a <i>significant and unavoidable</i> cumulative impact.	
GREENHOUSE GAS EMISSIONS			
GHG-1: Implementation of the proposed General Plan and Sustainability Action Plan would reduce GHG emissions from 2020 projected BAU conditions by between 22 and 28 percent. Therefore, the project would not meet the San Joaquin Valley Air Pollution Control District's threshold of reducing GHG emissions by 29 percent.	SU	While the proposed General Plan and Sustainability Action Plan do not meet the GHG threshold, the documents include all measures that are considered to be feasible at this time. The process to develop the Sustainability Action Plan and General Plan included a comprehensive review of other climate-related plans and policies, including the California Air Pollution Control Officers Association's (CAPCOA) <i>Model Policies for Greenhouse Gases in General Plans and Green Cities California's Best Practices</i> , and recommendations from the consultant team in order to identify a wide array of potential measures. All measures that were considered feasible were included in the General Plan and Sustainability Action Plan. Therefore, no additional mitigation would be feasible and the impact is considered <i>significant and unavoidable</i> .	SU

3 REVISIONS TO THE DRAFT EIR

This chapter presents specific changes to the text of the Draft Supplemental EIR that are being made in response to comments made by the public and/or reviewing agencies. In each case, the revised page and location on the page is set forth, followed by the textual, tabular, or graphical revision. New text is double-underlined and text removed is shown in ~~strikethrough~~. None of the changes constitute significant changes to the Draft Supplemental EIR, so the Draft Supplemental EIR does not need to be recirculated.

All changes to Chapter 2 of the Draft Supplemental EIR, including changes to the Summary of Impacts and Mitigation Measures, are included in Chapter 2 of this Final EIR.

Figure 1-1 on page 1-4 of the Draft EIR is hereby replaced with the figure on the following page.

Figure 1-2 on page 1-5 of the Draft EIR is hereby replaced with the figure on page 3-3.

Figure 1-3 on page 1-7 of the Draft EIR is hereby replaced with the figure on page 3-5.

The first and last bulleted paragraphs on page 1-6 of the Draft EIR are hereby amended as follows:

- ♦ **Area to the West of City Limits.** This contraction area includes approximately ~~4,650~~ 1,640 acres of land that is roughly located west of Corral Hollow Road, between Eleventh Street and Linne Road. These lands were previously designated in the General Plan as Residential Low and Urban Reserve.
- ♦ **Area to the Southeast of City Limits.** This contraction area includes approximately ~~2,435~~ 2,270 acres of land that was previously designated as Aggregate, Commercial, Industrial, Public Facilities and Residential Very Low. These lands are located to the south of Schulte Road and to the north of Interstate 580, between Corral Hollow Road and Banta Road.

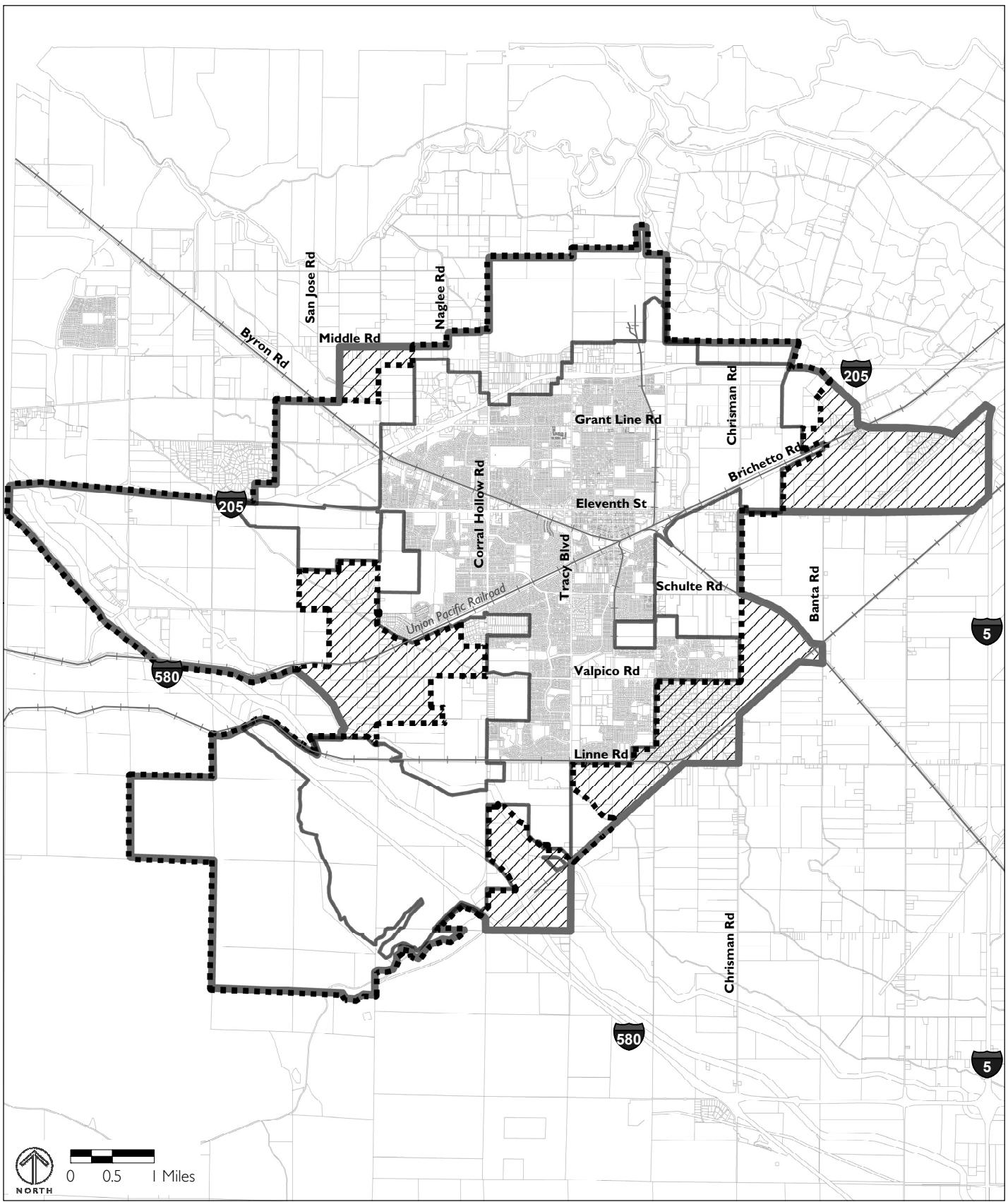


FIGURE 1-1

- [Solid Box] City Limits
- [Light Gray Box] 2006 Draft Sphere of Influence
- [Dashed Box] Proposed 2010 Sphere of Influence
- [Hatched Box] Contraction

**CONTRACTIONS TO THE 2006
PROPOSED SPHERE OF INFLUENCE**

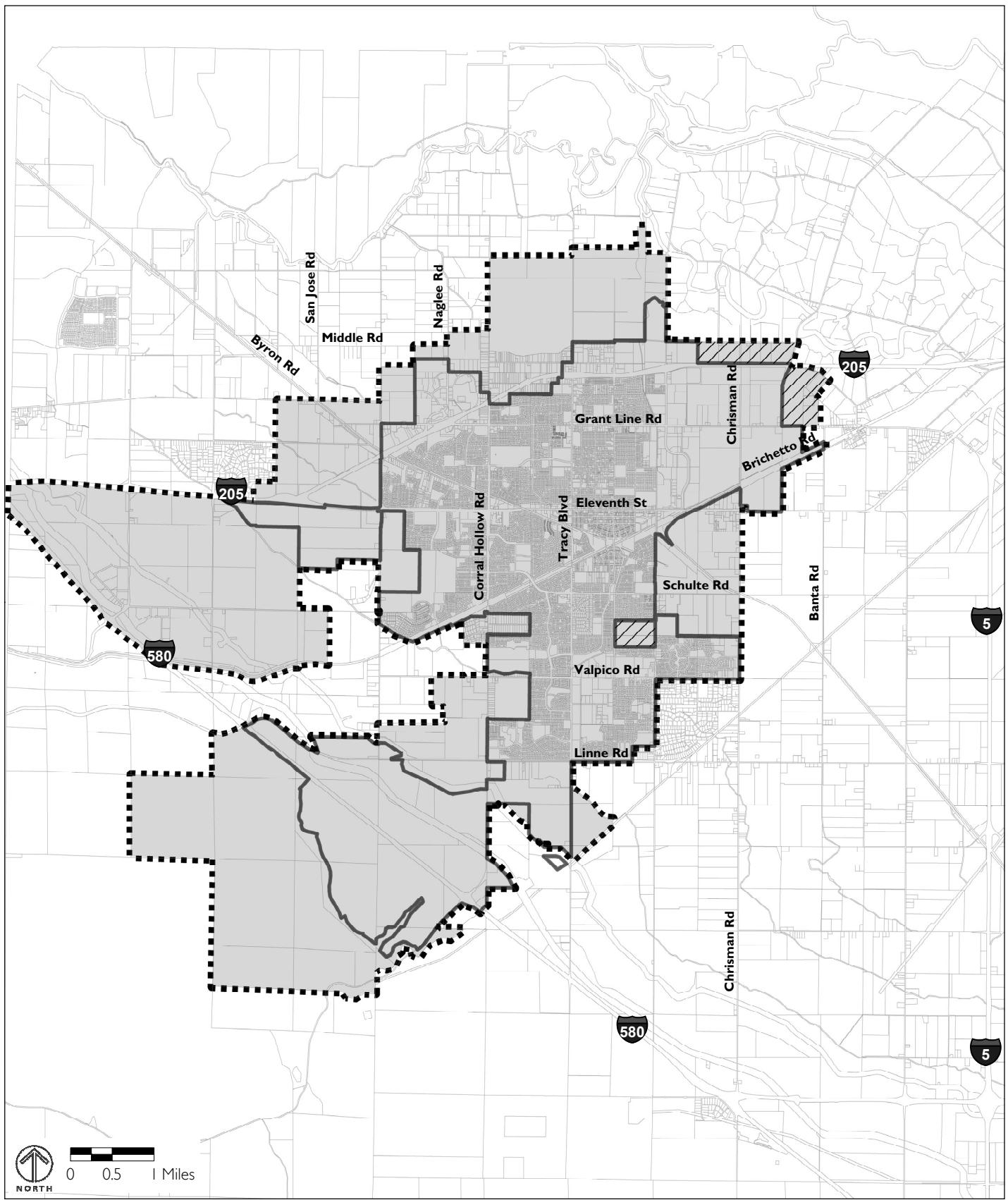


FIGURE 1-2



City Limits



Proposed Sphere of Influence



Proposed 10-year Horizon



Proposed 30-year Horizon

**PROPOSED 30-YEAR SPHERE OF INFLUENCE
AND 10-YEAR HORIZON**

**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
REVISIONS TO THE DRAFT EIR**

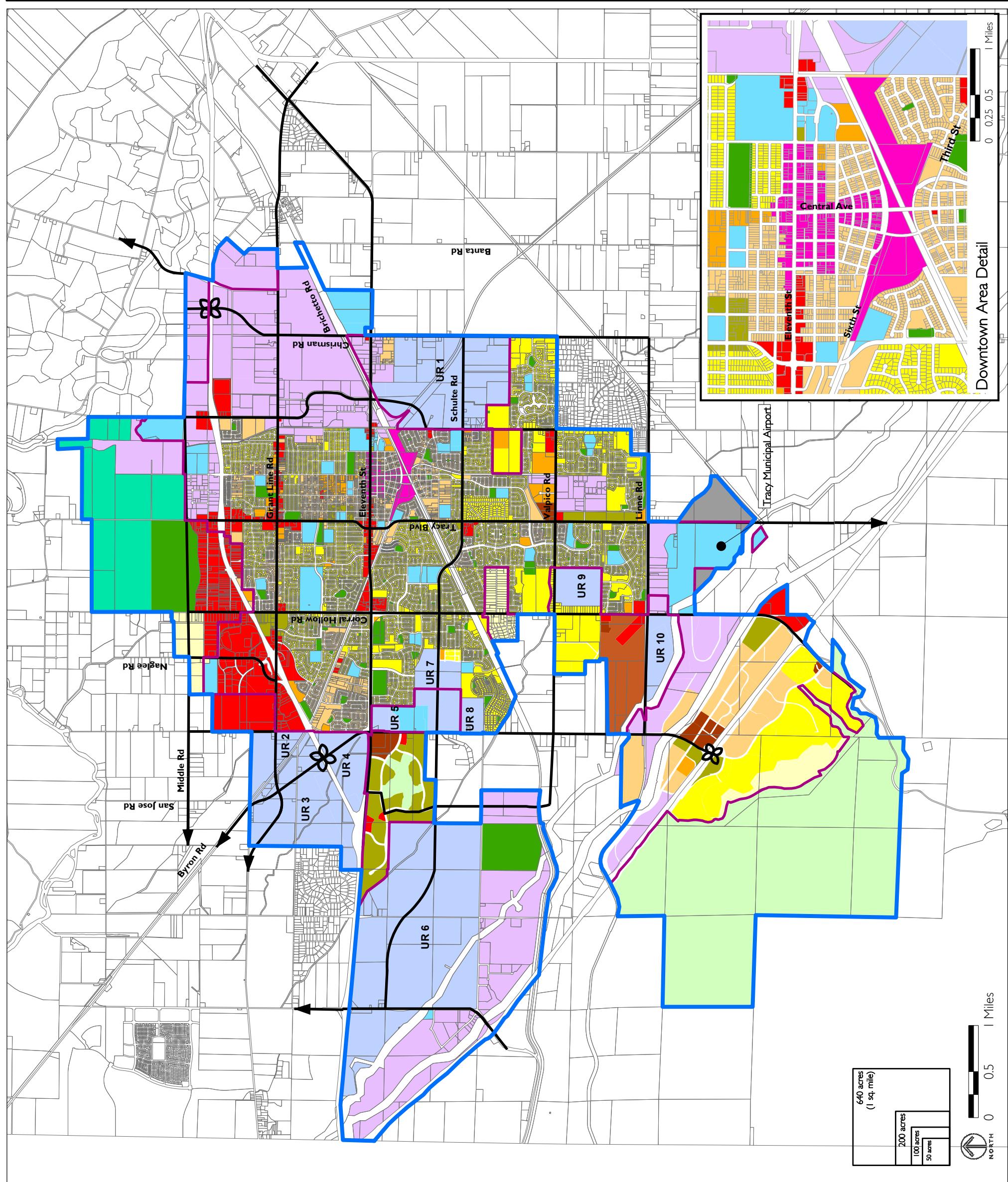
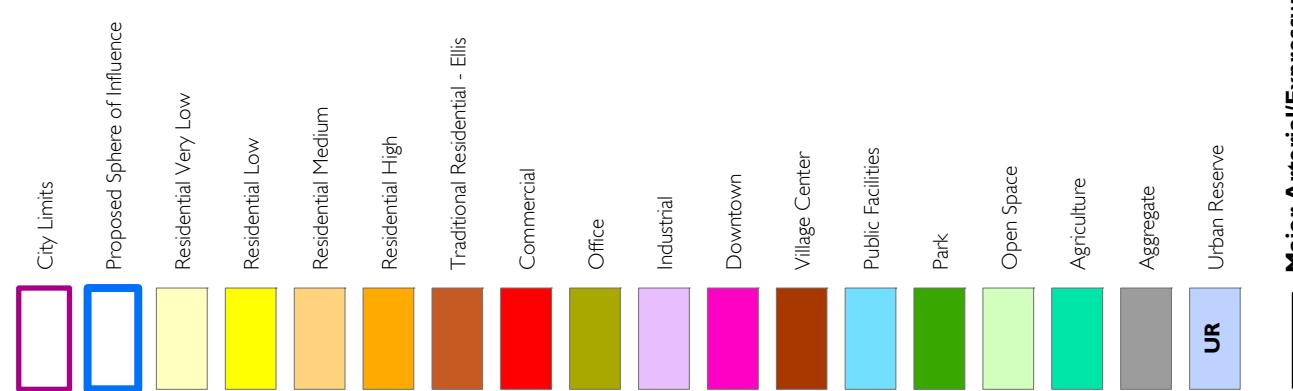
Table 1-1 on page 1-9 of the Draft EIR is hereby amended as shown below:

TABLE 1-1 LAND USE DESIGNATION CHANGES (CITY LIMITS AND SOI)

Land Use Designation	General Plan (Adopted in 2006) (Acres)	% of Total	General Plan Amendment (Proposed 2010) (Acres)	% of Total
Residential Very Low	1,138	3.9%	<u>456</u> <u>459</u>	2.0%
Residential Low	3,808	13.5%	<u>3,875</u> <u>3,879</u>	<u>17.0</u> <u>16.9</u> %
Residential Medium	1,529	5.3%	1,530	6.7%
Residential High	247	0.9%	<u>245</u> <u>248</u>	1.1%
TR - Ellis	-	-	287	<u>1.3</u> <u>1.2</u> %
Commercial	1,253	4.3%	<u>1,269</u> <u>1,263</u>	<u>5.6</u> <u>5.5</u> %
Office	546	1.9%	546	2.4%
Downtown	116	0.4%	116	0.5%
Village Center	123	0.4%	131	0.6%
Industrial	4,121	14.3%	4,015	<u>17.6</u> <u>17.5</u> %
Urban Reserve	7,946	27.5%	4,044	<u>17.7</u> <u>17.6</u> %
Public Facilities	1,433	5.0%	1,057	4.6%
Park	461	1.6%	<u>453</u> <u>767</u>	<u>2.0</u> <u>3.3</u> %
Open Space	3,834	13.3%	3,551	<u>15.6</u> <u>15.5</u> %
Aggregate	1,042	3.6%	<u>10</u> <u>172</u>	<u>0.0</u> <u>0.7</u> %
Agriculture	1,230	4.3%	<u>1,230</u> <u>916</u>	<u>5.4</u> <u>4.0</u> %

FIGURE 1-3

**PROPOSED GENERAL PLAN
LAND USE DESIGNATIONS**



The last paragraph on page 1-14, continuing onto page 1-15, of the Draft EIR is hereby amended as follows:

The proposed Sustainability Action Plan establishes targets related to a variety of sustainability topics, and sets forth measures that will assist the City in reaching those goals. The Sustainability Action Plan also includes a program to implement, monitor, and update the Plan as needed. The proposed Sustainability Action Plan ~~sets a target of a 29 percent reduction of GHG emissions from~~ seeks to reduce 2020 Business As Usual (BAU) GHG emissions projected levels ~~by a target reduction that is equivalent to a 15 percent reduction from baseline (2006) per capita emissions.~~ GHG emissions in 2006 were 1,350,321 metric tons CO₂e, or 11.6 metric tons CO₂e per capita. The target is therefore a reduction of 1.7 metric tons CO₂e per capita, or a result of 9.9 metric tons CO₂e per person in 2020. Implementation of this Sustainability Action Plan is projected to reduce GHG emissions in Tracy from 8.3 to 9.0 metric tons CO₂e per person in 2020, which exceeds the target. ~~GHG emissions in 2020 under BAU conditions are projected to be 1,748,970 metric tons carbon dioxide equivalent (MTCO₂e).~~ The target therefore translates into a reduction of 507,201 MTCO₂e.¹ Implementation of the proposed Sustainability Action Plan is projected to reduce GHG emissions in Tracy by between 382,422 and 486,115 MTCO₂e, which represents an achievement of between 75 and 96 percent of the overall target.²

The first and second bulleted paragraphs on page 1-15 of the Draft EIR are hereby amended as follows:

- ◆ Energy measures are projected to reduce energy consumption in Tracy by 40 percent decrease from BAU conditions. The proposed Sustainability Action Plan includes ~~46~~ 17 measures to assist the City in reaching its energy conservation targets and six measures to assist the City in reaching its renewable energy targets.
- ◆ **Transportation and land use** measures are projected to reduce VMT compared to BAU conditions. In total, ~~27~~ 22 of the measures in this Sustainability Action Plan will reduce VMT.

The first bullet on page 1-16 of the Draft EIR is hereby amended as follows:

- ♦ Biological resources measures aim to mitigate any loss of critical habitat corridors through the Habitat Conservation Plan or other appropriate mitigation. In total, the proposed Sustainability Action Plan includes 17 measures to conserve biological resources.

Figure 3-2 on page 3-5 of the Draft EIR is hereby replaced with the figure on the following page.

Figure 3-3 on page 3-15 of the Draft EIR is hereby replaced with the figure on page 3-10.

The first, third and last bulleted paragraphs on page 3-16 of the Draft EIR are hereby amended as follows:

- ♦ **Aggregate/South of Tracy Hills.** A contraction of nearly 4,000 970 acres is proposed to the south of City limits. This contraction area was previously designated as Aggregate and Public in the 1993 General Plan. This contraction area also includes an area south of the Tracy Hills Specific Plan Area and east of Interstate 580. This area consists of approximately 230 acres and contains a 44-acre former landfill. The remaining area consists of land that is vacant or in agricultural use.
- ♦ **Defense Depot and Country Residential.** A large contraction of nearly 4,700 1,530 acres is proposed along the southeastern City limit. This area was designated as Aggregate, Commercial, Industrial and Residential Very Low under the 1993 General Plan.
- ♦ **South Schulte and South of Patterson Pass.** A large, approximately 2,350-acre area to the west of City limits is proposed to be removed from the SOI under the General Plan. Part of this area consists of 575 acres south of Patterson Pass Business Park, which is proposed for removal from the SOI because of its location between Interstate 580, the Delta Mendota Canal and the California Aqueduct. This area is isolated and would likely be difficult and expensive to provide with urban services. This contraction area was designated as a variety of land use designations under the 1993 General Plan.

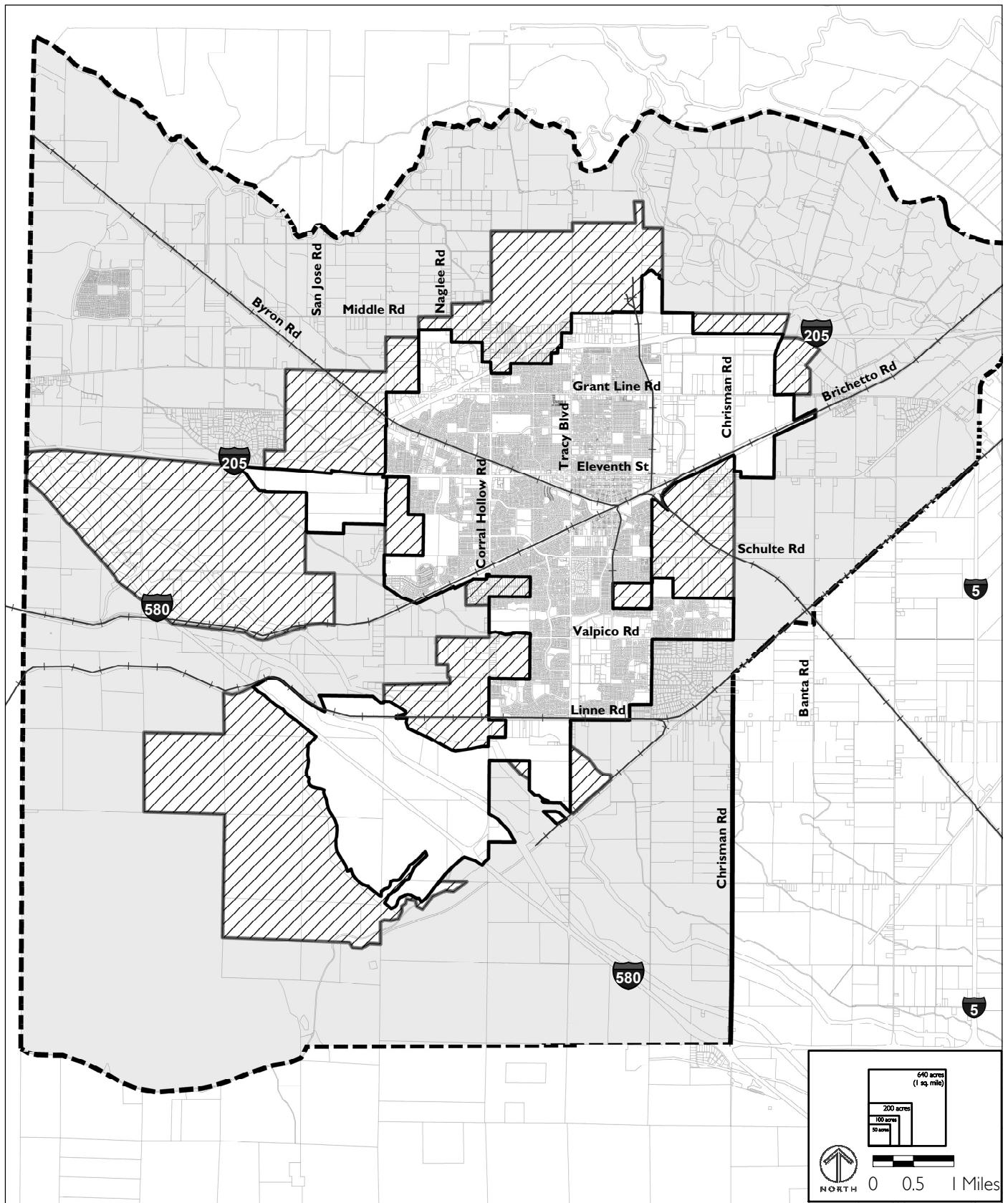


FIGURE 3-2

- [Solid Box] City Limits
- [Hatched Box] Proposed Sphere of Influence
- [Shaded Box] Planning Area

**TRACY CITY LIMITS,
PROPOSED SPHERE OF INFLUENCE
AND PLANNING AREA**

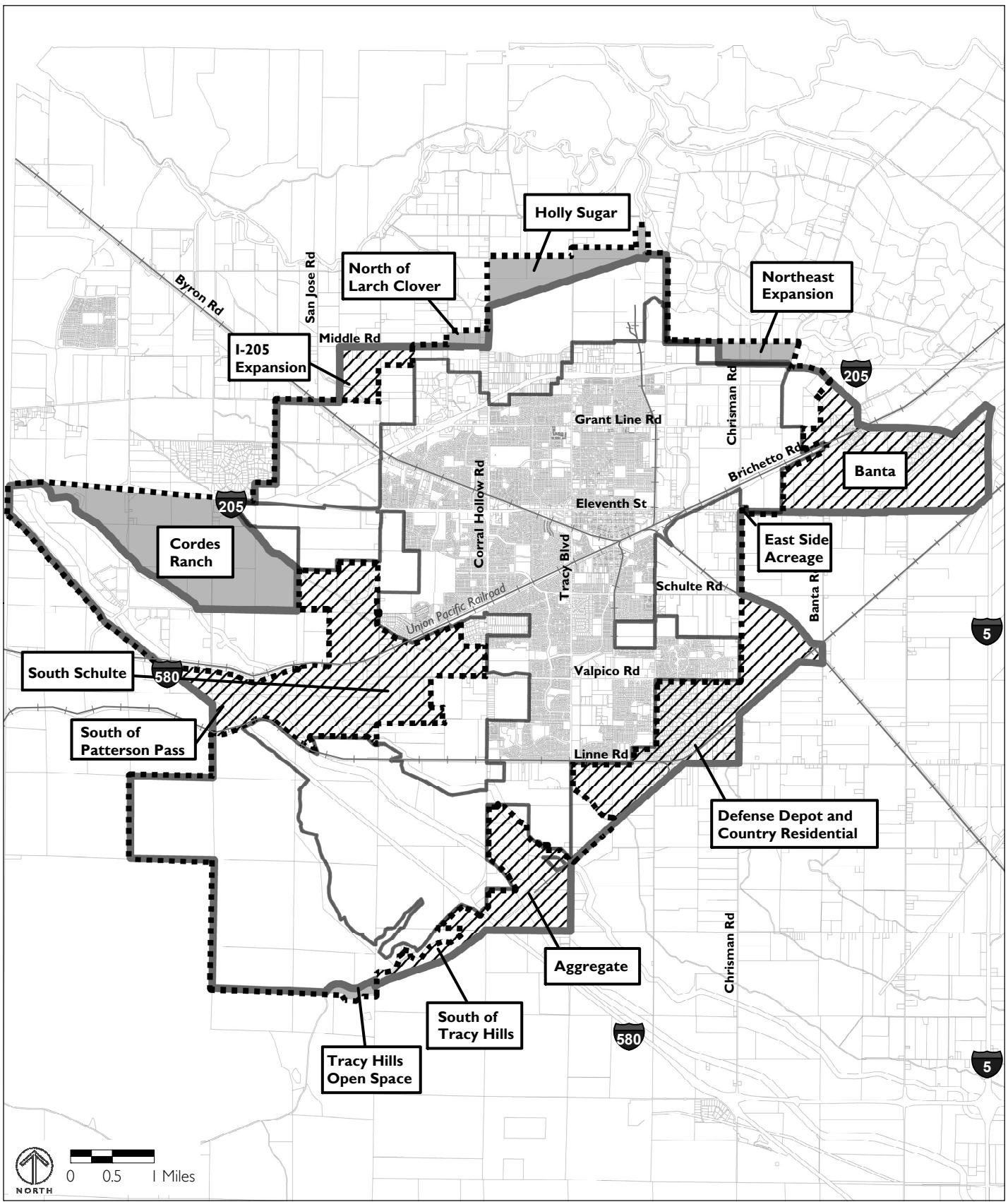


FIGURE 3-3

1993 AND PROPOSED SPHERES OF INFLUENCE

- [Solid line] City Limits
- [Dashed line] Proposed 2010 Sphere of Influence
- [Diagonal hatching] 1993 General Plan Sphere of Influence
- [Hatching] Contraction
- [Solid gray] Expansion

CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
REVISI~~N~~S TO THE DRAFT EIR

Figure 3-4 on page 3-19 of the Draft EIR is hereby replaced with the figure on page 3-13.

The first full bulleted paragraph on page 3-21 of the Draft EIR is hereby amended as follows:

- ♦ **Urban Reserve (UR).** The proposed Urban Reserve designation would apply in areas that which are not expected to develop ~~for a number of years immediately, as they will be required to complete Specific Plans or Development Plans prior to development~~. It would allow a mix of land uses, in accordance with the statistical profiles for each Urban Reserve, without designating a specific location for these uses. Of the ~~eleven~~ten Urban Reserves, some areas are proposed to accommodate a mix of commercial and industrial uses, while others are to accommodate a mix of residential uses. This new designation would require comprehensive planning prior to development while also providing flexibility for the future.

Table 3-1 on page 3-25 of the Draft EIR is hereby amended as shown below on page 3-12:

Table 3-3 on page 3-36 of the Draft EIR is hereby amended as shown below on page 3-15:

The last paragraph on page 3-41 of the Draft EIR is hereby amended as follows:

The proposed Sustainability Action Plan is a detailed, long-range strategy to achieve sustainability in the sectors of GHG emissions, energy, transportation and land use, solid waste, water, agriculture and open space, biological resources, air quality, public health, and economic development. The Sustainability Action Plan establishes targets related to a variety of sustainability topics, and sets forth measures that will assist the City of Tracy in reaching those goals. The Sustainability Action Plan also includes a program to implement, monitor, and update the Plan as needed.

**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
REVISIONS TO THE DRAFT EIR**

TABLE 3-1 LAND USE DESIGNATION CHANGES (CITY LIMITS AND SOI)

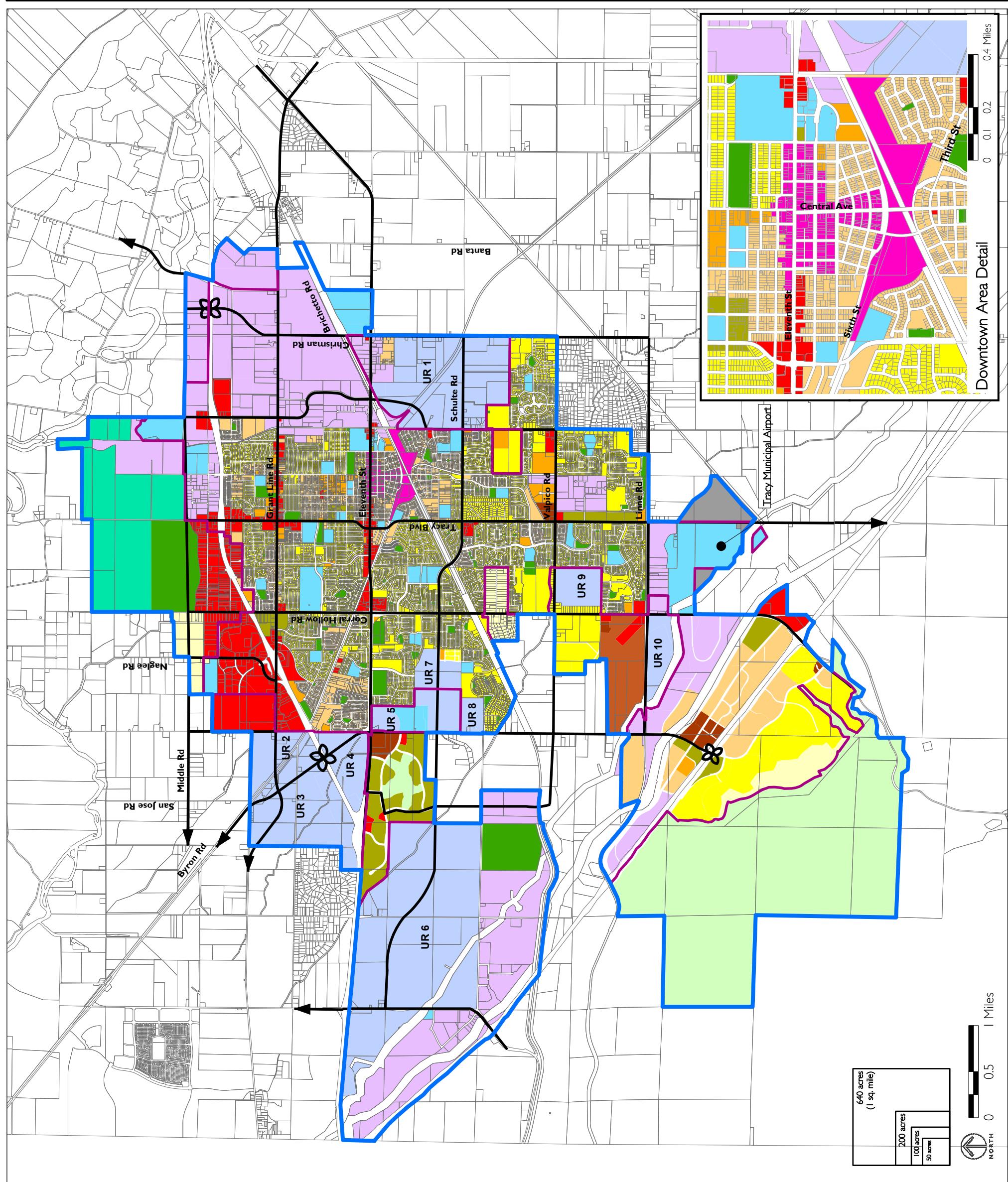
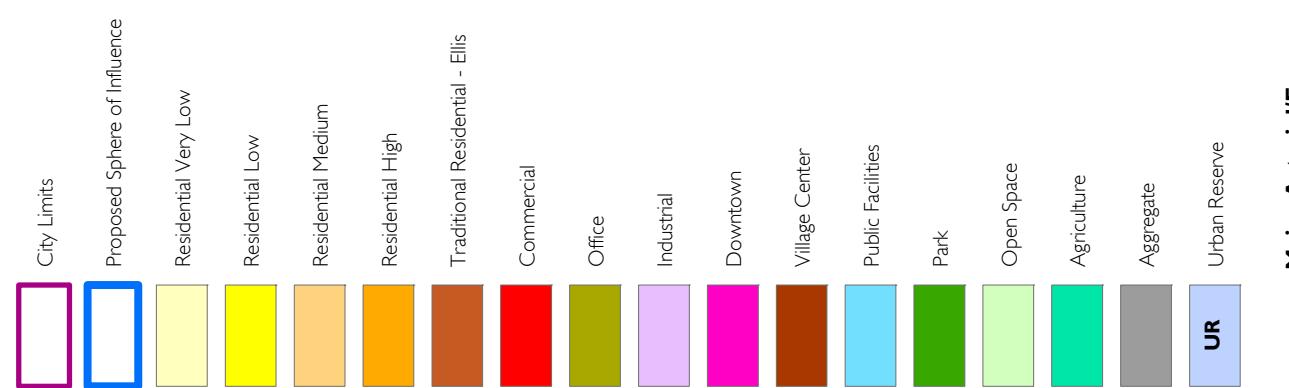
Land Use Designation	1993 General Plan (Acres)	% of Total	Proposed General Plan (Acres)	% of Total
Residential Very Low	1,445	5.6%	456459	2.0%
Residential Low	7,690	29.8%	3,8753,879	17.916.9%
Residential Medium	2,315	9.0%	1,530	6.7%
Residential High	145	0.6%	248	1.1%
TR - Ellis	N/A	--	287	1.31.2%
Commercial	1,675	6.5%	1,2661,263	5.5%
Office	N/A	--	546	2.4%
Downtown	N/A	--	116	0.5%
Village Center	N/A	--	131	0.6%
Industrial	6,310	24.4%	4,015	17.617.5%
Urban Reserve	N/A	--	4,044	17.717.6%
Public Facilities	1,135	4.4%	1,057	4.6%
Park	280	1.1%	767	3.43.3%
Open Space	3,435	13.3%	3,551	15.615.5%
Aggregate	1,045	4.0%	10172	0.00.7%
Agriculture	365	1.4%	916	4.0%

Notes:

1. The designation, "Urban Center," used in the *1993 General Plan* is not included in the table above since the designation only was applied to approximate geographic areas which had other underlying General Plan land use designations; the acreages of the underlying land use designations are included in the table.
2. Total acres of the SOI and City limits differ between the *1993 General Plan* and the proposed General Plan due to annexations and SOI changes.

FIGURE 3-4

**PROPOSED GENERAL PLAN
LAND USE DESIGNATIONS**



**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
REVISIONS TO THE DRAFT EIR**

TABLE 3-3 **PROJECTED DEVELOPMENT THROUGH 2025 IN URBAN RESERVE AREAS**

	Population	Dwelling Unit (DU)	% of Total DUs ^a	Jobs	% of Total Jobs ^b
UR 1	167	51	< 1%	-	-
UR 2	327	100	< 1%	444	1%
UR 3	-	-	-	815	2%
UR 4	-	-	-	222	< 1%
UR 5	2,453	750	2%	-	-
UR 6	-	-	-	3,495	6%
UR 7	2,453	750	2%	-	-
UR 8	657	200	1%	-	-
UR 9	2,214	677	2%	-	-
Ellis	5,232	1,600	5%	578	1%
<u>UR 11-UR 10</u>	-	-	-	-	-
Total	13,503	4,128		5,554	

Note: < = less than.

^a Based on 35,000 total dwelling units projected total for 2025.

^b Based on 53,800 total jobs projected for 2025.

The first bulleted list on page 3-42 of the Draft EIR is hereby amended as follows:

- ◆ Target #1: 15 percent reduction in per capita emissions from the 2006 baseline of 11.6 metric tons of carbon dioxide equivalent.
- ◆ ~~Target #1a: 29 percent reduction of community GHG emissions from 2020 Business As Usual (BAU) projected levels.~~
- ◆ ~~Target #1b: 29 percent reduction of municipal GHG emissions from 2020 BAU projected levels.~~

CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
REVISIONS TO THE DRAFT EIR

The bulleted list under Section E on page 3-43 of the Draft EIR is hereby amended as follows:

- ♦ Target #9a: 12 percent reduction in outdoor potable water use from current (2010) levels.
- ♦ Target #9ab: 20 to 40 percent reduction in per capita potable water use from current (2006) levels Department of Water Resources Method 1 Ten Year Historical Average (1995-2004).
- ♦ Target #9bc: 20 to 40 percent reduction in municipal water use from current (20086) levels.

The bulleted text under Section G on page 3-44 of the Draft EIR is hereby amended as follows:

- ♦ Target #12: Any loss of critical habitat corridors is mitigated through the Habitat Conservation Plan or other appropriate mitigation.

The text at the bottom of page 3-44, continuing onto page 3-45, of the Draft EIR is hereby amended as follows:

- ♦ Target #17: Ratio of jobs to employed residents with matched skills between .90 and 1.10.
- ♦ Target #18: 10,000 square feet of neighborhood-serving retail within $1\frac{1}{2}$ mile of 75 percent of all residents.
- ♦ ~~Target #19: 50 percent of all new housing starts at densities of 15 units per acre or greater.~~
- ♦ Target #20-19: “Economic Diversity Index” score equal to or better than the statewide average.
- ♦ Target #24 20: 10 percent of jobs are “green” by practice or product.

The text at the bottom of page 3-45, and continuing onto page 3-46, of the Draft EIR is hereby amended as follows:

The proposed Sustainability Action Plan includes the following ~~22~~ 21 sustainability measures in the transportation and land use sectors:

- ♦ Live-Work and Work-Live Uses

- ♦ Reduced Parking Requirements
- ♦ Support for Bicycling
- ♦ Support for Transit
- ♦ Smart Growth, Urban Design and Planning
- ♦ Traffic Smoothing Through Congestion Management
- ♦ San Joaquin County Park and Ride Lot Master Plan Implementation
- ♦ Alternative Transportation Choices for Students
- ♦ ~~Car Share Program~~
- ♦ Comprehensive Signal Coordination Program
- ♦ Ramp Metering on Interstate 205
- ♦ Increased Transit to Bay Area Cities and San Joaquin Valley Employment Centers
- ♦ Altamont Route Approval and Transit-Oriented Development Around Rail
- ♦ Reduce Commute Trips
- ♦ Parking Cash-Out Programs for Employees
- ♦ Reduced Commuting from Out of the Region
- ♦ Transit Passes for Residents And Employees of New Developments
- ♦ Increased Use of Low Carbon Fueled Vehicles
- ♦ Carbon Sequestration on Municipal Property
- ♦ Mixed-Use and Traditional Residential Development
- ♦ Employment-Generating and High-Density Infill Projects
- ♦ Compressed Natural Gas Buses for the City's Fleet

The first three bulleted paragraphs under Section 3 on page 3-49 of the Draft EIR are hereby revised as follows:

- ♦ **Greenhouse Gas Emissions.** Implementation of the Sustainability Action Plan would reduce GHG emissions by between ~~382,422~~ 378,461 and ~~486,115~~ 482,154 metric tons of carbon dioxide equivalent (MTCO2e).
- ♦ **Energy.** Implementation of the Sustainability Action Plan would reduce electricity consumption in Tracy by approximately 293 million kilowatt hours (kWh) per year and natural gas consumption by approximately 5 million therms per year. In addition, ~~46~~ 17 measures would assist the

City in reaching its energy conservation targets, and six measures would assist the City in reaching its renewable energy targets.

- ◆ **Transportation and Land Use.** The ~~27~~ 21 transportation and land use sector measures will reduce vehicle miles traveled, reduce GHG emissions, and improve air quality through a variety of strategies, including: efficient land use patterns; provisions to increase transit ridership, walking, and bicycling; carbon sequestration; and use of alternative fuels.

The first bulleted paragraph on page 4.1-1 is hereby amended as follows:

- ◆ **Residential — Single-Family Dwelling Unit.** This classification describes parcels that contain one residential unit with possible related structures such as secondary residential units, a garage or shed. Ninety percent of residential units within Tracy's City limits and the SOI are single-family dwellings. There are a total of approximately ~~3,586~~ 3,588 acres in this category, 3,218 acres of which are in the City limits and ~~368~~ 371 acres of which are in the SOI.

Table 4.1-1 on page 4.1-2 of the Draft EIR is hereby amended as shown on the following page:

The fourth bulleted paragraph on page 4.1-5 of the Draft EIR is hereby amended as follows:

- ◆ **Industrial.** These sites contain uses such as warehouses and distribution facilities, light manufacturing, self-storage facilities, aggregate deposits and extraction operations, and automobile garages. There are approximately ~~1,761~~ 1,783 acres containing industrial uses, 849 acres of which are in the City limit and ~~912~~ 934 acres of which are in the SOI. Several concentrations of these uses are in and around Tracy, including the Northeast Industrial Area, near Tracy Boulevard, West Tracy around Mountain House Parkway, and around the Airport.

**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
REVISIONS TO THE DRAFT EIR**

TABLE 4.1-1 **EXISTING LAND USE ACREAGE IN TRACY^a**

Land Use Category	City Limits	% of Total in City Limits	SOI	% of Total in SOI	Total Acres
Residential - Single Unit	3,218	30%	<u>368371</u>	3%	<u>3,586</u> <u>3,588</u>
Residential - Two+ Units	279	3%	68	1%	347
Residential - Mobile Home	45	Less than 1%	13	Less than 1%	58
Motel/Hotel	13	Less than 1%	-	-	13
Commercial	482	4%	34	Less than 1%	516
Industrial	849	8%	<u>912934</u>	8%	<u>1,761</u> <u>1,783</u>
Mixed-Use	7	Less than 1%	-	-	7
Medical	21	Less than 1%	-	-	21
Park	221	2%	20	Less than 1%	241
Public Facility	442	4%	289	2%	731
Vacant Building	42	Less than 1%	35	Less than 1%	<u>7677</u>
Vacant Land	3,114	29%	4,445	37%	7,558
Agriculture	1,618	15%	<u>5,699</u> <u>5,839</u>	48%	<u>7,318</u> <u>7,458</u>
School	305	3%	-	-	305
Airport	148	1%	-	-	148
Place of Worship	52	Less than 1%	22	Less than 1%	73
Cemetery	16	Less than 1%	1	Less than 1%	17
Total	10,872	100%	11,904 12,070	100%	22,776 22,942

^a Information current as of December 31, 2003. Acreages have been rounded. Acreages do not include rights-of-way, canals or other waterways.

The fourth bulleted paragraph on page 4.1-6 of the Draft EIR is hereby amended as follows:

- ♦ **Vacant Building.** Parcels containing unoccupied structures are classified as vacant. There are approximately 76-77 total acres of this use, 42 acres of which are in the City limits and 35 acres of which are in the SOI. Several smaller vacant buildings are located within the downtown area and a few larger parcels are located on the northern edge of the City limits.

Figure 4.1-3 on page 4.1-13 of the Draft EIR is hereby replaced with the figure on page 3-21.

Figure 4.1-5 on page 4.1-23 of the Draft EIR is hereby replaced with the figure on page 3-22.

The first full bulleted paragraph on page 4.1-7 of the Draft EIR is hereby amended as follows:

- ♦ **Agriculture.** Working and non-working agricultural lands, for crops, grazing, dairy farms and related production are included in this category. A total of approximately 7,318-7,458 acres of agricultural lands exist on all four sides of Tracy, 1,618 acres of which are within the City limits and 5,699-5,839 acres of which are in the SOI, adjacent to the urban edge.

The first paragraph on page 4.1-17 of the Draft EIR is hereby amended as follows:

Tracy is part of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), which covers the entire county, with the exception of the federally-owned Site 300 (Lawrence Livermore National Lab), which is located in the foothills southwest of the city. The SJMSCP was prepared by the San Joaquin Council of Governments under a Memorandum of Understanding adopted by the San Joaquin Council of Governments, San Joaquin County, the US Fish and Wildlife Service, the California Department of Fish and Game, Caltrans, and the Cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton and Tracy. The City of Tracy adopted the SJMSCP on November 6, 2001. Tracy Hills is not a part of the SJMSCP unless and until it is annexed to the SJMSCP.

FIGURE 4.1-3

**SAN JOAQUIN COUNTY
GENERAL PLAN
LAND USE DESIGNATIONS
OUTSIDE OF TRACY
SPHERE OF INFLUENCE**

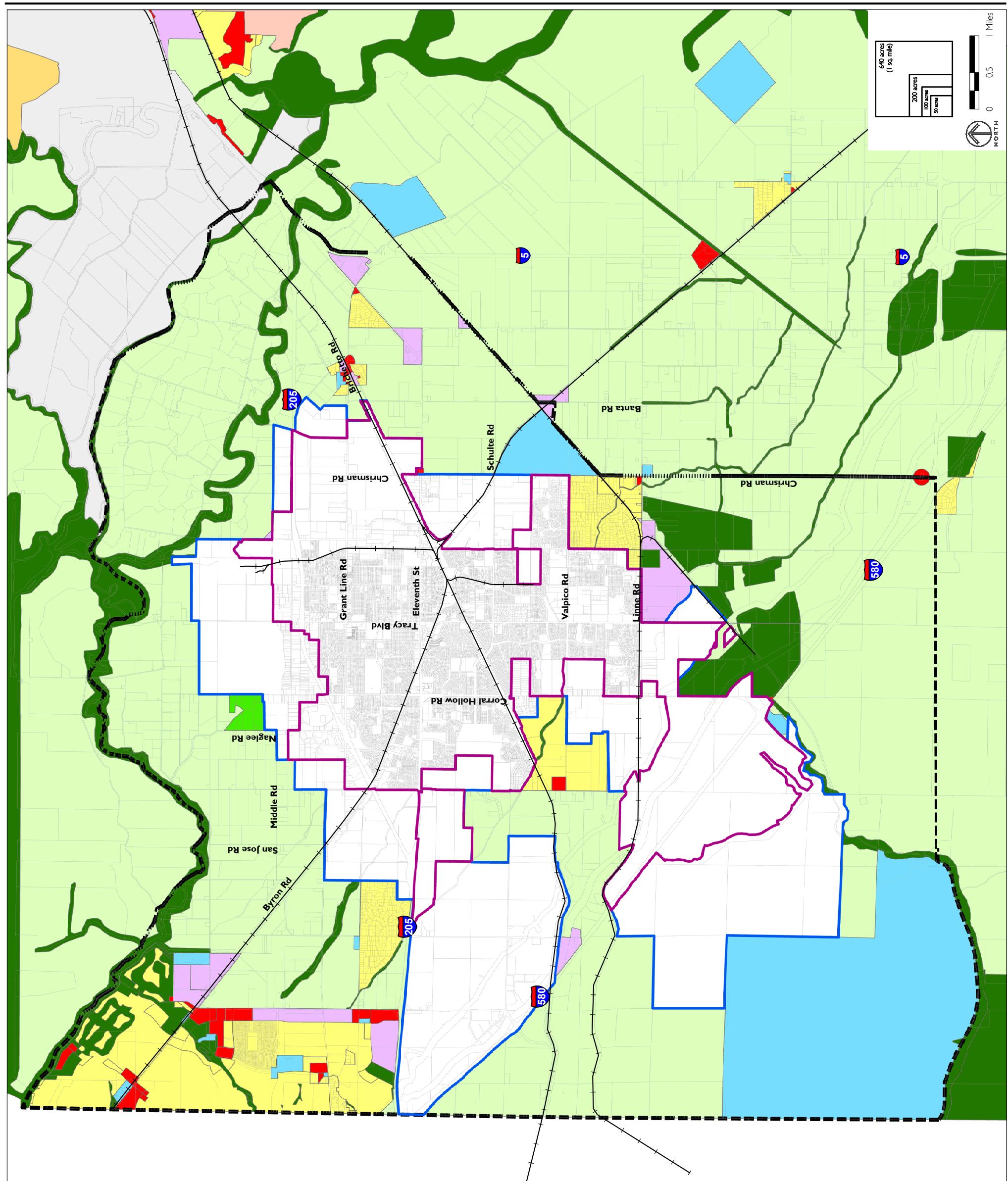
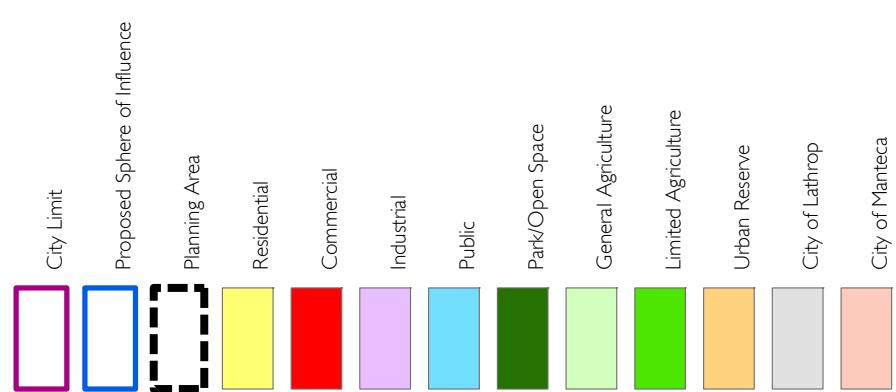
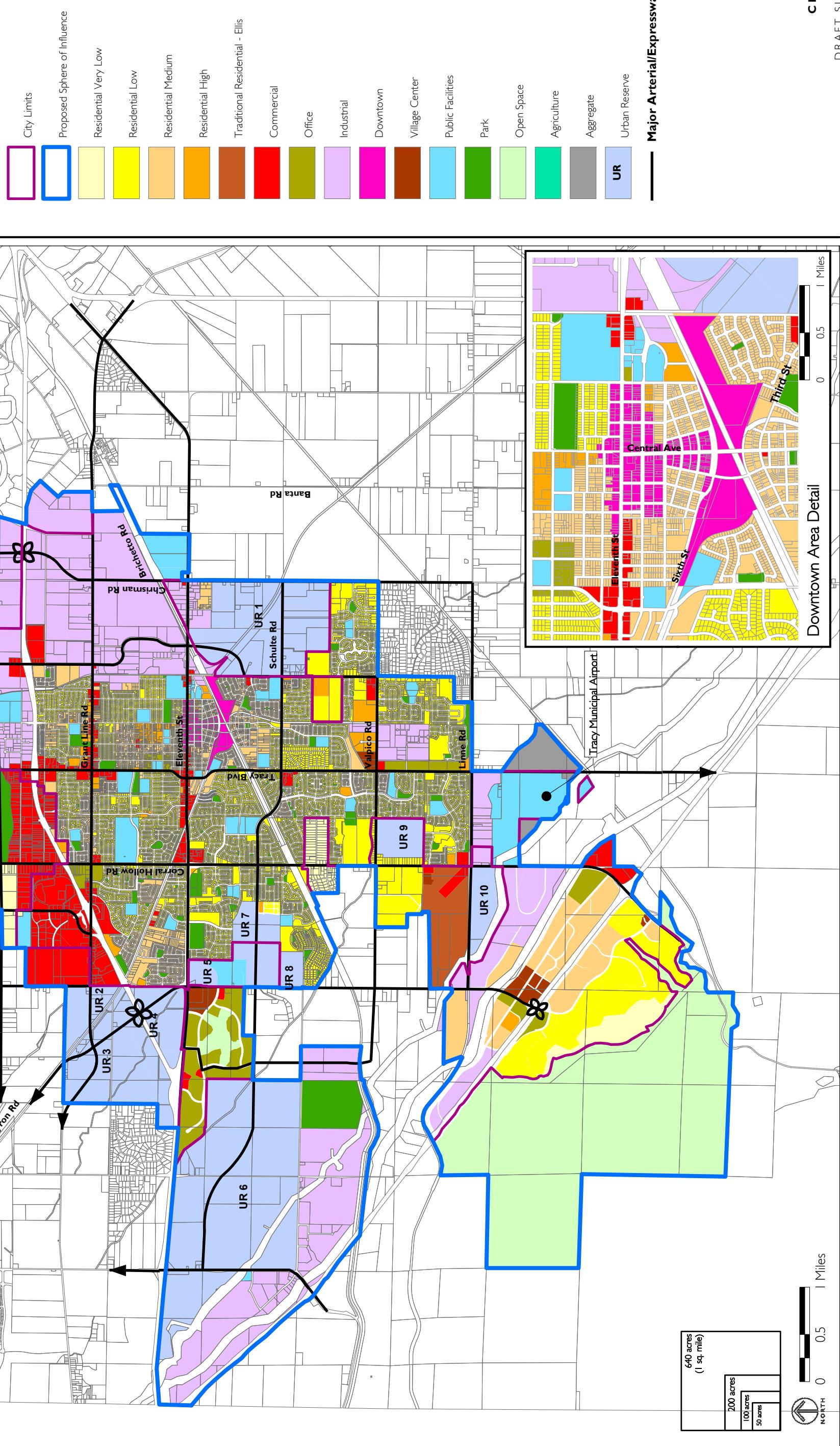


FIGURE 4.1-5

**PROPOSED GENERAL PLAN
LAND USE DESIGNATIONS**



**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
REVISIONS TO THE DRAFT EIR**

The second sentence in the third paragraph on page 4.1-25 of the Draft EIR is hereby amended as follows:

For these areas, prior to initiating the annexation process, the City is requesting that the San Joaquin County LAFCO update the City's SOI to include expansions ranging from 53 to 404 acres to the north, an expansion of 1,534 acres to the west and an expansion of 42 acres to the south; as well as contractions to the SOI that total approximately 7,009 6,783 acres.

The text at the bottom of page 4.1-28, continuing onto page 4.1-29, of the Draft EIR is hereby amended as follows:

f. San Joaquin County Airport Land Use Plan

The proposed General Plan includes Objective LU-6.3, Policy 1 and Policy 2, which state that land uses and new development within the airport hazard zones, as designated in the San Joaquin County Airport Land Use Plan, will conform to requirements of the zoning ordinance (as related to the Airport Overlay area) safety and development restrictions in and the requirements specified in the Plan. This policy will ensure that growth allowed under the proposed General Plan is consistent with the Airport Land Use Plan; therefore, no significant impact would occur related to consistency with the San Joaquin County Airport Land Use Plan.

The first three paragraphs in Section 2, beginning on page 4.2-4 and continuing onto page 4.2-5 of the Draft EIR, are hereby amended as follows:

2. Employment

Growth in Tracy has included an increase in employment opportunities. As is common in cities of a similar size to Tracy, major local employers include the Tracy Unified School District and City government. During the 1990s, the economy diversified and expanded, aided in part by numerous companies that established distribution facilities in Tracy to take advantage of inexpensive land and proximity to three major freeways, such as a Safeway Grocery distribution warehouse that employs approximately 1,800 people.⁶ In 2004, Tracy's 4.8 percent unemployment rate was one of the lowest rates in San Joaquin County.⁷ Between 2002 and 2008, the number of jobs in Tracy grew by about 24 percent, adding 5,338 jobs for a total of 27,829. By 2008, Tracy

represented a major employment center in San Joaquin County, with approximately 15 percent of the total jobs in the County.⁸

Figure 4.2-1 shows the key industrial sectors in which job growth has occurred between 2002 and 2008. As shown in the figure, the top four sectors in Tracy in 2008 were Government, Retail Trade, Transportation and Warehousing, and Manufacturing, which account for more than 16 percent, 13 percent, 11 percent, and 9 percent of the jobs in Tracy, respectively. Other key growing sectors were Accommodation and Food Services and Wholesale Trade.

As shown in Table 4.2-5, the percentage of Tracy residents employed in professional or managerial jobs increased by a substantial 170 percent between 1990 and 2000, while the number of people employed in farming and forestry dropped by 44 percent.⁹ In 2000, 61 percent of the resident workforce was employed in white collar occupations (management, professional and related occupations and sales and office jobs); by 2008, this had only declined slightly to 57 percent. The share of residents in blue collar occupations (construction, extraction and maintenance and production, transportation, and material moving jobs) was steady at 28 percent.¹⁰ Table 4.2-6 compares Tracy's occupational distribution to the County and the State and shows Tracy maintaining a higher percentage of professional or managerial jobs than the County, but less than the State. For the most part however, employment distributions in Tracy, the County and the State are fairly similar.

Since 2000, the labor force in Tracy has grown 44 percent to 39,050 people in 2006.¹¹ The number of jobs located in Tracy increased 89 percent between 1990 and 2000 to 20,972 jobs, as compared to San Joaquin County as a whole that recorded a 15 percent increase in number of jobs.^{10 12} Employment in Tracy continues to grow, and in 2003 2008 there were 29,758 27,829 jobs in the city.^{11 13}

⁸ California Economic Development Department, 2009.

⁹ U.S. Census, 1990 and 2000.

¹⁰ 2000 Census, 2006-2008 American Communities Survey, Strategic Economics 2009.

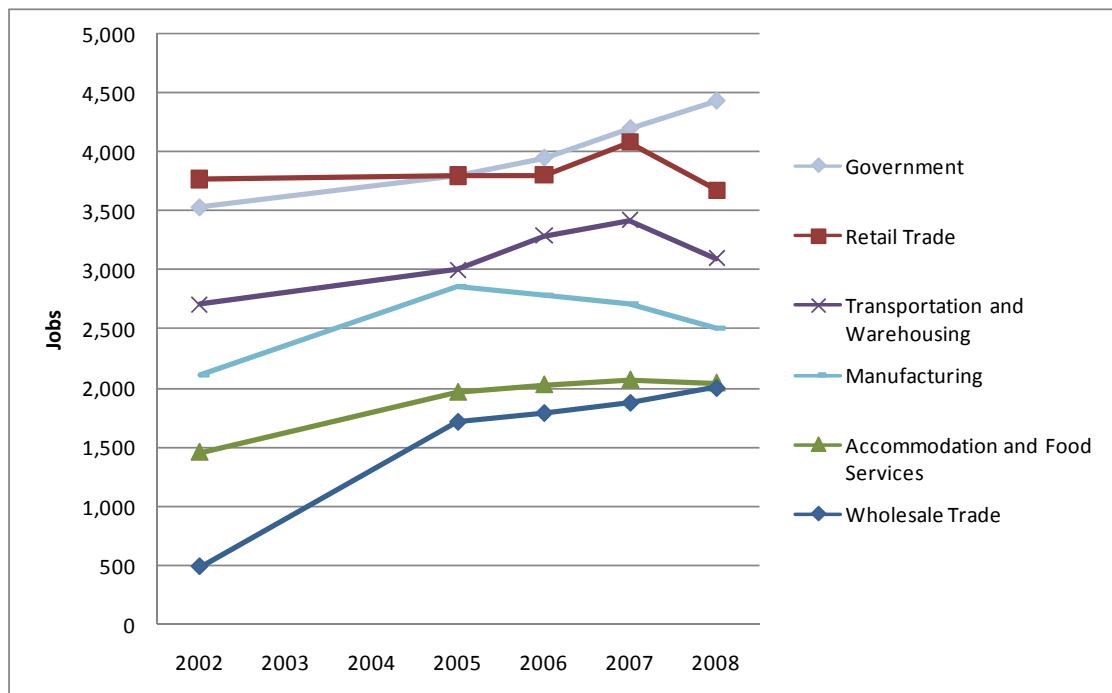
⁹⁻¹¹ California Employment Department 2006. U.S. Census, 2000.

⁹⁻¹² U.S. Census, 1990 and 2000.

⁴⁴⁻¹³ U.S. Census, 1990 and 2000. Claritas 2003. California Economic Development Department 2009.

Figure 4.2-1 is hereby added to the Draft EIR following page 4.2-4.

FIGURE 4.2-1 EMPLOYMENT IN KEY SECTORS IN TRACY, 2002-2008



Source: California Economic Development Department 2009, Strategic Economics 2010.

The text at the bottom of page 4.2-6, continuing onto page 4.2-7, of the Draft EIR is hereby amended as follows:

3. Jobs/Housing Balance

A jobs/housing balance is often measured based on a comparison between the number of housing units and number of job opportunities in a given area.

However, the sheer number of houses and jobs does not take into account the match between the skills of workers and the types of housing options available. Therefore, this section discusses not only the numerical balance between jobs and housing in Tracy, but also the match between the wages earned by workers and the types of housing opportunities in Tracy and the match between the skills of Tracy's resident workforce and the types of employment opportunities in Tracy.

Despite the recent employment growth in Tracy, the jobs-housing balance falls short of the recommended target goal of 1.5 jobs per housing unit established by the California Department of Housing and Community Development (HUD). Based on the ~~2003~~ 2008 number of housing units (~~21,628~~ 25,478)¹² ¹⁴ and the number of local jobs (~~29,758~~ 27,829),¹³ ¹⁵ the ~~2003~~ 2008 jobs-housing balance in Tracy was ~~4.37~~ 1.09.

Although the job-housing ratio is relatively close to balanced, commuting patterns in Tracy point toward a local jobs-housing match that is less than ideal. ~~It is estimated that over 70 percent of Tracy's employed residents commute outside of the city to work, as compared to only 17 percent of workers statewide, and the numbers of employees commuting into Tracy from neighboring counties has also increased.~~¹⁴ According to the US Census, the percentage of Tracy residents commuting over 45 minutes to reach their workplace increased by 155 percent between 1990 and 2000. Table 4.2-7 outlines employment numbers by workplace location and average commuting times for Tracy residents in 1990 and 2000.

A combination of job quality, accessibility, and occupation and skill requirements drives the relatively high proportion of Tracy residents who commute out of Tracy for work.¹⁶ Only 35 percent of Tracy's resident workforce is employed in San Joaquin County, including 20 percent that work in Tracy. A far greater share of Tracy's residents (46 percent) commutes across the Altamont Pass to jobs in the Bay Area, including 27 percent that work in Alameda County. Only 9 percent of residents work elsewhere in the Central Valley. Overall, this This data indicates a mismatch between the skill levels

of Tracy residents and the skill levels of Tracy jobs, which contributes to the need for Tracy's residents to commute to jobs elsewhere.¹⁷

Although the labor shed for jobs in Tracy is expansive, a relatively high share of workers commutes to Tracy from within a short distance. Nearly 45 percent of workers based in Tracy are San Joaquin County residents, including 21 percent that are Tracy residents. Roughly 19 percent of workers travel from elsewhere in the Central Valley, while 25 percent are Bay Area residents making the reverse commute.¹⁸ This data indicates that overall there is a strong match between Tracy jobs and San Joaquin County residents' job skills.

Overall, these commuting patterns illustrate that a relatively high proportion of Tracy residents commute great distances outside of Tracy while a relatively large share of Tracy's workforce commutes into Tracy from nearby areas. As a result, the area experiences adverse environmental and economic problems, such as high levels of traffic congestion and related air pollution.

As stated above, the numerical balance between the number of houses and jobs does not take into account the match between the skills of Tracy's residents and the types of employment opportunities available. One indicator of the match between residents and employment opportunities is a comparison of the educational attainment levels of residents with the training requirements of local jobs. In general, occupations in Tracy's key subsectors did not have high training or educational requirements in 2006. While more than 50 percent of jobs in the Professional and Technical Services Industries required at least a bachelor's degree, for all other subsectors, at least 76 percent of jobs required no post-secondary education. In contrast, 55 percent of Tracy's resident workforce had some post-secondary education in 2006 to 2008, including 20 percent that held bachelor's degrees or higher. This suggests a potential source of mismatch between Tracy's jobs and residents in that Tracy residents may be "overqualified" for employment in the key subsectors of Tracy's local economy.¹⁹

Another element of the jobs/housing balance is the match between the workers in Tracy and the types of housing options available in Tracy. An indicator of the match between workers and housing opportunities is to compare the household earnings of residents with housing prices. Although most of the jobs offered in Tracy's key subsectors offer high wages relative to their low training requirements, these wages are below the levels that would be needed to occupy much of Tracy's housing stock. The median sales price for a home in Tracy from September to November 2009 was \$220,000. A household would need to earn approximately \$48,400 per year to afford a home at this median price. However, Professional and Technical Services is the only subsector in Tracy in which the median salary is greater than \$48,400, meaning that the Professional and Technical Services subsector is the only subsector in which the average worker could afford the median home price in Tracy. With the exception of Food Services and Drinking Places, the plurality of jobs in each of Tracy's key subsectors offers salaries between \$25,000 to \$49,999, meaning that a two-income household at these wage levels could afford the median home price in Tracy. However, there is also a large share of jobs in each of these subsectors that offer less than \$25,000, so even a two-income household would be unable to afford the median-priced home.²⁰

²²¹⁴ California Department of Finance estimate for January, 2004 2008.

²³¹⁵ State of the City, Presentation by Andrew Malik, City of Tracy Economic Development Director, 2004. California Economic Development Department 2009.

¹⁴ U.S. Census, 2000.

¹⁶ Strategic Economics, 2010, Memorandum to DC&E, Subject: Background Economic Analysis for Tracy Sustainability Action Plan, page 9.

¹⁷ Strategic Economics, 2010, Memorandum to DC&E, Subject: Background Economic Analysis for Tracy Sustainability Action Plan, pages 4 and 5.

¹⁸ Strategic Economics, 2010, Memorandum to DC&E, Subject: Background Economic Analysis for Tracy Sustainability Action Plan, pages 4 and 5.

¹⁹ Strategic Economics, 2010, Memorandum to DC&E, Subject: Background Economic Analysis for Tracy Sustainability Action Plan, page 9.

²⁰ Strategic Economics, 2010, Memorandum to DC&E, Subject: Background Economic Analysis for Tracy Sustainability Action Plan, page 11.

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Table 4.2-6 on page 4.2-7 of the Draft EIR is hereby amended as shown below:

TABLE 4.2-6 **OCCUPATIONAL COMPARISONS BETWEEN TRACY, SAN JOAQUIN COUNTY AND CALIFORNIA IN 2000, 2006 TO 2008**

Occupation	Tracy		County	CA
	# of People	% of Total	# of People % of Total	% of Total
Management and Professional	7,825 11,686	31%	27% 28%	36%
Service	3,085 6,061	12% 16%	15% 17%	15% 17%
Sales and Office	7,579 9,835	30% 26%	27% 26%	27% 26%
Farming, Fishing and Forestry	209 172	1% 0%	4%	1%
Construction, Extraction & Maintenance	2,782 4,390	11% 12%	10% 11%	8% 9%
Production, Transportation & Material Moving	4,012 6,148	16%	17% 16%	13% 11%

Source: 2000 U.S. Census, 2006-2008 American Communities Survey.

The following paragraph is hereby added to the end of Section B on page 4.2-11 of the Draft EIR:

Although CEQA standards of significance do not address the issue of jobs/housing balance, the General Plan and Sustainability Action Plan include policies and measures that seek to improve the match both between Tracy's employment opportunities and residents' skills, and between Tracy's housing options and workforce. Therefore, this impact discussion includes an evaluation of the city's jobs/housing balance, but does not include a finding of significance for this topic.

The following section is hereby added to the end of Section C on page 4.2-14 of the Draft EIR:

3. Jobs/Housing Balance

As described above, CEQA Guidelines do not address the issue of jobs/housing balance, but this section provides an evaluation of this topic because the General Plan and Sustainability Action Plan include policies and measures that seek to improve the city's jobs/housing balance.

As explained in the Existing Setting section, a large share of Tracy residents commutes to the Bay Area to access the higher wage jobs for which they are qualified. Simultaneously, residents of other areas of San Joaquin County commute into Tracy partly because they are unable to afford housing in Tracy. To address the first of these phenomena and reduce out-commuting, more employment opportunities in Tracy would need to be generated that satisfy the income needs of highly educated workers. To address the second phenomenon and reduce in-commuting, Tracy's affordable housing stock would need to be expanded to fit the housing needs of Tracy's workers in subsectors with low wages.

Both of these strategies are supported by the goals of the General Plan and Sustainability Action Plan.²⁹ The General Plan includes the following policies that seek to improve Tracy's jobs/housing match:

- ♦ Objective LU-2.1, Policy P1: The City's priorities for future growth, in order of priority, are: job-generating development to match the skills of Tracy residents; diversification of housing types, including those types suitable for Tracy's workforce; and continued growth of the retail base.
- ♦ Objective ED-1.1: Attract emerging growth industries in order to increase employment opportunities for a wide range of skill levels and salaries to meet the current and future employment needs of residents.
- ♦ Objective AQ-1.1, Policy P2: To the extent feasible, the City shall maintain a balance and match between jobs and housing.

In addition, the Sustainability Action Plan includes the following measures that seek to improve the city's jobs/housing match:

- ♦ Measure ED-5: Continue the City's economic development program to retain and recruit businesses that provide high-wage jobs and support existing and emerging industry clusters.
- ♦ Measure ED-7: Periodically study the skills and education levels of Tracy residents, and use the information as a guide for recruiting new firms to the city as a means of improving the city's jobs/housing match.

Implementation of these policies and measures would increase appropriate employment opportunities for Tracy residents and housing opportunities for Tracy workers.

Overall, the City expects that during the period between 2008 and 2025, the proposed General Plan is expected to result in approximately 9.4 million square feet of industrial development, 3.4 million square feet of retail development and 1.7 million square feet of office development, with an additional 21,300 employees. The General Plan foresees that 5,554 new jobs through 2025 would be located in Urban Reserves 2, 3, 4, and 6, and in the Ellis Specific Plan and Tracy Hills Specific Plan areas. Employment growth in these areas will be through the development of a range of commercial, office, and industrial uses. The Economic Development Element of the General Plan guides the City's economic development strategy. The General Plan policies and Sustainability Action Plan measures listed above state the City's intent to promote job growth that matches the skill levels and employment needs of Tracy's residents. In addition to the policies listed above, the Economic Development Element includes the following policy:

- ♦ Objective ED-1.1, Policy P1: The City shall target corporate headquarters, high-wage office uses and emerging, high-wage industries for attraction, including but not limited to industries within the North American Industry Standard Classification (NAISC) subcategories of manufacturing, health care, professional, scientific and technical, finance and insurance, and information technologies.

Along with promoting job growth that matches the needs of Tracy's residents, the General Plan and Sustainability Action Plan call for housing that is

appropriate to meet the housing needs of Tracy's workforce. The General Plan calls for new housing to be developed in proximity to employment centers, including in Urban Reserves 3, 4, and 6, and in the Ellis and Tracy Hills areas, which, as described above, are expected to contain new job generating development through 2025. Urban Reserve 6 is commonly known as Cordes Ranch. In addition to the policies listed above that emphasize the match between housing options and the housing preferences of Tracy's workforce, Objective LU-2.3, Policy P3 of the General Plan states, "The Cordes Ranch area should also contain commercial uses and services to meet the daily needs of workers and high-density housing suitable for the workforces in these areas."

The City also promotes the development of affordable housing, which would expand housing options for workers in Tracy who earn low wages and may not be able to afford the median home price in Tracy. Sustainability Action Plan Measure ED-2 calls for the City to develop and maintain an inventory of opportunity sites for future affordable housing development. In addition, as stated above, the City's GMO includes exceptions for affordable housing.

By simultaneously planning for job growth that meets the employment needs of Tracy's residents and housing growth that meets the housing needs of Tracy's workforce, the General Plan and Sustainability Action Plan are expected to improve both the numerical jobs/housing balance in Tracy and the match between jobs and housing for Tracy's residents and workers.

²⁹ Strategic Economics, 2010, Memorandum to DC&E, *Subject: Background Economic Analysis for Tracy Sustainability Action Plan*, pages 11 to 12.

The first full paragraph on page 4.4-2 of the Draft EIR is hereby amended as follows:

SJCOG is the designated Congestion Management Agency for San Joaquin County. Proposition 111 was a voter approved addition to an existing state-wide gasoline tax. In order to receive funds from this tax, each county was required to designate a Congestion Management Agency and develop a Congestion Management Program (CMP). Subsequent legislation removed this

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requirement, allowing counties to discontinue the CMP by resolution of the majority of jurisdictions within the county. San Joaquin County has not elected to do so, and SJCOG remains the Congestion Management Agency for San Joaquin County. The CMP is also a requirement of the Measure K Renewal Ordinance approved by San Joaquin County voters in November 2006. Federal planning regulations also require a congestion management process to receive some types of federal transportation funding. SJCOG also fulfills that requirement.

The last paragraph on page 4.4-2 of the Draft EIR is hereby amended as follows:

The Tracy Municipal Airport is subject to the 1993 San Joaquin County Airport Land Use Compatibility Plan. An updated Airport Land Use Compatibility Plan was adopted on June 25, 2009. This Plan identifies future improvements for the airport to meet future aviation needs. The Plan also identifies compatible land uses for the various safety zones around the airport necessary for maintaining safe airport operations.

The second paragraph on page 4.4-4 of the Draft EIR is hereby amended as follows:

Measure K is a countywide ½ cent sales tax program for the purpose of funding transportation improvements within San Joaquin County. The City participates in this program. The existing Measure K sales tax expires in the year 2011 2041. SJCOG is working with the cities and local agencies in the county to achieve voter approval for Measure K renewal beyond the year 2011.

The second full paragraph on page 4.4-67 of the Draft EIR is hereby amended as follows:

The proposed General Plan was designed to comply with the Airport Land Use Compatibility Plan (1994, as amended in 1998) for the Tracy Municipal Airport. For example, Objective LU-6.3 ensures that development near the Tracy Municipal Airport is compatible with airport uses and conforms to safety requirements. Since the proposed General Plan would not allow incompatible development to occur around the airport, implementation of the proposed General Plan and Sustainability Action Plan would not alter current

plans related to operations of the Tracy Municipal Airport nor air traffic in general, and no significant impact would occur.

The second and third full paragraphs on page 4.14-10 of the Draft EIR are hereby amended as follows:

The Tracy Municipal Airport, located in the southern portion of the city between Tracy Boulevard and Corral Hollow Road, is a source of community noise in its vicinity. General aviation aircraft using the Tracy Airport contribute to intermittent noise levels in Tracy. The airport currently has about ~~50,000~~ 60,000 annual airport operations.¹ These are comprised mostly of single-engine light aircraft (maximum gross weight 12,000 lbs.), some twin-engine aircraft, and occasional corporate jets. There are no jets currently based at the airport. Other activities at the airport include two hot air balloon companies, Ultralights, and an area where aerobatic flight is allowed.

Aircraft noise in California is described in terms of the community noise equivalent level (CNEL). As mentioned previously, CNEL is approximately equivalent to the day/night average noise level (L_{dn}) but includes a 5 dB weighting factor for the evening hours (7:00 p.m. to 10:00 p.m.). The ~~San Joaquin County 2020 General Plan 2009 ALUCP~~ contains CNEL noise contours for Tracy Airport, which are shown in Figure 4.14-1.

Figure 4.14-1 of the Draft EIR is hereby replaced with the figure on page 3-35.

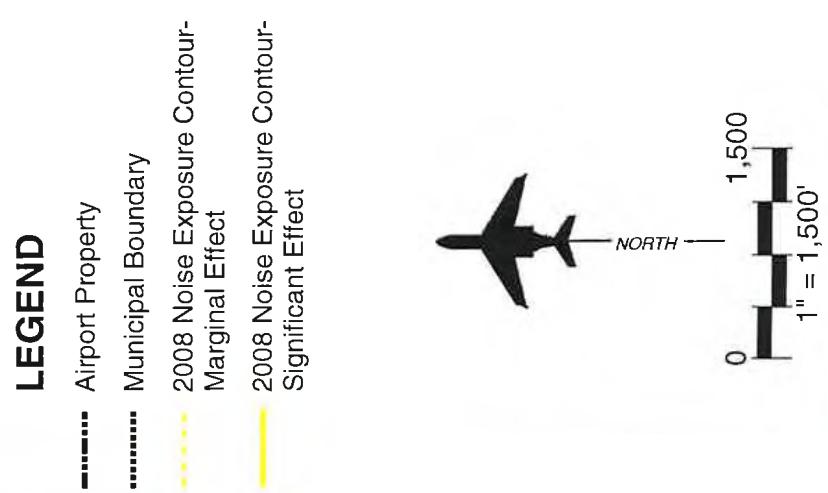
The second full paragraph on page 4.14-26 of the Draft EIR is hereby amended as follows:

The Tracy Municipal Airport, located in the southern portion of the city between Tracy Boulevard and Corral Hollow Road, is a source of community noise in its vicinity. Future noise contours for the year 2028 for the Tracy

¹ Telephone conversation with Rod Buchanan, Deputy Department Director, Parks and Community Services Department, October 2003. San Joaquin Council of Governments, July 2009, Airport Land Use Compatibility Plan Update, page 2-22. Prepared by Coffman Associates, Inc.

FIGURE 4.14-1

EXISTING
TRACY MUNICIPAL
AIRPORT NOISE CONTOURS



Source: Aerial Photography dated 2006. San Joaquin Geographic Information Systems, February 2008. Coffman Associates analysis.

Airport are shown in Figure 4.14-3. New noise sensitive uses are not planned in areas within the ~~San Joaquin County 2020 General Plan year 2028~~ 60 or 65 dB CNEL noise contours for the Tracy Airport (shown in Figure 4.14-1), except that the Traditional Residential (TR)-Ellis designation falls within the 60 dB CNEL noise contour. However, the land uses within the Ellis Specific Plan area are required to be consistent with the ALUCP. Thus, no significant impact would occur.

Figure 4.14-3 on page 3-39 is hereby added to the Draft EIR following page 4.14-39.

The last paragraph on page 4.15-24 and continuing on page 4.15-25 of the Draft EIR is hereby amended as follows:

The Air Quality Element of the proposed General Plan contains policies supporting four main objectives aimed at improving air quality. Policies 1 through 5 under Objective AQ-1.1 promote land use patterns that would reduce the number and length of vehicle trips, encourage mixed-use developments, maintain a balance and match between housing and jobs (shorter commute trips), and encourage uses that would promote walking and biking. Objective AQ-1.2 includes 44-17 policies and five actions that would contribute to reducing air pollutant emissions through CEQA review, implementation of best management practices, reductions in energy usage, application of dust control measures, and providing appropriate buffers between sources of air pollutant emissions and sensitive receptors, such as residences. Objective AQ-1.3 includes six policies and two actions that would support alternative modes of transportation, such as carpooling, transit, bicycling and walking, which would reduce dependence on motor vehicles. Finally, Objective AQ-1.4 includes three policies and three actions that would coordinate improvements efforts with those outside of Tracy and provide education to the public.

The first objective listed in the last row of Table 4.15-6 on page 4.15-27 of the Draft EIR is hereby amended as follows:

Objective CC-2.1 - Policy 1 - New development projects ~~should shall~~ be designed on a traditional, modified, or curvilinear grid within the City's arterial

street network. Cul-de-sacs may be used within the grid so long as the objective of pedestrian and bicycle connectivity is achieved.

The second objective listed in the last row of Table 4.15-6 on page 4.15-28 of the Draft EIR is hereby amended as follows:

Objective CC-2.2 - Policy 2 - Neighborhoods ~~should~~ shall have direct pedestrian, bicycle and vehicular connections to their Focal Points and Village Center, compatible with the character, circulation network, and general configuration of the neighborhoods.

The third full objective listed in Table 4.15-6 on page 4.15-29 of the Draft EIR is hereby amended as follows:

Objective OSC-4.3 – Policy 2 - All development projects ~~should~~ shall provide linkages to the regional bike and trail system and circulation within the development project site, wherever feasible.

The last measure in Table 4.15-7 on page 4.15-32 of the Draft EIR is hereby amended as follows:

Measure 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.

The first row in Table 4.15-7 on page 4.15-33 is hereby amended as follows:

Measure T-12 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.

Measure T-13 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.

FIGURE 4.14-3

FUTURE TRACY MUNICIPAL
AIRPORT NOISE CONTOURS



Source: Aerial Photography dated 2006. San Joaquin Geographic Information Systems, February 2008. Coffman Associates analysis.

Measure 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.

The measure in the second row in Table 4.15-7 on page 4.15-33 is hereby replaced as follows:

Measure T-9: *Car Share Program* - Work with non-profit or commercial providers to create or provide a car share program.

Measure 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.

Measure 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.

Measure 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.

The second and third measures in the fourth row in Table 4.15-7 on page 4.15-33 are hereby amended as follows:

Measure T-10: *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, syn-

chronized signals, transit and emergency signal priority, and other traffic flow management techniques.

Measure T-44 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.

The first measure in the last row in Table 4.15-7 on page 4.15-33 and continuing on page 4.15-34 is hereby amended as follows:

Measure T-3: *Support for Bicycling* - Promote bicycle usage through the following:

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

The first full measures in Table 4.15-7 on page 4.15-35 of the Draft EIR are hereby amended as follows:

Measure T-20 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.

Measure T-24 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 transitions 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 connec-

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tivity both internally and externally to the project through the allocation of Residential Growth Allotments.

- d. Develop each phase of development in Tracy Hills ~~at the density and mix of uses that is anticipated at buildout, 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 possible and maximize the density and mix of uses for each phase of development in a manner consistent with the applicable General Plan and Zoning designations.

The last paragraph on page 4.15-44, continuing on page 4.15-45, of the Draft EIR is hereby amended as follows:

Mitigation Measure AIR-2: Add a new Action under Objective AQ-1.2 as follows:

“Require supplemental project studies in accordance with CARB and SJVAPCD recommendations to that evaluate air quality health risks for proposed developments ~~that place~~ with sensitive receptors proximate to ~~within 400 feet of~~ Interstate 205, ~~within 230 feet of~~ Interstate 580, or ~~within 1,000 feet of~~ large truck warehousing facilities or truck facilities where trucks with transportation refrigeration units operate almost continuously. Mitigation measures to reduce significant health risks shall be included in final project designs.”

The last two paragraphs on page 4.16-15 of the Draft EIR are hereby amended as follows:

The proposed Sustainability Action Plan includes 39 33 measures in the energy, transportation and land use, and solid waste and water sectors that would reduce GHG emissions. The GHG emission reductions associated with each measure are provided in Appendix D.

- ◆ Energy sector measures would reduce GHG emissions in Tracy in 2020 by 132,384 metric tons CO₂e.
- ◆ Transportation and land use sector measures would reduce GHG emissions in Tracy in 2020 by between ~~149,049~~ 147,388 and ~~252,742~~ 251,081 metric tons CO₂e.⁹

- ♦ Solid waste sector measures would reduce GHG emissions in Tracy in 2020 by 98,689 metric tons CO₂e.
- ♦ ~~Water sector measures would reduce GHG emissions in Tracy in 2020 by 2,300 metric tons CO₂e.~~

In total, it is estimated that measures in the General Plan and Sustainability Action Plan would reduce 2020 BAU GHG emissions by between ~~382,422~~ ~~378,461~~ and ~~486,115~~ 482,154 metric tons CO₂e.

The first sentence on page 4.16-16 of the Draft EIR is hereby amended as follows:

While the General Plan and Sustainability Action Plan make significant headway in reaching the GHG target, an additional reduction of between ~~124,779 and 21,086~~ ~~25,047 and 128,740~~ metric tons CO₂e is needed in order to fully achieve a 29 percent reduction from BAU projected emissions.

The last sentence on page 4.16-16 of the Draft EIR is hereby amended as follows:

With implementation of the proposed General Plan and Sustainability Action Plan, per capita GHG emissions in 2020 are projected to be between ~~8.2~~ 8.3 and ~~8.9~~ 9.0 metric tons CO₂e, a decrease of between approximately ~~23~~ 22 and ~~29~~ 28 percent from existing conditions.

The last paragraph on page 6-17, continuing onto page 6-18, of the Draft EIR is hereby amended as follows.

Cumulative noise impacts are considered as part of the project-level noise analysis since the future traffic projections used for the noise analysis were generated by a cumulative traffic model. The quantitative traffic model considered growth through 2030 under the proposed General Plan and Sustainability Action Plan in conjunction with the projected regional growth for San Joaquin County for that period. As discussed in detail in Section 4.14, future noise level increases related to increases in traffic associated with new and existing roadways facilitated by the proposed General Plan and Sustainability Action Plan would contribute to a significant and unavoidable noise impact at the project-level and cumulative level. Since these noise level increases related

C I T Y O F T R A C Y
G E N E R A L P L A N
F I N A L S U P P L E M E N T A L E I R
R E V I S I O N S T O T H E D R A F T E I R

to regional traffic would also be anticipated to continue to occur after 2030 through total buildout, a significant and unavoidable cumulative impact would also occur during that period.

Appendices A and D of the Draft EIR are hereby replaced with the following pages.

C I T Y O F T R A C Y
G E N E R A L P L A N
F I N A L S U P P L E M E N T A L E I R
R E V I S I O N S T O T H E D R A F T E I R

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APPENDIX A

The proposed General Plan includes new and revised goals, objectives, policies and actions to implement the proposed changes to the SOI, encourage ways to reduce greenhouse gas emissions and strengthen the sustainability-related policy framework that is used to guide future development and City operations.

Proposed changes to the goals, objectives, policies and actions are listed below. Text that is proposed to be added to or removed from the 2006 General Plan text is shown in double underline and ~~strikethrough~~, respectively. In addition, goals, objectives, policies and actions that address the reduction of greenhouse gas emissions or encourage sustainable practices are denoted with an earth symbol (⊕).

A. Policy Changes

1. Land Use Element

Objective LU-1.2

Policies

P3. The first application for development in each Urban Reserve shall be responsible for preparing a General Plan amendment to establish specific land use designations for each parcel of land within the Urban Reserve and a Zoning District, Specific Plan or PUD for the entire Urban Reserve area. When the development intended for areas within an Urban Reserve is initiated solely to accommodate schools, parks, and public facilities, then the requirement to prepare comprehensive Zoning Districts, Specific Plans or PUDs for the entire area does not apply until development of commercial, industrial, office or residential development is proposed.

Objective LU-1.4

Policies

P2. The On a regular basis, the City shall prioritize the allocation of Residential Growth Allotments (RGAs) and Building Permits for new residential development to meet the goals of the General Plan including, but not limited to, ~~concentrated growth~~ growth concentrated around existing urban development and services, infill development, affordable housing, senior housing, and development with a mix of residential densities and housing types, as a high priority. 

P3. The City shall encourage residential growth that follows an orderly pattern with initial expansion targeted for areas shown in Figure 2-3. Applications for residential development shall only be considered in the following instances: 

- ◆ In areas designated within Figure 2-3 or on a property with a recorded Development Agreement that allows for the allocation of RGAs and building permits.
- ◆ In areas and Urban Reserves that primarily contain land uses focused on the generation of jobs with ancillary residential development. However, the residential portions of such areas or Urban Reserves shall not be considered eligible to apply for RGAs and building permits until RGAs and building permits necessary to develop all areas within Figure 2-3 have been awarded, unless those RGAs and building permits sought for projects in such areas are for affordable housing as defined by the Tracy Municipal Code, in which cases RGAs and building permits for affordable housing may be awarded.

P4. The City shall continue to make available RGAs and building permits for downtown and infill development as a high priority. 

P6. Zoning Districts, Specific Plans, or PUDs should be created to plan for the development of Urban Reserves 5, 7, 8 and 9 for residential development, that will further the City's goal to promote the efficient and orderly expansion of the City's housing base within the Secondary Residential Growth Areas.

P7. The City shall encourage infill development by examining the City's impact fee structure with the intent of reducing development fees on infill projects where feasible. 

Actions

A1. Develop criteria or amended criteria for inclusion in the GMO Guidelines or other implementation tools, to guide the issuance of RGAs. Such criteria may include assigning new or modified priorities to development projects or areas based on location, mix of housing types, use of "green" building features and practices, and other factors. 

Objective LU-1.5

Policies

P3. A new, mixed-use, high-density Village Center should be developed in Urban Reserves 10 and 11 along the Union Pacific Railroad. 

Objective LU-2.1

Policies

P1. The City's priorities for future growth, in order of priority, are: job-generating development to match the skills of Tracy residents; diversification of housing types, including those types suitable for Tracy's workforce; and continued growth of the retail base. 

Objective LU-2.3

Policies

P1. The Northeast Industrial Area should contain a mix of heavy industrial, light industrial, warehouse, and distribution users to maximize rail and highway access on large parcels of land. The Northeast Industrial Area should also contain commercial uses and services to meet the daily needs of workers. 

P3. Consistent with goals in the Economic Development Element, office-flex uses or higher-quality space should be located in areas at entryways to the city such as in Tracy Gateway, Cordes Ranch, and the Tracy Hills Specific Plan area along I-205 and I-580. The Cordes Ranch area should also contain commercial uses and services to meet the daily needs of workers and high-density housing suitable for the workforces in these areas. 

Objective LU-4.1

Policies

P3. Within the range of allowable residential densities, intensities and uses, the City shall determine the most appropriate density, intensity, or use for any individual site. Consideration may include, but is not limited to: quality of design;

implementation of the General Plan Housing Element; mitigation of potential adverse impacts such as noise and traffic; compatibility with the character, circulation system, and general improvements of adjacent neighborhoods; and the shape, configuration and natural character of the site; and whether densities are supportive of transit. 

Objective LU-6.3

Policies

P1. New development and expansion of existing development shall conform to the requirements of the zoning ordinance (as related to the Airport Overlay area) safety and development restrictions in and the requirements of the San Joaquin County Airport Land Use Plan.

P2. All developers and land owners within development near the Tracy Municipal Airport shall file deed notices for real estate disclosure, or record aviation easements on properties with new development in compliance with the 2009 San Joaquin County Airport Land Use Compatibility Plan influence area shall be required to file aviation agreements.

Objective LU-6.4 Ensure that development conforms to flood safety requirements.

Policies

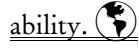
P1. The City shall ensure that development permitting occurs in a manner to provide public safety in flood-prone areas.

Actions

A1. Conduct a review as necessary of areas that are subject to flooding, as identified in flood plain maps prepared by the Federal Emergency Management Agency (FEMA) (Figure 8-

1 in the Safety Element) or the Department of Water Resources (DWR).

A2. Amend the Land Use Element as necessary to reflect any new flood plain maps when provided by FEMA or DWR.

Goal LU-9 Leadership in environmental, economic and social sustainability. 

Objective LU-9.1 Undertake measures to reduce greenhouse gas emissions and improve the sustainability of actions by City government, residents and businesses in Tracy. 

Policies

P1. The City shall maintain, implement and monitor the Sustainability Action Plan, and adjust the Sustainability Action Plan as needed based on monitoring results and as funding becomes available. 

Actions

A1. Implement the Sustainability Action Plan and monitor its effectiveness as funding allows, ideally every five years, by conducting a greenhouse gas emissions inventory. Adjust the Sustainability Action Plan as needed every five years and as funding allows based on these calculations to ensure that the City is on track to meet its greenhouse gas emissions reduction target. 

2. Community Character Element

Objective CC-1.1

Policies

P2. The City shall promote the development of urban green space, including amenities such as community squares, parks and plazas. 

Objective CC-2.2

Policies

P2. Neighborhoods ~~should~~ shall have direct pedestrian, bicycle and vehicular connections to their Focal Points and Village Center, compatible with the character, circulation network, and general configuration of the neighborhoods. 

Objective CC-4.1

Policies

P2. Development at the edges of Tracy shall have “hard” and “soft” edges in the locations shown in Figure 3.3. A “soft edge” is defined as a gradual or smooth transition between urban and rural uses. A “hard edge” is clearly defined or abrupt transition between urban and rural uses.

P3.P2. To the extent feasible, the City shall use land use designations and open space preservation techniques to create a soft edge to the city appropriate transitions. A variety of techniques can be used to create the soft or hard edges to the City including the following:

- ◆ Buffer Zone. Soft edges can be created with buffer zones such as natural open space, large setbacks and landscaped areas, as a means to separate urban from rural uses. Buffer areas shall be planted and maintained by the property owner, tenants or homeowners association and may

include passive and active recreation areas such as picnic areas, bridle, and walking trails. Golf course development may also be an option in areas where a soft edge is desired.

- ◆ Cluster Development. Clustered development is a method of site planning in which structures are clustered on a given site in the interest of preserving open space or creating a buffer. Areas with clustered development typically have low gross residential densities and high minimum open space requirements to encourage the clustering of structures.
- ◆ Feathering of Density. A gradual reduction in residential density can be used to establish a smooth transition between urban and rural uses.

P4. ~~In select locations within the Sphere of Influence, new development shall have a “hard edge,” which is a clearly defined transition between urban and rural uses. Approximate locations for hard edges are shown in Figure 3.3. Hard edges shall be accomplished with a narrow landscaped or open space buffer. Areas where a hard edge shall be created generally include parcels separating industrial or commercial development from agriculture and open spaces and along freeways.~~

Objective CC-5.2

Policies

P4. In most instances, block lengths should be short, typically no more than 400 feet, to create a ~~fine grained~~ an easily navigable street pattern that allows for multiple routes through a neighborhood and greater opportunities for pedestrian activity. 

Objective CC-6.3

Policies

P2. Soundwalls shall only be permitted along arterial streets or freeways. Walls that are not intended for sound mitigation purposes, including block, brick and other masonry walls, may be permitted elsewhere as appropriate.

P6. ~~The development and enforcement of restrictive covenants is encouraged.~~

Objective CC-7.1

Policies

P2. ~~High-density~~ The City shall encourage high-density residential development, mixed use, and office and hotel uses ~~shall be encouraged~~ to locate in the I-205 Regional Commercial Area by offering development incentives to these types of projects. Incentives may include, but not be limited to, less restrictive height limit, setback, and parking requirements. These areas shall have direct pedestrian and bicycle access to nearby commercial and retail uses. 

P3. The City shall discourage new “strip” commercial development and require site design for new commercial projects that provide for pedestrian/bicycle access and building scale and proportion relative to the pedestrian realm. 

Objective CC-8.1

Policies

P8. The following policies and guidance shall apply to development in the Downtown to enhance the pedestrian environment: 

- ◆ Should include human-scale details in the design of buildings such as windows on the street, awnings, and architectural features that create a visually interesting pedestrian environment.
- ◆ Should include areas designed to create spaces where people can interact and socialize, such as parks, plazas or open air seating in cafes and restaurants, as well as pedestrian amenities such as awnings, pedestrian-scaled lighting, benches and trash cans.
- ◆ Shall have street trees ~~shall be planted~~ that provide a tree canopy over the street.
- ◆ Should have loading facilities screened from public view and located away from residential uses.
- ◆ Should locate parking lots behind or on the side of buildings where possible to reduce their visual impact.
- ◆ Should provide screening for parking lots through the use of landscaping or low walls.
- ◆ Shall have landscaped parking lots to create an attractive pedestrian environment and reduce the impact of heat islands.
- ◆ May utilize shared parking where applicable to reduce the total number of parking spaces.

Objective CC-10.2

Policies

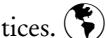
P4. Shared parking may be used where appropriate applicable to reduce the total number of parking spaces and curb cuts.

3. 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. 

P3. The City shall purchase green products from local businesses whenever feasible. 

Objective ED-6.2

Policies

P4. The City shall encourage infill development on vacant and underutilized commercial and industrial areas, such as surface parking lots, by offering development incentives to these types of projects. Incentives may include, but not be limited to, less restrictive height limit, setback and parking requirements. 

Objective ED-7.1

Actions

A2. Consult Coordinate with institutions of higher learning, regional partnerships, and state agencies dedicated to work-

force issues (e.g., California Employment Development Department).

Objective ED-9.1

Policies

P1. The City shall support businesses that contribute to the City's financial viability ~~are encouraged~~ so long as the business does not impact the quality of life in the community or cause negative impacts on human health and the environment.

4. Circulation Element

Objective CIR-1.1

Actions

A2. Prepare Precise Plan Line studies for major new roads and widenings, and consult coordinate with Caltrans for new interchanges identified in the Roadway Master Plan in order to define the rights-of-way needed to construct future facilities.

A3. Consult Coordinate with San Joaquin County and the City of Lathrop to ensure that adequate rights-of-way are preserved in the City's Sphere of Influence.

Objective CIR-1.3 Adopt and enforce LOS standards that provide a high level of mobility and accessibility, for all modes, for residents and workers.

Policies

P1. To the extent feasible, the City shall strive for LOS D E on all streets and intersections, with the LOS standard for each facility to be defined in the Transportation Master Plan in

accordance with the opportunities and constraints identified through the traffic projections and analysis performed for that Plan. The following exceptions to the LOS D standard may be allowed, except as follows:

- ◆ LOS D or lower shall be allowed on streets and at intersections within one-quarter (1/4) mile of any freeway. This lower standard is intended to discourage inter-regional traffic from using Tracy streets.
- ◆ LOS E or lower shall be allowed in the Downtown and Bowtie area of Tracy, in order to create a pedestrian-friendly urban design character and densities necessary to support transit, bicycling and walking.

P2. The City may allow individual locations to fall below the City's LOS standards in instances where the construction of physical improvements would be infeasible, prohibitively expensive, significantly impact adjacent properties or the environment, or have a significant adverse effect on the character of the community, including pedestrian mobility, crossing times, and comfort/convenience.

P4. Roadways and freeways that are subject to State and regional agency oversight and/or are candidates for State-funded or federally-funded improvements should conform to the operational service requirements of the applicable agency.

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

Policies

P1. Transportation projects shall avoid disrupting sensitive environmental resources. 

P2. When possible, road construction and repair projects shall use sustainable materials. 

P3. The City shall encourage the use of non-motorized transportation and low-emission vehicles. 

Objective CIR-3.1

Policies

P5. The City shall establish a ½-mile walkability standard for residents to access goods, services and recreational facilities.

P65. New development shall include pedestrian and bicycle facilities internal to the development and that connect to city-wide facilities, such as parks, schools and recreational corridors, as well as adjacent development and other services. 

Objective CIR-4.1

Policies

P1. The City shall promote efficient and affordable public transportation that serves all users. 

P5. The City shall require large developments to provide for transit with and transit-related increased modal opportunities, such as adequate street widths and curb radii, bus turn-outs, bus shelters, park-and-ride lots and multi-modal transit centers through the development and environmental review processes, if appropriate.

Objective CIR-4.2

Policies

P1. The City shall ~~continue to pursue the development of~~ complete the Multi Modal Transit Center at Central Avenue and 6th Street. 

P3. The City shall encourage the expansion of transit services through consultation coordination and cooperation with the Bay Area Rapid Transit District (BART), San Joaquin Regional Rail Commission, San Joaquin Regional Transit District, the Altamont Commuter Express (ACE), on services that expand the mobility and accessibility of transporting people, goods and services in and through Tracy and the region. 

5. Open Space and Conservation

Objective OSC-1.1

Policies

P3. New development should incorporate native, drought-tolerant vegetation into landscape plans and ~~discourage~~ reduce the use of invasive, non-native plant species. 

Goal OSC-4 Provision of parks, open space, and recreation facilities and services that maintain and improve the quality of life for Tracy residents.

Policies

P1. To the extent feasible, the City's park system shall include the following types of parks which shall be developed in conformance with the Parks Master Plan:

♦ Mini-Parks

- Definition – Small-sized parks that provide basic recreation activities amenities for nearby residents in a specific neighborhood or subdivision.
- Service Area – 1/4- to 1/2-mile radius
- Size – Typically 1 to 3 5 acres (no smaller than 1 acre)

♦ Neighborhood Parks

- Definition – Medium-sized parks that provide recreation opportunities within walking or biking distance for residents in basic recreational activities for one or more neighborhoods. ~~Typical neighborhood park facilities may be included as a portion of a larger community park.~~
- Service Area – 1/2- to 3/4-mile radius
- Size – Typically 5 to 15 4 to 12 acres

♦ Community Parks

- Definition – Large parks that include a mix of passive and active recreation areas that serve the entire city or a large portion of the City. A community park should include, but not be limited to, the facilities that are typically found at neighborhood and mini parks as well as specialized facilities such as amphitheaters, swimming pools, and skate parks that provide additional recreation opportunities. Community parks may also include natural open space.
- Service Area – Minimum 2-mile radius
- Size – Generally 15 acres or larger 13 to 50 acres

♦ Regional Parks

- Definition – A large park that serves the open space and recreation needs for all users of the City and the Planning Area. Regional parks contain active and

passive recreation areas and may also include natural open space.

- Service Area – Entire city and beyond
- Size – Greater than 50 acres

♦ Linear Parks

- Definition – Elongated park corridors that tie park components together, provide people with trail-related recreation opportunities, allow for uninterrupted and safe pedestrian and bicycle movement throughout the community, and/or protect natural open space corridors. May support facilities such as soft or hard-surfaced trails, viewing areas, picnic tables, and trailheads.
- Service Area – Depends on size and connectivity of park (from ½-mile radius to entire city)
- Size – Varies

♦ Special Use Parks

- Definition – Stand-alone recreation areas not located within larger parks. These include single-purpose sites, such as urban plazas, community centers, aquatic centers, sports complexes, outdoor theaters, community gardens, and pocket parks in industrial areas.
- Service Area – Depends on purpose and size of park (from ½-mile radius to entire city)
- Size – Varies

Actions

A3. Explore the development and funding of a large City regional park, possibly 60 to 100 acres in size, that includes both passive and active recreational amenities.

Objective OSC-4.2

Policies

P1. The City shall consider increasing the parks level of service ~~from standard of~~ 4 acres per 1000 population to 5 acres per 1000 population, and require that new developments provide new park acreage or in-lieu fees at this ratio.

P4. New neighborhoods should be designed so that parks ideally are located no more than ~~1/4 1/2~~ mile from any home, or within walking or biking distance from most residents. Parks should be located in approximately the geographic center of the neighborhood, unless new parks can be co-located and, if possible, next to schools or existing parks or park sites in adjacent neighborhoods ~~or schools~~.

Objective OSC-4.3 Establish a regional linear parkway system that meets recreational, open space and transportation needs. 

Policies

P2. All development projects ~~should~~ shall provide linkages to the regional bike and trail system and circulation within the development project site, wherever feasible. 

Actions

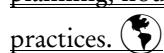
A1. Prepare a comprehensive plan for areas outside of the City that identifies important areas for non-urban uses, analyzes appropriate methods of preserving agricultural and non-urbanized lands, develops funding mechanisms for the purchase of land or agricultural easements and identifies methods of administration. This study should ~~shall~~ include, but is not limited to, the following:

- ◆ An analysis of the impact that open space programs would have on the cost of housing.
- ◆ The feasibility and advisability of the Holly Sugar property forming the base for an open space program and/or be part of such a program.
- ◆ The identification of alternate funding tools for open space.
- ◆ An evaluation of alternate methods of preserving open space, such as the purchase of property or development rights, buying the first rights of refusal in the event of a potential sale or developer dedication.
- ◆ Development of specific policies guiding the purchase of undeveloped lands including only purchasing land from willing land owners, respecting the rights of property owners when seeking to purchase open spaces for the public good and paying fair market value based on third-party appraisals of land.
- ◆ A survey to determine the public's interest in open space programs and preferred methods for paying for the purchase and maintenance of open space. Specific information on the public's desire to increase sales, property and parcel taxes or issue General Obligation bonds to pay for the acquisition and maintenance of open space lands should be included in the study.
- ◆ An analysis of an open space dedication requirement for all new residential development projects.

Goal OSC-5 Efficient use of **energy** resources throughout the City of Tracy. 

Objective OSC-5.1 Promote resource conservation. 

Policies

P1. The City shall promote development patterns and construction standards that conserve resources through appropriate planning, housing types and design, and energy conservation practices. 

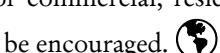
P2. The City shall encourage the establishment and maintenance of trees on public and private property to create an urban forest. 

P3. The City shall encourage landscaping that is water- and energy- efficient.

P4. The City shall encourage buildings to incorporate energy- and water-efficient technologies.

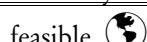
Objective OSC-5.2

Policies

P3. Use of on-site alternative energy sources, such as photovoltaic (PV) cells for commercial, residential and industrial users to install shall be encouraged. 

Objective OSC-5.3 Promote sustainability and energy efficiency and conservation through the City's direct actions. 

Policies

P1. The City shall use local renewable energy resources when feasible. 

P3. The City shall ~~promote the development of~~ consider including alternative energy systems, ~~including but not limited to~~ such as solar thermal, photovoltaic and other clean energy systems, ~~directly into building~~ in the design and construction of City facilities. 

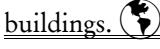
P7. The City shall encourage and support voluntary retrofit energy programs for residential, commercial, and industrial buildings, ~~and shall encourage new or major rehabilitations of large non-residential projects to incorporate renewable energy generation.~~ 

P8. The City shall ~~pursue the implementation of~~ energy efficiency measures of improvements for existing and future City facilities as opportunities arise. 

P9. City purchasing policies shall require purchase of energy-efficient products, products that contain recycled materials, and products that reduce waste generated when feasible. 

P11. The City shall use nontoxic materials whenever feasible. 

Actions

A4. The City shall consider requiring green building standards, such as obtaining LEED or similar certification, as a requirement for new or substantial renovations to public buildings. 

6. Public Facilities and Services

Objective PF-1.1

Policies

P2. The City shall ensure that new development pays a fair and equitable amount to offset the costs for fire ~~and emergency~~ facilities by collecting a Public Buildings impact fee, or by requiring developers to build new facilities.

Objective PF-1.2

Policies

P4. Fire ~~sub~~-stations shall be constructed in new development areas in order to meet the ~~City's~~ Fire Department's adopted response time requirements.

P5. New developments shall satisfy fire flow and hydrant requirements and other design requirements as established by the ~~City~~ Fire Department.

Objective PF-3.1

Policies

P1. The City shall consult coordinate with the school districts serving the City of Tracy to ensure the provision of educational facilities sufficient for the existing and anticipated kindergarten through twelfth grade population, and shall work to ensure that school facilities that serve new development are available concurrent with the need, to the extent allowed by State law.

Objective PF-5.1

Policies

P1. Promote redesign, reuse, composting and shared producer responsibility of discarded materials. 

P6. City buildings shall be rehabilitated and reused when feasible. 

Objective PF-6.1 Ensure that reliable water supply can be provided within the City's service area, even during drought conditions, while protecting the natural environment.

Policies

P4. The City shall establish water demand reduction standards for new development and redevelopment to reduce per capita and total demand for water. 

Objective PF-6.5

Policies

P4. ~~To~~ The City shall plan for recycled water infrastructure in the City's Infrastructure Master Plans and, to the extent feasible, recycled water should be utilized for non-potable uses, such as landscape irrigation, dust control, industrial uses, cooling water and irrigation of agricultural lands. 

Objective PF-7.4

Policies

P2. ~~The City should consider integrating~~ shall integrate public facilities and wastewater reclamation sites with agricultural and open space preservation programs where ~~possible~~ feasible. 

P4. The City shall establish wastewater treatment demand reduction standards for new development and redevelopment to reduce per capita and total demand for wastewater treatment. 

7. Safety Element

Objective SA-2.1

Policies

P2. Public and private development facilities in the 100-year flood zones shall have the lowest floor elevated at least 1 foot above the base flood level, or be of flood proof construction~~be floodproofed to a point at or above the base flood level elevation.~~

Actions

A4. Maintain historical data on flooding.

Objective SA-2.2 Maintain a high level of preparedness in the event of flooding.

Policies

P1. The City shall maintain operational contingency plans for essential public facilities in the event of flooding.

P2. The City shall locate, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities, or identify construction or other methods to minimize damage if these facilities are located in flood hazard zones.

P3. The City shall continue to work with other public agencies responsible for flood protection, including the Central Valley Flood Protection Board, the San Joaquin Office of Emergency Services, and the US Army Corps of Engineers.

Actions

A1. Update the General Plan within 24 months of the adoption of the Central Valley Flood Protection Plan (CVFPP) to appropriately reflect the CVFPP and to identify State and local flood management facilities and flood hazard zones.

Objective SA-4.1

Actions

A2. Consult Coordinate with San Joaquin County Office of Emergency Services to maintain an inventory of businesses or facilities involved in the transportation, use and storage of hazardous materials.

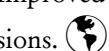
10. Noise Element

Objective N-1.1

Policies

P10. If the primary noise sources are train pass-bys, then the standard for outdoor noise levels in single- and multi-family residential outdoor activity areas shall be 70 dBA L_{dn}.

11. 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. 

Policies

P2. To the extent feasible, the City shall maintain a balance and match between jobs and housing. 

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

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

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

P8. ~~Wood~~ In accordance with San Joaquin Air Pollution Control District regulations, wood burning fireplaces ~~shall~~ not be installed in new and significantly renovated residential projects.

P11. ~~Natural gas fireplaces and pelletized fuel or natural gas space heating systems are encouraged.~~

P11. Residential developments and other projects with sensitive receptors shall be analyzed in accordance with CARB and SJVAPCD requirements, ~~located an adequate distance from~~ ~~odor sources such as freeways, arterial roadways and stationary air pollutant sources~~.

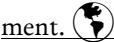
P14. Developments that significantly impact air quality shall only be approved if all feasible reasonable mitigation measures to avoid, minimize or offset the impact are implemented. 

P15. Encourage businesses to electrify loading docks or implement idling-reduction systems so that trucks transporting refrigerated goods can continue to power cab cooling elements during loading, layovers and rest periods. 

P16. Encourage the use of Best Management Practices in agriculture and animal operations. 

P17. Encourage the use of Best Management Practices in the Tracy Material Recovery Facility and Transfer Station. 

Actions

A4. Develop a green building standard for new development. 

A5. The City shall evaluate the installation of light emitting diodes (LEDs) or similar technology for traffic, street and other outdoor lighting where feasible. 

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

Policies

P3. The City shall encourage employers to establish in-Transportation Demand Management programs. 

P5. The City shall require direct pedestrian and bicycle linkages from residential areas to parks, schools, retail areas, Downtown, high-frequency transit facilities and major employment areas shall be planned and implemented. 

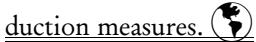
Objective AQ-1.4

Policies

P1. The City shall continue to consult with other local, regional and State agencies on coordinate air quality planning efforts with local, regional and State agencies as well as encourage community participation in air quality planning. 

P3. The City shall be proactive in reducing greenhouse gas emissions from City operations as well as new or renovated development. 

Actions

A3. Develop a citywide sustainability strategy that would include a baseline inventory of greenhouse gas emissions from all sources within the City; greenhouse gas emissions reduction targets; and enforceable greenhouse gas emissions reduction measures. 

B. Circulation Improvement Changes

Under the General Plan Amendment, the SOI contraction would eliminate the need for an extension of Valpico Road that connects to a north-south arterial to Eleventh Street.

Appendix D Quantified Sustainability Measures

Actions		Activated By	Estimated Total CO2e Metric Tons Emissions Reductions	Percentage of Total Emissions Reductions	Cost Per Metric Ton of Reduced CO2e Emissions	Estimated New Costs to City	Developer/Resident Costs or Burden	Estimated Return On Investment
Energy								
E-1	Green Building Ordinance	Ordinance	2,485	0.66% to 0.52%	\$40.24	● ○ ○ ○ ○ ○ ○ ○ ○	N/A	Estimated savings = \$295/home. Simple Payback = 17 years for residential or 3.2 years commercial
E-2	Energy Efficiency in Site Planning and Design	Ordinance and Program	11,752	3.11% to 2.44%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	\$0.06/sqft	Annual cost savings estimated at \$1,980.815. Payback is estimated at 0.1 year.
E-3	Green Building and Energy Efficiency Design and Education	Program	10,781	2.85% to 2.24%	\$1.86	● ○ ○ ○ ○ ○ ○ ○ ○	\$4.00/sqft	Annual cost savings estimated at \$6.2 million dollars per year. Payback is estimated at 4.3 years
E-4	Energy-Efficient Products and Retrofits	Program	36,768	9.72% to 7.63%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	\$1.50/sqft	Payback time estimated at 4.8 years
E-5	Weatherization for Low-Income Households	Program	473	0.12% to 0.10%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	N/A	Annual cost savings per home estimated at \$491. Payback time = 14.3 years
E-6	Financing for Energy Efficiency and Renewable Energy Projects	Program	8,789	2.32% to 1.82%	\$1.71	● ○ ○ ○ ○ ○ ○ ○ ○	\$15,000 for Tracy to join the California First Statewide 8:11 program.	N/A
E-7	LED Retrofits for City Street Lights	Program	337	0.09% to 0.07%	\$6,252.23	● ○ ○ ○ ○ ○ ○ ○ ○	N/A	\$2,107,000 to convert 3,500 streetlights to LED, based on incremental cost of \$602 per LED streetlight
E-8	Solar Panel Installations on Municipal Facilities	Program	34	0.01% to 0.01%	\$29,411.76	● ○ ○ ○ ○ ○ ○ ○ ○	N/A	Between \$350,000 and \$1,000,000 to install 100 kW of solar panels, based on estimate of \$3.50 to \$10.00 per installed watt of solar power
E-9	Energy Efficiency Settings for City Desktop Computers	Policy	5	0.00% to 0.00%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	N/A	Payback time estimated at 35 years, based on the current cost of solar panels
Transportation and Land Use								
T-1	Live-Work and Work-Live Uses	Ordinance	292	0.08% to 0.06%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	N/A	Increased business/ sales tax
T-2	Reduced Parking Requirements	Ordinance	146	0.04% to 0.03%	\$1,095.89	● ○ ○ ○ ○ ○ ○ ○ ○	N/A	Decreased SF of impervious surface; reduced "heat island" load on AC
T-3	Support for Bicycling	Ordinance and Program	139	0.04% to 0.03%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	N/A	Incidental costs; 20 hours existing staff time for bicycle parking. For bicycle sharing program, \$80,000 in capital costs, plus \$40,000 annually in operating costs. Assumes fleet of 20 bikes and 3 docking stations located in downtown.
T-4	Support for Transit	Ordinance, Program, and Infrastructure Master Plan	1,248	0.33% to 0.28%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	Incidental costs; 150 hours existing staff time (existing programs and outside transit funding)	\$5,000 to \$8,000 per shelter cost at time of construction
T-5	Smart Growth, Urban Design and Planning	Ordinance, Program, and Infrastructure Master Plan	14,377	3.80% to 2.98%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	Incidental costs; 180 hours existing staff time.	\$500 per cul-de-sac. \$6 per square foot of new sidewalk.
T-6	Traffic Smoothing Through Congestion Management	Program and Infrastructure Master Plan	77	0.02% to 0.02%	\$649.35	● ○ ○ ○ ○ ○ ○ ○ ○	N/A	\$50,000 for engineering; 40 hours existing staff time
T-7	San Joaquin County Park and Ride Lot Master Plan Implementation	Program and Infrastructure Master Plan	226	0.06% to 0.05%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	Incidental costs (will use County or CMA funds); 160 hours existing staff time	Incidental costs (will use County or CMA funds); 80 hours existing staff time (outside funding)
T-8	Alternative Transportation Choices for Students	Program	529	0.14% to 0.11%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	Incidental costs; existing staff time (existing program).	Longer term reduction in school parking and bus transit
T-9	Comprehensive Signal Coordination Program	Program	675	0.18% to 0.14%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	Incidental costs; existing staff time (existing program).	Incidental costs; existing staff time (Caltrans funding).
T-10	Ramp Metering on Interstate 205	Program	113	0.03% to 0.02%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	Incidental costs; existing staff time (Caltrans funding).	Incidental costs; existing staff time (transit funding).
T-11	Increased Transit to Bay Area Cities and San Joaquin Valley Employment Centers	Program	51	0.01% to 0.01%	\$0.00	● ○ ○ ○ ○ ○ ○ ○ ○	N/A	N/A

Appendix D Quantified Sustainability Measures

Actions		Activated By	Estimated Total CO2e Metric Tons Emissions Reductions	Percentage of Total Emissions Reductions	Cost Per Metric Ton of Reduced CO2e Emissions	Developer/Resident Costs or Burden	Estimated New Costs to City	Estimated Return On Investment
T-12	Altamont Route Approval and Transit-Oriented Development Around Rail	Program	1,146	0.30% to 0.24%	\$0.00	Incidental costs; existing staff time (transit funding).	Increased real estate investment; long term reduction in highway infra-structure	
T-13	Reduce Commute Trips	Program	26,993	7.13% to 5.60%	\$0.00	Incidental costs; existing staff time	Potential for reduced parking	
T-14	Parking Cash-Out Programs for Employees	Program	135	0.04% to 0.03%	\$0.00	Incidental costs; 60 hours existing staff time	Potential for reduced parking	
T-15	Reduced Commuting from Out of the Region	Program	223	0.06% to 0.05%	\$0.00	Incidental costs; 120 hours existing staff time	Increased business and sales tax	
T-16	Transit Passes for Residents And Employees of New Developments	Ordinance	292	0.08% to 0.06%	\$0.00	Incidental costs; existing staff time.		
T-17	Increased Use of Low Carbon Fueled Vehicles	Ordinance, Program, and Policy	3,832	1.01% to 0.79%	\$1,826.72	Incidental costs; existing staff time.	Cost/benefit increases as oil prices rise.	Approximately \$7 million
T-18	Carbon Sequestration on Municipal Property	Program	132	0.03% to 0.03%	\$3,000.00 (excluding maintenance costs)	Incidental costs; existing staff time		1-10 years
T-19	Mixed-Use and Traditional Residential Development	Policy	73	0.02% to 0.02%	\$0.00	Incidental costs; existing staff time	Increased real estate investment; increased business/ sales tax	
T-20	Employment-Generating and High-Density Infill Projects	Program, Policy, and Ordinance	4,800	1.27% to 1.00%	\$0.00	Incidental costs; existing staff time	Increased real estate investment; increased business/ sales tax	
T-21 ^a	Compressed Natural Gas Buses for the City's Fleet ^b	Program	1,168	0.31% to 0.24%	\$0.00	Incidental costs; existing staff time (existing program)	Depends on fuel prices	
External State Measures That Improve Fuel and Vehicle Efficiency ^b			91,889 to 195,582	24.28% to 40.56%	0.12			
Transportation SUBTOTALS			147,388 to 251,081	38.94% to 52.07%				
Solid Waste								
SW-1	Diversion of Construction Waste from Landfills	Ordinance	1,321	0.35% to 0.27%	\$0.00	Incidental costs; existing staff time	Costs uncertain but related to construct debris hauling services and/or increased distances for waste removal	
SW-2	Increased Recycling	Program	73,746	19.49% to 15.30%	\$0.04	Incidental costs; existing staff time (Tracy Delta Solid Waste Management program), plus \$3,000 to train existing employees	Incidental costs; existing staff time (Tracy Delta Solid Waste Management program)	
SW-3	Recycling Service for Multi-Family Housing	Program	23,544	6.22% to 4.88%	\$0.00	Incidental costs; existing staff time (Tracy Delta Solid Waste Management program)	Incidental costs; existing staff time	
SW-4	Municipal Recycling and Reuse	Policy	78	0.02% to 0.02%	\$0.00	Incidental costs; existing staff time		
Solid Waste SUBTOTALS			98,589	26.08% to 20.47%				
GRAND TOTAL			378,461 to 482,154					

Footnotes

^aThe GHG emissions reduction for this measure has already accounted for in the 2006 emissions inventory, and is therefore not included in the total emissions reduction calculation in the SAP.

^bModeling results provided a range for the benefits of these external State measures; see Chapter 5 of the Sustainability Action Plan for more information.

Note: Gray-shaded rows are State-level external measures that will happen regardless of the City's Sustainability Action Plan. These State-level measures will contribute to the GHG emission reduction in Tracy.

4 LIST OF COMMENTORS

Written comments were received from the following agencies, organizations and members of the public. Letters arranged by category, and then by date.

State Agencies

- SA1. Bill Pfanner, Supervisor. California Energy Commission, Special Projects Office, Local Energy & Land Use Assistance Unit. July 28, 2010.
- SA2. Sandy Hesnard, Aviation Environmental Specialist. California Department of Transportation, Division of Aeronautics. September 3, 2010.

Regional Agencies

- RA1. Kimberly Juarez. San Joaquin County of Governments. August 12, 2010.
- RA2. David Warner, Director of Permit Services. San Joaquin Valley Air Pollution Control District. September 2, 2010.
- RA3. Laura Brunn, Associate Regional Planner. San Joaquin County of Governments. September 7, 2010. (1 of 2)
- RA4. Laura Brunn, Associate Regional Planner. San Joaquin County of Governments. September 7, 2010. (2 of 2)

Non-Governmental Organizations and Private Companies

- ORG1. A. Michael Souza. Souza Realty & Development. August 11, 2010.
- ORG2. A. Michael Souza. Tracy Hills, LLC. August 11, 2010.
- ORG3. John R. Beckman, Chief Executive Officer. Building Industry Association of the Delta. September 3, 2010.
- ORG4. Matthew Vespa, Senior Attorney. Center for Biological Diversity. September 7, 2010.
- ORG5. Michael Bowes. Calandev. September 7, 2010.
- ORG6. Anna Shimko. Sedgwick, Detert, Moran & Arnold, LLP. September 7, 2010.

Members of the Public

- IND1. Christina Frankel. September 6, 2010.

**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
LIST OF COMMENTORS**

5 COMMENTS AND RESPONSES

This chapter includes a reproduction of, and responses to, each letter received during the public review period. Each letter is reproduced in its entirety, and is immediately followed by responses to the comments in it. Letters follow the same order as listed in Chapter 4 of this Final EIR and are organized by:

- ◆ State Agencies
- ◆ Regional Agencies
- ◆ Non-Governmental Organizations and Private Companies
- ◆ Members of the Public

Each comment and response is labeled with a reference number in the margin. Where the same comment has been made more than once, a response may direct the reader to another numbered comment and response. Where a response requires revisions to the Draft EIR, these revisions are shown in Chapter 3 of this Final EIR document.

CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov**LETTER # SA-1**

July 28, 2010

RECEIVED

AUG 02 2010

**CITY OF TRACY
D.E.S.**

Victoria Lombardo
City of Tracy DES
333 Civic Center Plaza
Tracy, CA 95376

Dear Ms. Lombardo:

The California Energy Commission has received the City of Tracy's Notice of Preparation titled General Plan Amendment, Proposed Sphere of Influence Amendments, and Sustainability Action Plan, SCH 2008092006 that was submitted on 6/9/2010 for comments due by 7/8/2010. After careful review, the California Energy Commission has no comment at this time.

However, we would like to assist in reducing the energy usage involved in your project. Please refer to the enclosed Appendix F of the California Environmental Quality Act for how to achieve energy conservation.

In addition, the Energy Commission's *Energy Aware Planning Guide* is also available as a tool to assist in your land use planning and other future projects. For further information on how to utilize this guide, please visit www.energy.ca.gov/energy_aware_guide/index.html.

Thank you for providing us the opportunity to review/comment on the City of Tracy's Notice of Preparation. We hope that comments will serve helpful in your project's environmental review process.

If you have any further questions, please call Gigi Tien at (916) 651-0566.

Sincerely,

BILL PFANNER
Supervisor, Local Energy & Land Use Assistance Unit
Special Projects Office
Fuels and Transportation Division
California Energy Commission
1516 Ninth Street, MS 23
Sacramento, CA 95814

SA1-1

Enclosure

Appendix F

ENERGY CONSERVATION

I. Introduction

The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

- (1) decreasing overall per capita energy consumption,
- (2) decreasing reliance on natural gas and oil, and
- (3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.

Energy conservation implies that a project's cost effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, lifetime costs may be determined more by energy efficiency than by initial dollar costs.

II. EIR Contents

Potentially significant energy implications of a project should be considered in an EIR. The following list of energy impact possibilities and potential conservation measures is designed to assist in the preparation of an EIR. In many instances, specific items may not apply or additional items may be needed.

A. Project Description may include the following items:

- 1. Energy consuming equipment and processes which will be used during construction, operation, and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project.
- 2. Total energy requirements of the project by fuel type and end use.
- 3. Energy conservation equipment and design features.
- 4. Initial and life-cycle energy costs or supplies.
- 5. Total estimated daily trips to be generated by the project and the additional energy consumed per trip by mode.

B. Environmental Setting may include existing energy supplies and energy use patterns in the region and locality.

C. Environmental Impacts may include:

- 1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life cycle including construction, opera-

tion, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.

- 2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- 3. The effects of the project on peak and base period demands for electricity and other forms of energy.
- 4. The degree to which the project complies with existing energy standards.
- 5. The effects of the project on energy resources.
- 6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

D. Mitigation Measures may include:

- 1. Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
- 2. The potential of siting, orientation, and design to minimize energy consumption, including transportation energy.
- 3. The potential for reducing peak energy demand.
- 4. Alternate fuels (particularly renewable ones) or energy systems.
- 5. Energy conservation which could result from recycling efforts.
- E. Alternatives should be compared in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy.
- F. Unavoidable Adverse Effects may include wasteful, inefficient and unnecessary consumption of energy during the project construction, operation, maintenance and/or removal that cannot be feasibly mitigated.
- G. Irreversible Commitment of Resources may include a discussion of how the project preempts future energy development or future energy conservation.
- H. Short-Term Gains versus Long-Term Impacts can be compared by calculating the energy costs over the lifetime of the project.
- I. Growth Inducing Effects may include the estimated energy consumption of growth induced by the project.

SA1-1
(cont.)

LETTER SA1

Bill Pfanner, Supervisor. California Energy Commission, Special Projects Office, Local Energy & Land Use Assistance Unit. July 28, 2010.

Response SA1-1

This comment states that the California Energy Commission would like to assist the City in reducing its energy usage related to the General Plan and Sustainability Action Plan. The comment also presents Appendix F of the California Environmental Quality Act (CEQA), which describes how an EIR may address energy conservation. The specific EIR contents described in Section II of Appendix F are tailored to project-specific EIRs which analyze site design, construction, and operation of a building or buildings. Appendix F acknowledges that it may not be possible to analyze each of these components at a programmatic level, stating that “[i]n many instances, specific items may not apply.”

The General Plan, Sustainability Action Plan, and Draft Supplemental EIR address energy consumption and conservation. Specifically, the Draft Supplemental EIR includes a program-level analysis of the General Plan and Sustainability Action Plan’s electricity and natural gas consumption and energy efficiency measures in three locations:

- ◆ Chapter 1, Foreword, which describes the Sustainability Action Plan, including its measures related to the energy sector.
- ◆ Chapter 3, Project Description, which describes the Sustainability Action Plan, including its targets and measures related to the energy sector.
- ◆ Chapter 4.16, Greenhouse Gas Emissions, which analyzes how both community-wide and municipal energy uses would contribute toward GHG emissions.
- ◆ Chapter 6, CEQA-Required Assessment Conclusions, which discloses that “[i]ncreased energy demands would be used for construction, lighting, heating and cooling of residences, and transportation of people within, to and from the city and SOI. Proposed General Plan policies and actions promoting energy conservation (Objective OSC-5.1 and Ob-

C I T Y O F T R A C Y
G E N E R A L P L A N
F I N A L S U P P L E M E N T A L E I R
C O M M E N T S A N D R E S P O N S E S

jective OSC-5.2 with supporting policies and actions) would result in some savings in non-renewable energy supplies.”

The Draft EIR appropriately addresses the potential energy impacts of the General Plan and Sustainability Action Plan. No further response is required.

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET
 P. O. BOX 942874
 SACRAMENTO, CA 94274-0001
 PHONE (916) 654-4959
 FAX (916) 653-9531
 TTY 711



Flex your power!
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 CITY OF TRACY
 D.E.S.

LETTER # SA-2

September 3, 2010

Ms. Victoria Lombardo
 City of Tracy
 333 Civic Center Plaza
 Tracy, CA 95376

Dear Ms. Lombardo:

Re: City of Tracy's Draft Environmental Impact Report, General Plan Amendment (GPA), Sustainability Action Plan (SAP); SCH# 2008092006

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced documents with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public-use and special-use airports and heliports.

SA2-1

The proposal is for a General Plan Amendment and Sustainability Action Plan for the City of Tracy. The area identified in the Draft Environmental Impact Report (DEIR) as "Traditional Residential-Ellis" (TR-Ellis) is located northwest of the Tracy Municipal Airport, in the vicinity of the extended centerline for Runway 12-30. The TR-Ellis area will be subject to aircraft overflights and subsequent aircraft-related noise and safety impacts.

SA2-2

As discussed in the DEIR, the San Joaquin County Airport Land Use Compatibility Plan (ALUCP) "addresses land uses surrounding the airport by identifying compatible land uses for the various safety zones, since the type of development occurring in the airport environs impacts the safety of aircraft operation, as well as impacting the number of people exposed to aircraft hazards, such as airplane crashes." We noted that Figure 1-3 of the DEIR, entitled "Proposed General Plan Land Use Designations," appears to have changed the prior land use designation for that portion of the Ellis area within Safety Zone 4 from "Park" to "Commercial." Changing the designation from Park to Commercial raises questions about increasing the intensity of use in an established safety zone and land use compatibility with the Tracy airport. Pursuant to the current 1993 ALUCP, only certain types of commercial uses are permitted. Additionally, public & quasi-public services and recreational uses are prohibited unless there is a specified exception.

On page 2-20, the GPA includes a new General Plan (GP) designation entitled "TR-Ellis" which will apply to most of Urban Reserve area 10. This new GP designation will be implemented using three new zoning districts; Residential Mixed Low, Residential Mixed Medium and Residential Mixed high zones. The GPA does not adequately explain or identify the boundaries and applicable policies for the new TR-Ellis General Plan designation, the modified Urban Reserve area 10 and the existing South Schulte Plan. On page 2-80 of the GPA is an example of this confusion, where Urban Reserve area 10 is deleted and replaced with the TR Ellis area and Urban Reserve area 11 is deleted and replaced with a reference to Urban Reserve area 10.

SA2-3

The addition of the Traditional Residential General Plan designation in the Land Use Element of the General Plan is noted as a sustainability-oriented policy on page 1-13 of the SAP, specifically, "the creation of new specific plans to guide efficient and orderly development within Tracy's Secondary Residential Growth Areas" i.e. in the Urban Reserve areas. SAP policy T-20: Mixed-Use and Traditional Residential Development (SAP page 5-17) further describes the objectives for new neighborhood development that would include a 'variety of densities'. And SAP policy T-13: Altamont Route Approval and Transit-Oriented Development around Rail (SAP page 5-14), strives for "successful integration of rail transit into a transit-oriented development zone..." One of the earmarks of a Transit Oriented Development is high density.

SA2-4

The GPA states on page 2-12 that "Revisions to the (1998) South Schulte Specific Plan are currently being evaluated by the City". The GPA also states on page 2-80 that 120 acres of Urban Reserve area 10 is a portion of the previously approved South Schulte Specific Plan. For clarity we suggest a consolidated description and map showing the relationship between the South Schulte Specific Plan, the TR-Ellis, and Urban Reserve area 10 boundaries.

SA2-5

We request that the GPA discussion of Urban Reserve area 10, policy 10a (GPA page 2-80), "Site planning and land use decisions in the eastern portion of the Urban Reserve shall conform to safety and development requirements in the San Joaquin county Airport Land Use Plan" be clarified and reconciled with the description of the TR-Ellis designation (GPA page 2-22) that states "The Tracy Airport "outer approach zone" shall be limited in uses to those authorized in the San Joaquin county Airport Land Use Plan dated 1993". This is an important point because the outer approach zone for the Tracy Municipal Airport bisects Urban Reserve area 10.

SA2-6

Although the Airport property is described and the site is shown, all maps fail to depict the location and orientation of the Tracy Airport runways. Showing the runways would help the reader get at least a basic sense of approach and departure routes. We suggest adding the runways to the maps for readability.

SA2-7

The Division has concerns that the GPA Urban Reserve area 10 area policy 10b (GPA page 2-80) could result in incompatible land uses depending on the location of any future commuter rail train station and "uses designed to capitalize on the proximity of the commuter rail station". We request notification of all pending and future General Plan Amendments, Specific Plans and amended Specific Plans, Planned Unit Developments and rezoning that may occur in the Urban Reserve area 10 and the South Schulte Specific Plan area and the TR-Ellis area so that we might participate in the public comment process.

SA2-8

In accordance with California Public Utilities Code (PUC) Section 21676 *et seq.*, prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission (ALUC), the City of Tracy must submit the proposal to the ALUC.

SA2-9

If the ALUC determines that the proposed action is inconsistent with the ALUCP, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the ALUC by a two-thirds vote of its governing body after it makes specific findings. At least 45 days prior to the decision to overrule the ALUC, the local agency's governing body shall provide to the ALUC and Caltrans a copy of the proposed decision and findings. Caltrans reviews and comments on the specific findings a local government intends to use when proposing to overrule an ALUC. Also, pursuant to the PUC 21670 *et seq.*, findings should show evidence that the local agency is minimizing "...the public's exposure to

excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."

SA2-9
(cont.)

The proposal should also be coordinated with Tracy Municipal Airport staff to ensure its compatibility with future as well as existing airport operations.

SA2-10

Areas around the airport may be subject to airport-related noise impacts. Sound insulation, buyer notification and aviation easements are typical noise mitigation measures; however, they do not change exterior aircraft noise levels. It is likely that some future homeowners and tenants will be annoyed by aircraft noise in this area. Noise mitigation measures are not a substitute for good land use compatibility planning for new development.

PUC Section 21659 prohibits structural hazards near airports. The planned height of buildings, antennas, and other objects should be checked with respect to Federal Aviation Regulation (FAR) Part 77 criteria if development is close to the airport, particularly if situated within the runway approach corridors. General plans must include policies restricting the heights of structures to protect airport airspace. To ensure compliance with FAR Part 77 "Objects Affecting Navigable Airspace" submission of a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) may be required. Form 7460-1 is available on-line at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> and should be submitted electronically.

PUC Section 21688 states that "no payments shall be made from the Aeronautics Account for expenditure on any airport or for the acquisition or development of any airport, if the department determines that the height restrictions around the airport are inadequate to provide reasonable assurance that the landing and taking off of aircraft at the airport will be conducted without obstruction or will be otherwise free from hazards." The airport-owner must have sufficient control over obstructions in the airspace in the vicinity of the airport to assure that height restrictions can be maintained. This control may be in the form of ownership of any land from which obstructions may rise, air navigation (aviation) easements to guarantee maintenance of restrictions, or height limitation or land use zoning which will prohibit obstructions that would violate the obstruction standards.

SA2-11

Education Code Section 17215 requires a school site investigation by the Division prior to acquisition of land for a proposed school site located within two miles of an airport runway. The Division submits recommendations to the State Department of Education for use in determining acceptability of the site. This should be a consideration prior to designating residential uses in the vicinity of an airport. The Division's school site evaluation criteria are available on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/regulations.html>.

Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353 address buyer notification requirements for lands around airports and are available on-line at <http://www.leginfo.ca.gov/calaw.html>. Any person who intends to offer subdivided lands, common interest developments and residential properties for sale or lease within an airport influence area is required to disclose that fact to the person buying the property.

Land use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife-aircraft collisions. The FAA recommends that landfills, wastewater treatment facilities, surface mining, wetlands, and other uses that have the potential to attract

Ms. Victoria Lombardo
September 3, 2010
Page 4

wildlife, be restricted in the vicinity of an airport. FAA Advisory Circular (AC150/5200-33B) entitled "Hazardous Wildlife Attractants on or Near Airports" addresses these issues. For further information, please refer to the FAA website <http://wildlife-mitigation.tc.faa.gov/>.

**SA2-11
(cont.)**

Aviation plays a significant role in California's transportation system. This role includes the movement of people and goods within and beyond our state's network of over 250 airports. Aviation contributes nearly 9 percent of both total state employment (1.7 million jobs) and total state output (\$110.7 billion) annually. These benefits are discussed in the study "Aviation in California: Benefits to Our Economy and Way of Life" available on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/econstudy2003.html>. Aviation improves mobility, generates tax revenue, saves lives through emergency response, medical and fire fighting services, annually transports air cargo valued at over \$170 billion and generates over \$14 billion in tourist dollars, which in turn improves our economy and quality of life.

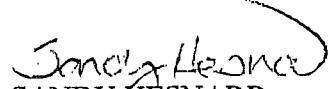
The protection of airports from incompatible land use encroachment is vital to California's economic future. Tracy Municipal Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports is both a local and State issue, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport. Consideration given to the issue of compatible land uses in the vicinity of an airport should help to relieve future conflicts between airports and their neighbors.

SA2-12

These comments reflect the areas of concern to the Division with respect to airport-related noise, safety, and regional land use planning issues. We advise you to contact our District 10 office concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314 or by email at sandy.hesnard@dot.ca.gov.

Sincerely,


SANDY HESNARD
Aviation Environmental Specialist

c: State Clearinghouse, Tracy Municipal Airport, San Joaquin County ALUC,
California Department of Education

LETTER SA2

Sandy Hesnard, Aviation Environmental Specialist. California Department of Transportation, Division of Aeronautics. September 3, 2010.

Response SA2-1

This comment states that the California Department of Transportation, Division of Aeronautics has reviewed the Draft EIR, General Plan Amendment, and Sustainability Action Plan with regards to airport-related land use, noise, and safety issues. This comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.

Response SA2-2

This comment states that the area designated as Traditional Residential (TR) – Ellis would be subject to aircraft-related noise and safety impacts associated with aircraft overflights. The comment also indicates that a portion of the Ellis area was changed from “Park” to “Commercial,” and that only certain types of commercial uses are permitted within airport safety zones. The General Plan land use map, which is shown in Figure 1-3 on page 1-7 of the Draft Supplemental EIR, has the same composition and location of General Plan land use designations as adopted by the Tracy City Council on December 16, 2008 for the Ellis Specific Plan project. The land use designations on the Ellis project site did not change from “Park” to “Commercial” since the adoption of the Ellis Specific Plan.

The Ellis Specific Plan documents are available at City Hall by contacting the Planning Division at 209-831-6400, and are available for review on the City’s website (www.ci.tracy.ca.us). The EIR describing and analyzing the Ellis project, including the General Plan Amendment that occurred as part of that project (creation of the TR-Ellis land use designation) has been recorded under State Clearinghouse Number 2006102092. The land uses within the Ellis Specific Plan area are required to be consistent with the Ellis Specific Plan and the Airport Land Use Compatibility Plan (ALUCP), which identifies the restrictions on land uses, including commercial land uses, in the Ellis Specific Plan site. Specifically, a thorough explanation of the Ellis Specific Plan com-

CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
COMMENTS AND RESPONSES

pliance with ALUCP policies is found in the Ellis Specific Plan Final EIR dated December 2008, beginning on page 84 of that document.

Response SA2-3

This comment refers to the applicability of the TR-Ellis land use designation in the General Plan and how it relates to Urban Reserve 10 and the former South Schulte Specific Plan. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response SA2-4

This comment states that the new Traditional Residential land use designation is identified as a sustainability-oriented policy in the Sustainability Action Plan, and cites Sustainability Action Plan measures that support high density development. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response SA2-5

This comment relates to the relationship between the boundaries of the Ellis Specific Plan, the former South Schulte Specific Plan, and Urban Reserve 10. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response SA2-6

This comment requests clarification related to language in the General Plan Urban Reserve 10. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response SA2-7

This comment requests that the airport runways be depicted on the General Plan map. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response SA2-8

This comment requests notification of any General Plan Amendments, Specific Plans, Specific Plan Amendments, Planned Unit Developments, or Rezoning in the vicinity of the Urban Reserve 10 area or the TR-Ellis area. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response SA2-9

This comment describes California Public Utilities Code regulations pertaining to coordination with the Airport Land Use Commission (ALUC) on amendments to the General Plan. The comment also explains the overrule process, which could be initiated if the ALUC determines that the proposed action is inconsistent with the ALUCP. This comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.

Response SA2-10

This comment notes that areas around the airport may have airport-related noise impacts, and that noise mitigation measures cannot replace “good land use compatibility planning.” The areas within the future 60 and 65 dB CNEL noise contours for the Tracy Airport, which are updated as shown in the new Figure 4.14-3 in Chapter 3 of this Final Supplemental EIR, are primarily designated for public and industrial uses. The only noise-sensitive use that falls within these noise contours is the TR-Ellis designation. As indicated in Response SA2-2, the land uses within the Ellis Specific Plan area are required to be consistent with the ALUCP. In addition, a thorough explanation of the Ellis Specific Plan compliance with ALUCP policies is found in the Ellis Specific Plan Final EIR dated December 2008, beginning on page 84 of that document. The airport noise impact analysis has been updated in Chapter 3 of this Final Supplemental EIR to reflect this discussion.

Response SA2-11

This comment describes airport-related regulations under the California Public Utilities Code, Education Code, Business and Professions Code, and Civil Code. This comment also includes recommendations from the Federal Aviation Administration regarding land use practices on or near airports. This comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.

Response SA2-12

This comment describes the role of aviation in California’s transportation system and in California’s economy. This comment also provides a conclusion to the preceding comments and recommends that the District 10 office be contacted for surface transportation issues. No response is necessary apart from the responses provided to the comments above.



S J C O G, Inc.

LETTER # RA-1

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

**SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ)
ADVISORY AGENCY NOTICE TO S J C O G, Inc.**

RECEIVED

To: Victoria Lombardo, Senior Planner, City of Tracy

AUG 16 2010

From: Kimberly Juarez, S J C O G, Inc.

**CITY OF TRACY
D.E.S.**

Date: August 12, 2010

Local Jurisdiction Project Title: Revised Supplemental Environmental Impact Report

Local Jurisdiction Project Number: State Clearinghouse Number: 2008092006

Total Acres to be converted from Open Space Use: Undetermined

Habitat Types to be Disturbed: Agriculture, Urban, Natural, and Multi-Purpose Habitat Land

Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Mrs. Lombardo

S J C O G, Inc. has reviewed application for the City of Tracy General Plan Amendment Draft Supplemental EIR.. The proposed project is an amendment to the City of Tracy General Plan, which was last comprehensively updated in 2006. The General Plan Amendment is primarily aimed at revising the General Plan to comply with new LAFCO policies regarding the City's Municipal Service Review (MSR) and Sphere of Influence (SOI). The revised SOI is 19 square miles, which is 10 square miles smaller than previously planned and drafted by the Tracy City Council. The Amended General Plan also identifies a 30-year SOI and 10-year development horizon, per LAFCO policy. The General Plan Amendment also incorporates new State legislation regarding flooding policies and enhanced goals, objectives, policies regarding sustainability and the reduction of greenhouse gas emissions. The Draft Amended City of Tracy General Plan contains changes to the following five elements: Land Use, Circulation, Noise, Population/Housing Balance, and Air Quality.

The City of Tracy is located in San Joaquin County, within the Central Valley, southwest of Stockton and west of Modesto.

The City of Tracy is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

It should be noted that two important federal agencies (U.S. Army Corps of Engineers and the California Regional Water Quality Control Board) have not issued permits to the S J C O G and so payment of the fee to use the SJMSCP will not modify requirements that could be imposed by these two agencies. Potential waters of the United States [pursuant to Section 404 Clean Water Act] are believed to occur on the project site. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

RA1-1

RA1-2

RA1-3

This Project and all sequential projects are subject to the SJMSCP. This project and all sequential projects are subject to a case-by-case review. This can be a 90 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjcoog.org>

After this project is approved by the Habitat Technical Advisory Committee and the SJCOG Inc. Board, the following process must occur to participate in the SJMSCP:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- Sign and Return Incidental Take Minimization Measures to SJMSCP staff (given to project applicant after pre-construction survey is completed)
- Pay appropriate fee based on SJMSCP findings. **Fees shall be paid in the amount in effect at the time of issuance of Building Permit**
- Receive your Certificate of Payment and release the required permit

Portions of this projects which are seeking coverage through the SJMSCP as an Unmapped Land Use Projects (e.g., annexation and general plan amendments (adjacent to existing incorporated cities and defined communities); airport expansions adjacent to existing airports and Freeway Services Commercial):

RA1-4

General Plan amendments and city annexations adjacent to existing incorporated cities and adjacent to the boundaries of defined communities (excluding the establishment of new towns or new communities); freeway service commercial; expansion of unincorporated, existing industrial areas; and similar anticipated projects located outside of or adjacent to designated urban boundaries as indicated on the SJMSCP Planned Land Use Map.

Projects for this category of Permitted Activities shall be subject to a case-by-case review by the JPA's Technical Advisory Committee (TAC) to ensure that the biological impacts of the proposed projects are within the parameters established by the SJMSCP and the Biological Opinion. Projects for this category shall be located adjacent to existing city limits, adjacent to the boundaries of defined communities, adjacent to existing airport facilities (i.e., Stockton, Lodi and Tracy airports), within designated Freeway Service Commercial Areas, or adjacent to existing industrial areas in the unincorporated county as indicated on the SJMSCP Planned Land Use Map Projects for this category shall not be located in any geographic area where coverage is prohibited under the SJMSCP.

If you have any questions, please call (209) 235-0600.

LETTER RA1

Kimberly Juarez. San Joaquin County of Governments. August 12, 2010.

Response RA1-1

The comment summarizes the San Joaquin Council of Governments' understanding of the proposed project. It should be noted that the comment refers to five amended General Plan elements (Land Use, Circulation, Noise, Population/Housing Balance and Air Quality), in fact there are five amended chapters of the Draft Supplemental EIR (Land Use; Population, Employment and Housing; Traffic and Circulation; Air Quality; and Greenhouse Gas Emissions). All elements of the General Plan have been amended. The comment does not address the adequacy of the Draft Supplemental EIR; therefore, no further response is required.

Response RA1-2

This comment states that the City of Tracy is a signatory to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), and describes the responsibilities and implications of being a participant in the SJMSCP. The comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required. However, it should be noted that the Draft Supplemental EIR does discuss and evaluate consistency with the SJMSCP on pages 4.1-17 and 4.1-29.

Response RA1-3

This comment states that the US Army Corps of Engineers and the California Regional Water Quality Control Board have not yet issued permits to the San Joaquin Council of Governments (SJCOP) and that fee payment to use the SJMSCP would not modify requirements imposed by these agencies. This comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.

Response RA1-4

This comment states that the proposed project and all subsequent projects are subject to a case-by-case review under the SJMSCP, and describes the proc-

C I T Y O F T R A C Y
G E N E R A L P L A N
F I N A L S U P P L E M E N T A L E I R
C O M M E N T S A N D R E S P O N S E S

esses for participation in the SJMSCP. This comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.



September 2, 2010

RECEIVED
SEP 07 2010
LETTER # RA-2

CITY OF TRACY
D.E.S.

City of Tracy
Department of Development and Engineering Services
333 Civic Center Plaza
Tracy, CA 95376

Project: City of Tracy General Plan Amendment, Sustainability Action Plan

District CEQA Reference No: 20100634

To Whom It May Concern:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Supplemental Environmental Impact Report for the City of Tracy General Plan Amendment. The District offers the following comments:

RA2-1

District Comments

1. The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Air Quality Element of the City of Tracy General Plan Amendment. The Air Quality Element includes the following discussions: (1) a description of local air quality conditions, attainment status, and state and federal air quality plans; (2) a summary of local, district, state, and federal policies, programs, and regulations to improve air quality; (3) a comprehensive set of goals, policies, and objectives to improve air quality; and (4) feasible implementation measures designed to achieve these goals. As such, the Air Quality Element includes the discussion of the San Joaquin Valley's air quality status and strategies to improve air quality as required by AB 170 (Reyes).
2. The Air Quality Element identifies many measures and also includes a Sustainability Action Plan the City will use to reducing air emissions. Many of these measures and policies will require the City to notify applicants of District rules and regulations.

RA2-2

RA2-3

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

Nearly all development projects within the San Joaquin Valley Air Basin, from general plans to individual development projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation needs and motor vehicle emissions are the largest source of air pollution. The District greatly appreciates the City's efforts to make land use decisions that have proven benefit for air quality and to proactively inform developers of Air District rules and regulations.

- a) For more information on District publications and the availability of reference materials, please contact the District's Outreach and Communication Department staff by phone at (559) 230-6000 or e-mail at public.education@valleyair.org.
- b) To reduce City staff time responding to applicant inquiries regarding the District's permitting process and aid project proponents in complying with District requirements (ISR, eTRIP, dust control, permitting, etc.) the District recommends that all requests for CEQA comments include proponent contact information. District receipt of the requested information will allow District staff to contact developers directly and assist them in understanding how to reduce project related impacts on air quality and how to complete the appropriate application process. The District also recommends that the City provide a copy of District comments to the applicant.

3. The Draft Supplemental EIR (page 4.15-42) indicates requiring a developer to implement best management practices to reduce air pollution during construction of a project. The District recommends feasible construction mitigation that includes use of construction equipment powered by engines meeting, at a minimum, Tier II emission standards, as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations. The District recommends incorporating, as a condition of project approval, a requirement that off-road construction equipment used on site achieve fleet average emissions equal to or less than the Tier II emissions standard of 4.8 g/hp-hr NOx. This can be achieved through any combination of uncontrolled engines and engines complying with Tier II and above engine standards
4. The District recommends individual projects that are located near residential/sensitive receptors should be evaluated to determine the health impact of TACs to the near-by receptors. If the analysis indicates that TACs are a concern, the District recommends that a Health Risk Assessment (HRA) be performed. If an HRA is to be performed, it is recommended that the project proponent contact the District to review the proposed modeling approach. Additional information on TACs can be found online by visiting the District's website at http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm

RA2-3
(cont.)

RA2-4

RA2-5

5. The General Plan is the blueprint for future growth in Tracy and provides an approach to characterizing the impacts future growth and development will have on air quality. However, as individual projects are developed, further environmental review may be necessary. Project related impacts on air quality can be reduced through incorporation of design elements that increase energy efficiency, reduce vehicle miles traveled, and reduce construction exhaust related emissions. However, design elements and compliance with District rules and regulations may not be sufficient to reduce project related impacts on air quality to a less than significant level. In such situations, it may be feasible to mitigate project related impacts through off-site mitigation measures. One such option is for the project proponent to enter into a voluntary emission reduction agreement (VERA) with the District. The VERA is an instrument by which the project proponent provides monies to the District, which is used by the District to fund emission reduction projects that achieve the reductions required by the lead agency. District staff is available to meet with project proponents to discuss Mitigation Agreements for specific projects. For more information, or questions concerning this topic, please call the District, at (559) 230-6000.

RA2-6

If you have any questions or require further information, please call Mark Montelongo at (559) 230-5905.

Sincerely,

David Warner
Director of Permit Services

Mark Montelongo

for: Arnaud Marjollet
Permit Services Manager

DW: mm

cc: File

LETTER RA2

David Warner, Director of Permit Services. San Joaquin Valley Air Pollution Control District. September 2, 2010.

Response RA2-1

This comment states that the San Joaquin Valley Air Pollution Control District (SJVAPCD) has reviewed the Draft Supplemental EIR and serves as an introduction to the comments that follow. No response is necessary apart from the responses provided to the comments below.

Response RA2-2

This comment notes that the SJVAPCD has reviewed the Air Quality Element and describes the contents of the Air Quality Element. This comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.

Response RA2-3

This comment notes that the SJVAPCD appreciates the City's efforts to make land use decisions that benefit air quality and inform developers of SJVAPCD rules and regulations. The comment provides contact information for those who are interested in more information on SJVAPCD publications. The comment also addresses the procedures for development review by requesting that the City provide contact information for project proponents when requesting CEQA comments, and that the City provide District comments to project proponents. The request is noted. This comment does not address the adequacy of the Draft Supplemental EIR; therefore, no further response is required. The City will evaluate modifying the development review routing sheet to include the project proponent contact information to assist with SJVAPCD in its communication with project proponents.

Response RA2-4

This comment suggests that the City adopt a quantifiable NOx emission based standard for construction fleets. Such a mitigation measure may burden lead agency staff in confirming that *all* construction projects meet this standard. The current General Plan policy allows the City to apply this type of

standard at its discretion. New State regulations would require that most diesel equipment meet this standard in the near future, making such a local policy redundant and somewhat burdensome to the lead agency. In addition, the District's Indirect Source Review Rule would ensure that new projects generating a majority of the emissions would either control or offset a substantial portion of their NOx construction emissions. Therefore, the City is not pursuing this suggestion.

Response RA2-5

This comment recommends that projects with toxic air contaminant (TAC) emissions near sensitive receptors conduct a Health Risk Assessment. Objective AQ-1.2, Policy 12 of the General Plan requires sources of new toxic air pollutants to prepare a Health Risk Assessment and to establish appropriate buffer zones around those areas that pose substantial health risks, as determined by the Health Risk Assessment. In addition, Objective AQ-1.2, Policy 1 requires that the City assess air quality impacts using the latest version of CEQA Guidelines and those prepared by the SJAPCD. Based on General Plan policies, new sources of TAC emissions locating near sensitive receptors would be required to conduct Health Risk Assessments and it would be City policy to defer to the SJAPCD for guidance regarding the methodology for such a study.

Response RA2-6

This comment states that future projects allowed by the General Plan may require additional environmental review, and that although project air quality impacts can be reduced through design elements, significant project impacts could still occur. The comment states that future project air quality impacts could be mitigated through off-site mitigation, such as requiring the project proponent to enter into a voluntary emission reduction agreement with the SJAPCD. The City has considered implementing a new program for mitigation fees, and determined that the existing fee programs from SJCOG and SJAPCD are adequate. The City will assist in the implementation of SJCOG and SJAPCD programs and fees to mitigate air quality impacts of future projects.



SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202

209.235.0600 • 209.235.0438(fax)

www.sj cog.org

LETTER # RA-3

SEP 07 2010

CITY OF TRACY

Ann Johnston
CHAIR

Chuck Winn
VICE CHAIR

Andrew T. Chesley
EXECUTIVE DIRECTOR

Member Agencies

CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY.
AND
THE COUNTY OF
SAN JOAQUIN

September 7, 2010

Ms. Victoria Lombardo
Development and Engineering Services
City of Tracy
333 Civic Center Plaza, Tracy CA 95376

Re: ALUC Review - City of Tracy's Draft Supplemental Environmental Impact Report (DSEIR) Tracy General Plan Amendment, SCH# 2008092006

Dear Ms. Lombardo:

Thank you for the opportunity to comment on the DSEIR for the City's General Plan Amendment. The San Joaquin Council of Governments, in carrying out the duties of the County's Airport Land Use Commission (ALUC), has reviewed the above-referenced document with respect to safety and regional aviation land use planning pursuant to the California Environmental Quality Act (CEQA).

RA3-1

As noted within the NOP comment letter dated May 7, 2010, the ALUC adopted a comprehensive update to the 1993 Airport Land Use Compatibility Plan (ALUCP) on June 25, 2009. The 1993 ALUCP was amended in 1998 but the amendment was specific to Tracy Municipal Airport and its Master Plan Update. The ALUC requested in the NOP comment letter that, due to this change of circumstance, the General Plan Amendment and Supplemental EIR should, at minimum, include the relevant information such as updated policies, land use safety zones, and noise contours for the Tracy Municipal Airport.

RA3-2

The DSEIR and the General Plan do not contain any of this updated information, and page Pages 4.4-2 and 4.4-67 of the DSEIR refer to the 1993 ALUCP within the impact discussions (page 4.4-67 incorrectly refers to a 1994 document).

For this project and the direct relation to ALUC authority, there are two relevant significance thresholds within the 2010 CEQA Guidelines, Appendix G:

RA3-3

1. *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 for people residing or working in the project area?*

2. *Would the project conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?*

**RA3-3
(cont.)**

Due to the fact that the 2009 ALUCP was not incorporated into either the DSEIR or the General Plan, the significance of any impacts cannot be identified. Attached to this comment letter are Chapter 2 and Chapter 3 excerpts from the adopted 2009 ALUCP as it relates to the Tracy Municipal Airport. Chapter 2 contains updated information on the current and future facilities, operations, and noise contours. This information came directly from the airport administrators, which are also employed by the city of Tracy since the airport is owned by the city. The data collected and used within the ALUCP update was reviewed and confirmed by city staff before final incorporation. Therefore, it is incorrect to use outdated operations, forecasts, and noise contours, as the DSEIR and General Plan Amendment do.

RA3-4

The excerpted pages from Chapter 3 of the 2009 ALUCP give the information on the newly adopted compatibility zones within Tracy Municipal Airport's influence area. The maps contained on these pages are not to scale due to reproducing the original tabloid size to a letter size. Digital and or GIS files of these (and any other) exhibits can be furnished upon request.

Additional Comments on the General Plan:

Page 2-22, at present, the South Shulte (Ellis) project site is subject to the compatibility zones established within the 1998 ALUCP, not the 1993 plan. This is an important distinction because the land uses approved for the Ellis Specific Plan are not consistent with the 1993 ALUCP.

RA3-5

Page 2-47 Objective LU-6.3: Regarding Policy P2 – within the updated ALUCP, aviation easements are only required for new development in the Runway Protection Zone, the Inner Approach Departure Zone, and the sideline safety zones (Zones 1, 2, and 5, respectively). Deed notices are required for real estate disclosure for new development within the airport influence area (Zone 8).

RA3-6

The General Plan states that land use decisions shall conform to safety and development requirements in the ALUCP and includes policies to “ensure” that new development is consistent with land use zones established by the most current ALUCP. How will this policy be carried through? For example, the areas south of Linne Rd. and east of Corral Hollow have an existing designation as Industrial. The Inner Approach/ Departure Zone and Inner Turning Zone are located in this area and industrial uses are prohibited within the 2009 ALUCP. It seems as if the designation of this as industrial is in direct contradiction with the General Plan policy to ensure that new development be consistent with the ALUCP compatibility zones.

RA3-7

In summary, we strongly suggest that the SEIR refer to and utilize the 2009 ALUCP in completing the environmental documentation for the Tracy General Plan Amendment. As always, we remain available to meet directly with you to discuss these comments and to assist in use of the ALUCP.

RA3-8

If you have any questions please call Laura Brunn, at (209) 235-0579.

Sincerely,

LAURA BRUNN
SJCOG Associate Regional Planner

Cc: Andrew Chesley, SJCOG Executive Director
Dana Cowell, SJCOG Deputy Director
Mike Swearingen, SJCOG Senior Regional Planner

LETTER RA3

Laura Brunn, Associate Regional Planner. San Joaquin County of Governments. September 7, 2010. (1 of 2)

Response RA3-1

This comment states that the San Joaquin Council of Governments has reviewed the Draft Supplemental EIR with regards to safety and regional aviation land use planning. This comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.

Response RA3-2

This comment states that the ALUC adopted a comprehensive update to the ALUCP on June 25, 2009, but the Draft Supplemental EIR does not contain this updated information. The comment correctly notes that the Traffic and Circulation chapter of the Draft Supplemental EIR cites the 1993 ALUCP. In addition, the Noise chapter of the Draft Supplemental EIR provides outdated operations data for the airport and an outdated airport noise contour map. Therefore, references to and information about the ALUCP in the Traffic and Circulation and Noise chapters of the Draft Supplemental EIR have been updated in Chapter 3 of this Final Supplemental EIR. In addition, the General Plan has been updated to include updated airport operations data and noise contour maps.

Response RA3-3

This comment cites the CEQA thresholds of significance that are pertinent to ALUC authority, and states that the significance of such impacts cannot be identified without incorporating the 2009 ALUCP. As indicated in Response RA3-2, Chapter 3 of this Final Supplemental EIR incorporates the updated 2009 ALUCP. The updated information from this Plan was considered, and the findings of the Draft Supplemental EIR do not change as a result of the updated data.

Response RA3-4

This comment describes the contents of the 2009 ALUCP, and notes that it is incorrect for the Draft Supplemental EIR to use outdated operations, forecasts, and noise contours. See Response RA3-2.

Response RA3-5

This comment states that the wrong version of the ALUCP applicable to the Ellis project site was referenced in the General Plan. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response RA3-6

This comment refers to Objective LU-6.3, Policy P2, which requires aviation agreements for developments within the vicinity of the airport, and clarifies ALUCP policies regarding aviation easements. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response RA3-7

This comment refers to Objective LU-6.3, Policy P1, which requires new development in the vicinity of the Tracy Municipal Airport to be in conformance with the ALUCP, and questions the implementation of the ALUCP requirements. The comment also states that the industrial land use designation on some properties in the vicinity of the airport is inconsistent with the ALUCP. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
COMMENTS AND RESPONSES**

Response RA3-8

This comment serves as a conclusion to the preceding comments. No response is necessary apart from the responses provided to the comments above.

RECEIVED

SEP 07 2010

~~CITY OF TRACY~~
LETTER # RA-4



SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202

209.235.0600 • 209.235.0438(fax)

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September 7, 2010

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SAN JOAQUIN

Ms. Victoria Lombardo
Development and Engineering Services
City of Tracy
333 Civic Center Plaza, Tracy CA 95376

Re: CMA Review - City of Tracy's Draft Supplemental Environmental Impact Report (DSEIR) Tracy General Plan Amendment, SCH# 2008092006

Dear Ms. Lombardo:

Thank you for the opportunity to comment on the DSEIR for the City's General Plan Amendment. As the County's designated Regional Transportation Planning Agency (RTPA), the Congestion Management Agency (CMA), and the Metropolitan Planning Organization (MPO), the San Joaquin Council of Governments (SJCOC) has reviewed the above-referenced document with respect to transportation and circulation impacts pursuant to the California Environmental Quality Act (CEQA).

Establishing and maintaining a Regional Congestion Management Program (RCMP) is required by State Govt. Code, Section 65088 – 65089.10 and the County's Measure K Renewal Ordinance. The purpose of the RCMP is to monitor the cumulative transportation impacts of growth of the regional roadway system (the Network), establish a level of service standard, identify deficient regional roadways and develop plans to mitigate the deficiencies, and facilitate travel demand management and operational preservation strategies for existing and planned development. The attached exhibit shows the roadways within the project area that are currently monitored as part of the adopted Network.

RA4-1

Comments on the DSEIR:

Regulatory Setting

Page 4.4-2 (1.b)

In addition to the state and federal requirements, it should be noted that the Congestion

RA4-2

Management Program is also a requirement of the Measure K Renewal Ordinance approved by San Joaquin County voters in November 2006.

**RA4-2
(cont.)**

Page 4.4-2 (1.d)

On June 25, 2009, the SJCOG Board, in their duties as the Airport Land Use Commission, adopted an update to the Airport Land Use Compatibility Plan. Please correct the reference to the 1993 Plan.

RA4-3

Page 4.4-4 (2.b)

In November of 2006, the Measure K Renewal was approved by San Joaquin County voters for an additional 30 year period. Therefore, the Renewal is in effect until the year 2041.

RA4-4

Page 4.4-10 (6. Level of Service Criteria)

The San Joaquin Council of Governments is the state-mandated Congestion Management Agency with an adopted Congestion Management Program (RCMP). With the last program update in December 2007, the Board voted to adopt a two-tiered LOS standard that all roadways and freeways located on the Network are subject to.

The first tier is triggered when the roadway is operating at a Level of Service of (LOS) “D”. This begins an effort by SJCOG to broaden alternative modal programs and target TDM measures on the likely sources of trips on the road segment(s) with the goal of reducing trips or shifting trips to alternate modes. In addition to reducing congestion, these programs help lay the groundwork for greater efforts that must be undertaken when the next threshold is triggered. The second tier is triggered by any roadway operating at LOS “E” or “F.” This triggers the state requirement for a Deficiency Plan.

RA4-5

It should also be further clarified in this section that at the time of program inception in the early 1990s certain roadways were allowed to be “grandfathered” at their existing LOS. Within your project area, the following segment falls into this category:

Roadway	From	To	G.F. LOS
I-205	MacArthur Dr.	I-5	E
I-205	Alameda Co. Line	Tracy Blvd.	F

Chapter 4.4 Traffic and Circulation- Standards of Significance and Impact Discussion

The two CEQA Significance Standards used for this DSEIR that are specific to the CMA are:

The City of Tracy General Plan and Sustainability Action Plan would create a significant traffic and circulation impact if they would:

1. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency or the city for designated roads or highways.
2. Conflict with adopted policies, plans or programs supporting alternative transportation.

With the exception of infill opportunity zones designated before December 31, 2009 (CMP statute, Section 65088.4), areas with an approved deficiency plan, and “grandfathered” segments, the los standards apply to all roadways located on the CMP Network, regardless of classification. Statute requires that, at minimum, the LOS standards established by the Congestion Management Agency not be below the LOS “E”. Therefore, to establish an LOS standard for any roadway on the Network that is in contradiction to the RCMP’s standard will create a significant impact to the CEQA significance standard #1 listed above.

Please note that in determining a significant impact, state CMP statute mandates that the following trips are excluded from the volumes used in determining the impact:

- 1) Interregional travel (trips that originate outside the county’s boundary);
- 2) Traffic generated by the provision of low-income and very low income housing;
- 3) Traffic generated by high-density residential development located within one-fourth mile of a fixed rail passenger station; and,
- 4) Traffic generated by any mixed use development located within one-fourth mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed use development is used for high density residential housing, as determined by the agency.

**RA4-5
(cont.)**

If after the trip exemptions are applied to a roadway that is initially projected to be at an LOS of “E” or “F”, the analysis shows that the CMP standard cannot be achieved, the EIR will need to fully disclose, mitigate to the extent possible, and make Overriding Considerations, if necessary. Of important note is that in the event that the impact is significant and unmitigable and Overriding Considerations are adopted does not exempt the requirements of preparing a Deficiency Plan (DP). As these are deficiencies that are "planned", the best way to justify them is to have a pro-active DP as part of the mitigation measures.

State Statute allows for two types of deficiency plans, one being a Direct-fix DP and the other a System-wide DP. If the roadway cannot, or if the jurisdiction deems it impractical, to directly fix the deficient road to meet the CMP LOS Standard, then a System-wide Plan would be appropriate. A System-wide deficiency plan is a mitigation plan for the allowance of a roadway to become deficient or remain deficient by promoting alternative improvements that will measurably improve multi-modal performance, and contribute to significant improvements in air quality (as detailed in Govt. Code 65089.4).

If there is a deficiency, and a proactive plan is not prepared as part of this project's mitigation, Overriding Considerations will be necessary. Again, regardless of whether or not Overriding Considerations are adopted, the City of Tracy will ultimately need to prepare a DP for the Network segment(s) that becomes deficient. In this case, the deficiency will be determined when the CMA, as part of its biennial update, establishes that the roadway does not meet the LOS standard. As a reminder, the trip exemptions listed on page 3 will be deducted from the volumes as part of the analysis.

RA4-6

Roadways Operating at LOS "D"

Travel demand management is an integral part of San Joaquin's congestion management program. Not only is this a mandated component of the state's CMP legislation (Section 65089(5)), it is also required by the voter approved Measure K Referendum. Additionally, the federal Congestion Management Process (mandated through SAFETEA-LU) stipulates that no federal funds will be advanced for capacity increasing projects unless travel demand reduction and operational strategies have been implemented, to the extent possible, on the roadway.

Although roadway segments operating at LOS "D" are not considered deficient, this standard does trigger a requirement. Roadway segments operating at LOS "D" are subject to the preparation of a plan that analyzes specific strategies for operational preservation and transportation demand management. These strategies include ensuring that new development projects provide provisions that will promote alternative travel. SJCOG is currently preparing a Regional Travel Demand Management Action Plan that will provide further guidance to the local jurisdictions, as well as land developers. This Plan is anticipated to be approved late-summer 2010.

RA4-7

As a last point of information, one of the major implementation actions of the RCMP is the CMA's requirement to analyze and comment on future land uses that may impact roadways located within the RCMP network. The *Land Use Analysis Process* was adopted as part of the 2007 Regional Congestion Management Plan and is also part of state CMP Legislation (Section 65089) and the Measure K Renewal Ordinance. SJCOG now receives referrals from member jurisdictions development proposals for review, analysis and follow-up action where appropriate as part of RCMP implementation. Based on analysis using the RCMP process, proposals resulting in a degradation of LOS conditions require the identification and implementation of mitigation measures to resolve or mitigate the identified impact(s).

SJCOG requests that the General Plan incorporate more information about this regional program into the General Plan and possibly add policy language to ensure coordination with the RCMP.

September 7, 2010

New Roadways and Expansion/Extension of Existing Roadways

RA4-8

As discussed within the DSEIR, new roadways will be built and some of the existing roadways will be extended, expanded, and reclassified to major arterial status. As these improvements occur, SJCOG staff will work with the City in determining which of these the expanded or new arterial should be incorporated into the RCMP Roadway Network. State CMP regulations require that all new state highways and principal arterials be designated as part of the system.

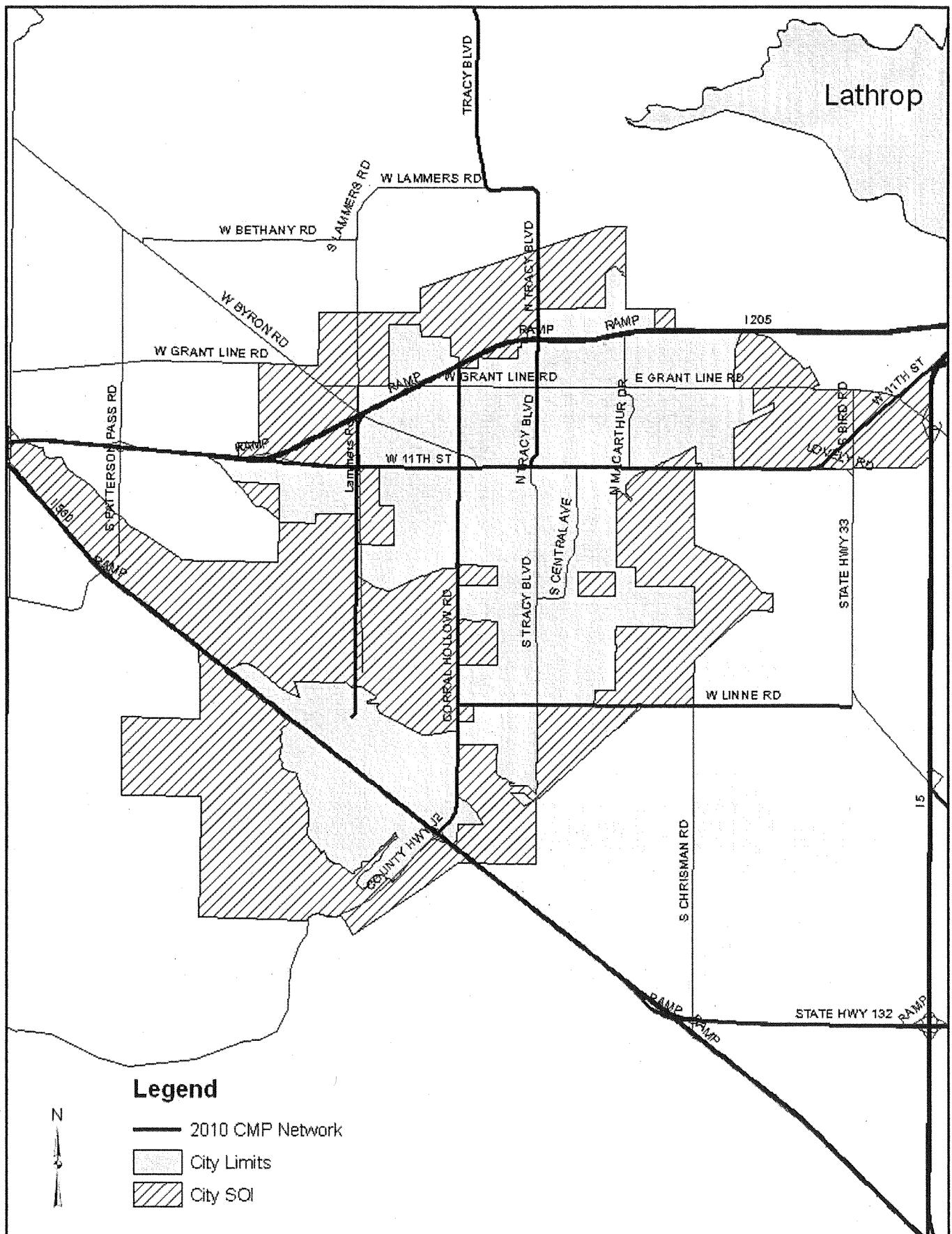
If you have any questions please call Laura Brunn, at (209) 235-0579. We would be pleased to meet with the city concerning these comments if that would be helpful.

Sincerely,

LAURA BRUNN

SJCOG Associate Regional Planner

Cc: Andrew Chesley, SJCOG Executive Director
Dana Cowell, SJCOG Deputy Director
Michael A. Swearingen, Senior Regional Planner



RA4-1

Legend

— 2010 CMP Network
□ City Limits
▨ City SOI

LETTER RA4

Laura Brunn, Associate Regional Planner. San Joaquin County of Governments. September 7, 2010. (2 of 2)

Response RA4-1

This comment states that the San Joaquin Council of Governments (SJCOC) has reviewed the Draft EIR with regards to transportation and circulation impacts. This comment also describes the purpose and origins of the Regional Congestion Management Program (CMP). The comment references an attached figure. This comment provides background information and does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.

Response RA4-2

The comment suggests that page 4.4-2 of the Draft Supplemental EIR be revised to state that the CMP is a requirement of the Measure K Renewal Ordinance approved by San Joaquin County voters in November 2006. Page 4.4-2 of the Draft Supplemental EIR has been revised accordingly, as shown in Chapter 3 of this Final EIR.

Response RA4-3

The comment suggests that page 4.4-2 of the Draft Supplemental EIR be revised to reflect that an updated Airport Land Use Compatibility Plan was adopted on June 25, 2009. Page 4.4-2 of the Draft Supplemental EIR has been revised accordingly, as shown in Chapter 3 of this Final EIR.

Response RA4-4

The comment suggests that page 4.4-4 of the Draft Supplemental EIR be revised to state that the Measure K Renewal Ordinance is in effect until 2041. Page 4.4-4 of the Draft Supplemental EIR has been revised accordingly, as shown in Chapter 3 of this Final EIR.

Response RA4-5

The comment correctly states that the General Plan and Sustainability Action Plan would have a significant impact if they would exceed a level of service

(LOS) standard established by the Congestion Management Agency or conflict with adopted policies, plans, or programs supporting alternative transportation. The comment states that LOS standards apply to all roadways in the CMP network, with the exception of infill opportunity zones designated before December 31, 2009, areas with an approved Deficiency Plan, or segments that are “grandfathered” in. The comment states that the SJCOC has adopted a two-tiered LOS standard: the first tier is triggered when a roadway operates at LOS D, and the second tier is triggered when a roadway operates at LOS E or F. When the first tier is triggered, SJCOC begins an effort to reduce trips or shift trips to alternative transportation modes. When the second tier is triggered, a Deficiency Plan is required.

The comment states that two roadway segments in the project area are allowed to be “grandfathered” at their existing levels of service: I-205 between MacArthur Drive and I-5 (LOS E), and I-205 between the Alameda County/San Joaquin County limit and Tracy Boulevard (LOS F).

The comment states that if a roadway would operate at LOS E or F, an EIR must fully disclose and mitigate the impact to the extent possible, and make Overriding Considerations if necessary. The comment states that if the impact is significant and unavoidable and Overriding Considerations are adopted, a Deficiency Plan is still required.

Response RA4-6

The comment states that the City of Tracy will need to prepare a Deficiency Plan for any roadways segments that become deficient.

As shown in Table 4.4-13 of the Draft Supplemental EIR, under the General Plan and Sustainability Action Plan the following roadway segments would trigger SJCOC’s second tier (LOS E or F) standard at levels beyond those grandfathered in as described above in response to Comment RA4-5:

- ◆ Eastbound I-205 between Tracy Boulevard and MacArthur Drive (LOS F)
- ◆ Eastbound I-205 between MacArthur Drive and I-5 (LOS F)
- ◆ Eastbound I-580 between Vasco Road and State Route 84 (LOS F)

- ◆ Eastbound I-580 in the Altamont Pass (LOS F)
- ◆ Eastbound I-580 between Corral Hollow Road and MacArthur Drive (LOS E)
- ◆ Eastbound I-5 north of I-205 (LOS F)
- ◆ Eastbound Patterson Pass Road east of the Alameda County/San Joaquin County limit (LOS E)
- ◆ Eastbound Tesla Road east of the Alameda County/San Joaquin County limit (LOS E)

The Draft Supplemental EIR acknowledges that these roadway segments would operate at deficient levels. As described in the Draft Supplemental EIR, the General Plan and Sustainability Action Plan include policies and measures to minimize impacts on regional traffic congestion and improve the city's jobs/housing balance, which would in turn internalize more trips within the city. In addition, the General Plan and Sustainability Action Plan include policies and measures to promote and increase the use of alternative modes of transportation, including transit, bicycling, and walking. Nevertheless, the Draft Supplemental EIR concludes that implementation of these policies and measures would not be sufficient to reduce traffic volumes to less-than-significant levels, and that therefore this impact would be significant and unavoidable.

The City acknowledges this impact and also acknowledges the commentor's statement that these segments would require a Deficiency Plan. Section 65089.4(e)(1) of the California Government Code states, "The local jurisdiction in which the deficiency occurs shall have lead responsibility for developing the deficiency plan and for coordinating with other impacting local jurisdiction." The roadway segments listed above are outside of the City's jurisdiction and therefore the City is not the appropriate agency to prepare Deficiency Plans for these segments.

Although this does not fully mitigate the impact, the Tracy General Plan and Sustainability Action Plan are consistent with recommended mitigations identified in the CMP by adopting land use policies that minimize vehicle travel,

and travel demand management and transportation system management policies and programs aimed at shifting trips to alternative modes and/or reducing congestion.

It should also be noted that typical Deficiency Plan actions may conflict with the greenhouse gas reduction objectives of the Sustainability Action Plan and SB 375 as implemented through the Sustainable Community Strategy of the Regional Transportation Plan.

Response RA4-7

This comment pertains to the General Plan and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response RA4-8

The comment states that the SJCOG staff will work with the City to determine which new or expanded roadways should be incorporated into the CMP network. The comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.



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SEP 07 2010

CITY OF TRACY

Mr. William Dean
Planning Director, City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

RE: Additional Comments on Sustainability Action Plan

Dear Mr. Dean:

On Behalf of Tracy Hills, LLC, I would like to submit the following comments on the Sustainability Action Plan. These comments supplement the comments I previously submitted..

ORG1-1

After further review of the SAP, there are some Targets and Measures that we feel need additional clarification. I have italicized our suggested clarifications in the text below.

T-5: Smart Growth, Urban Design and Planning

It should be clear that this applies to projects with the Traditional Residential land use designation. We suggest the following:

ORG1-2

b. Amend the Municipal Code or create subdivision design standards to require all new development within *Traditional Residential land use designations* to do the following:

T-20: Mixed-Use and Traditional Residential Development

It needs to be recognized that not all neighborhoods will employ a traditional residential development pattern. We suggest the following:

ORG1-3

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-21: Employment-Generating and High-Density Infill Projects

We find point e confusing. We offer the following suggestion to clarify:

ORG1-4

e. Develop each phase of new development in Tracy *at the* density and mix of uses *consistent with the 2006 General Plan.*

W-1: Potable Water Conservation through Development Standards, Public Education, and Municipal Wastewater Reuse

As stated in our previous letter, the City should not adopt any building standards that are in excess of State law. This would put Tracy at a competitive cost disadvantage. We suggest the following language:

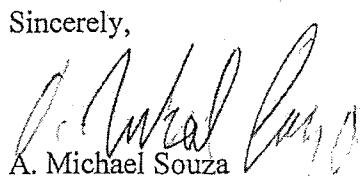
Adopt the following water conservation measures:

a. In the City's Green Building Ordinance and in compliance with the State's 20x2020 Water Conservation Plan, *provide incentives for new development to implement* water use and efficiency measures identified as voluntary in the California Green Building Standards Code.. California Green Building Standards Code requirements include the reduction of indoor potable water use by 20 percent after meeting the Energy Policy Act of 1992 fixture performance requirements. Include clear parameters for integrating water conservation infrastructure and technologies, including low-flush toilets and low-flow showerheads.

ORG1-5

Thank you for the opportunity to comment on the SAP. Please feel free to give me a call at (209) 835-8330 if you have any questions.

Sincerely,



A. Michael Souza

cc. Bob Thomas, Tracy Hills LLC

**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
COMMENTS AND RESPONSES**

LETTER ORG1

Michael Souza. Souza Realty & Development. August 11, 2010.

Response ORG1-1

This comment serves as an introduction to the comments that follow. No response is necessary apart from the responses provided to the comments below.

Response ORG1-2

This comment refers to the applicability of Sustainability Action Plan Measure T-5(b) solely for properties designated Traditional Residential. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG1-3

This comment suggests clarification to the wording of Sustainability Action Plan Measure T-19. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG1-4

This comment suggests clarification to the wording of Sustainability Action Plan Measure T-20(e) and its applicability to the requirements of the 2006 General Plan. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff

**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
COMMENTS AND RESPONSES**

report for the EIR Planning Commission and City Council certification hearings.

Response ORG1-5

This comment suggests revisions to Sustainability Action Plan Measure W-1(a). This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

RECEIVED

AUG 11 2010

CITY OF TRACY


TRACY HILLS, LLC

Mr. William Dean
Planning Director, City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

RE: Comments on Sustainability Action Plan, General Plan Amendment, and DEIR

Dear Mr. Dean:

On Behalf of Tracy Hills, LLC, I would like to submit the following comments on the above referenced documents.

SAP Comments**1. P. 4-3, Target 12**

Portions of the Tracy Hills Project are not in the SJCOC HCP, and will not be mitigated through it, so this target must be changed to reflect this. We propose the following text addition:

Any loss of critical habitat corridors is mitigated through the Habitat Conservation Plan *or other appropriate mitigation.*

2. P 4-1, First Paragraph

The SAP will become part of the GP. It is important that targets in the SAP are clearly identified as goals or targets so they will not be construed as absolute requirements. We suggest the following text addition:

These targets are goals and are not to be considered absolute requirements.

3. P 4-4, Target 15, 16, 18

These targets are not feasible, realistic and are not consistent with market conditions, retailer requirements and demands. These targets are not achievable in the already developed community, so the City will never be able to achieve the 90% or 75% thresholds. We suggest deleting these targets. If they are to be

ORG2-1**ORG2-2****ORG2-3****ORG2-4**

**ORG2-4
(cont.)**

retained, the percentage threshold should be reduced to no more than 25% in all three targets and each target should be preceded with "*City shall strive to achieve...*".

4. P. 5-10, T-3 (b)

This is a significant cost and creates a maintenance burden. This should be deleted.

5. P 5-16, T-17

Staff has explained that the intent of this Measure is for the City to provide the transit passes. The language should be clarified as follows:

Add to beginning : *City shall* provide transit passes...

6. P 5-18, T-21 (d)

We understand the intent of this target is to assure Tracy Hills will buildout with a mix of residential densities that is consistent with the mix contemplated today. The wording is confusing and seems to suggest the intent is to have a representative mix of densities in each phase. We suggest the following wording:

Upon buildout of Tracy Hills, the density and mix of uses shall be consistent with the 2006 general plan.

7. P 5-21, W-1 (a)

The City of Tracy should not impose any building codes that are in excess of State codes. To do so would put Tracy at a cost disadvantage compared to other surrounding communities. Tracy cannot be in a position of having higher construction costs than communities that are actively seeking the same users and industries. This Measure should be edited to require only what is required of all communities in the State.

8. P5-26, BIO-1

See Comment 1 above. The following language should be added:

Add at end of first sentence : "*unless the setback or buffer area is already included in the wildlife corridor*".

Add at end of second sentence: "*or other appropriate mitigation*".

ORG2-5

ORG2-6

ORG2-7

ORG2-8

ORG2-9

GP Amendment Comments

1. Figure 1-2

The Tracy Hills Infrastructure Master Plans include the use of a former gravel quarry site for terminal storm drainage discharge and recycled water storage. This property should be included within the SOI.

ORG2-10

2. P 5-31, P5

It is not realistic that every project and every neighborhood will be able to meet a $\frac{1}{4}$ mile walkability standard. Some projects may have physical constraints that make it impossible to meet the walkability standard. The following language should be added:

ORG2-11

“The City shall use reasonable efforts to achieve” a $\frac{1}{4}$ mile walkability....

3. P6-18, OSC-1, P4

See comment 8, SAP

ORG2-12

4. P 10-25, AQ-1.2, P11

The City should decide the ultimate mitigations necessary for sensitive receptors, not be subject to another agency's unapproved recommendations. The language should be changed as follows:

ORG2-13

New wording: *“Impacts to sensitive receptors in residential developments and other projects shall be analyzed using adopted CARB and SJVAPCD standards”*

5. P10-26, AQ-1.2, A4

The City of Tracy should not impose any building codes that are in excess of State codes. To do so would put Tracy at a cost disadvantage compared to other surrounding communities. Tracy cannot be in a position of having higher construction costs than communities that are actively seeking the same users and industries. This Measure should be edited to require only what is required of all communities in the State.

ORG2-14

GR DEIR Comments

1. Figure 1-1

Please see GP Amendment comment 1.

2. Page 1-16, First Bullet

Please see SAP Comment 1. Change language as follows:

Add at end of first sentence: *“or other appropriate mitigation”*.

3. P 3-44, g, first bullet

See SAP comment 1. Change language as follows:

Add at end of sentence: *“or other appropriate mitigation”*.

4. P 3-44, i, third bullet; i, fourth bullet; and j, second bullet; and j, third bullet

Please see SAP comment 3.

5. P 3-44, j, third bullet

This is not included in the SAP. This Measure should be deleted.

6. P 4.1-17, e

The Tracy Hills properties are not included in the SJMSCP. Language must be added to properly reflect this. We suggest the following:

Add at the end of first paragraph: *“Tracy Hills is not a part of the SJMSCP, unless and until it is annexed to the SJMSCP.”*

7. P 4.15-33 - 35, Table 4.15-7

See SAP comments.

8. P A-10, OSC-1.1, P4

See SAP comment 7

ORG2-15

ORG2-16

ORG2-17

ORG2-18

ORG2-19

ORG2-20

ORG2-21

ORG2-22

9. P A-15, AQ-1.2, P13

See GP Amendment comment 4

10. P A-15, AQ-1.2, A4

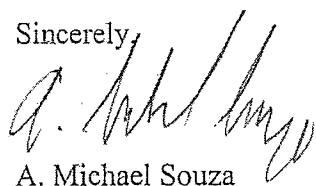
See GP Amendment comment 5

ORG2-23

ORG2-24

Thank you for the opportunity to comment on these documents. Please feel free to give me a call at (209) 835-8330 if you have any questions.

Sincerely,



A. Michael Souza

cc. Bob Thomas, Tracy Hills LLC

LETTER ORG2

Michael Souza. Tracy Hills, LLC. August 11, 2010.

Response ORG2-1

This comment serves as an introduction to the comments that follow. No response is necessary apart from the responses provided to the comment below.

Response ORG2-2

This comment suggests clarification to the wording of Sustainability Action Plan Target #12. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-3

This comment requests clarification regarding the intent of the targets identified the Sustainability Action Plan. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-4

This comment questions the feasibility of Sustainability Action Plan Targets #15, #16, and #18. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-5

This comment recommends deleting Sustainability Action Plan Measure T-3(b) due to developer costs for implementation. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-6

This comment suggests clarification to the wording of Sustainability Action Plan Measure T-16. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-7

This comment suggests clarification to the wording of Sustainability Action Plan Measure T-20(d). This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-8

This comment suggests that the requirements in Sustainability Action Plan Measure W-1(a) be reduced. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-9

This comment suggests clarification to the wording of Sustainability Action Plan Measure BIO-1. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-10

This comment suggests a revision to the Sphere of Influence boundary. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-11

This comment suggests a revision to Objective CIR3.1, Policy P5. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-12

This comment suggests edits to Objective OSC1.1, Policy P4. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-13

This comment suggests a revision to Objective AQ-1.2, Policy P11. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-14

This comment suggests that the requirements of Objective AQ-1.2, Action A4 be reduced. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-15

This comment correctly states that a former quarry site has been mistakenly excluded from the Sphere of Influence. As shown in Chapter 3 of this Final Supplemental EIR, Figure 3-2, which shows the Tracy city limits, Sphere of Influence, and Planning Area, has been revised.

Response ORG2-16

The commentor requests a revision to Target #12 of the Sustainability Action Plan. The target has been revised as requested by the commentor, as shown in Chapter 3 of this Final Supplemental EIR.

Response ORG2-17

Please see Response ORG2-16.

Response ORG2-18

The commentor requests revisions to targets in the Sustainability Action Plan. The City has considered these requested revisions but has determined that the targets should not be revised. Specific responses to all comments

received on the Sustainability Action Plan can be found in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-19

This comment correctly states that a target listed on page 3-44 of the Draft Supplemental EIR is incorrect. This measure has been deleted, as shown in Chapter 3 of this Final Supplemental EIR.

Response ORG2-20

The commentor correctly states that the Tracy Hills properties are not part of the San Joaquin Multi-Species Conservation Plan. Page 4.1-17 of the Draft EIR has been revised accordingly, as shown in Chapter 3 of this Final Supplemental EIR.

Response ORG2-21

The comment notes that Table 4.15-7 of the Draft EIR should be revised in light of the comments submitted on the Sustainability Action Plan. This table has been revised accordingly, as shown in Chapter 3 of this Final EIR. Specific responses to all comments received on the Sustainability Action Plan can be found in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-22

The comment requests that the Draft Supplemental EIR be revised consistent with requested revisions to the Sustainability Action Plan. Appendix A of the Draft EIR has been revised accordingly, as shown in Chapter 3 of this Final EIR. Specific responses to all comments received on the Sustainability Action Plan can be found in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-23

This comment requests that the Draft Supplemental EIR be revised consistent with requested revisions to the General Plan. Appendix A of the Draft EIR has been revised accordingly, as shown in Chapter 3 of this Final EIR. Spe-

C I T Y O F T R A C Y
G E N E R A L P L A N
F I N A L S U P P L E M E N T A L E I R
C O M M E N T S A N D R E S P O N S E S

cific responses to all comments received on the Sustainability Action Plan can be found in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG2-24

This comment requests that the Draft Supplemental EIR be revised consistent with requested revisions to the General Plan. See Response ORG2-14.

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SEP 07 2010

CITY OF TRACY

September 3, 2010

Brent Ives
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

Mayor Ives,

The Building Industry Association ("BIA") of the Delta is a non-profit trade association representing 190 companies consisting of electricians, plumbers, roofers, landscapers, title companies, banks and home builders. Our mission is to advocate for sound public policy related to housing.

On behalf of the BIA, I offer these comments on the proposed General Plan Amendment and the Draft Recirculated Supplemental Environmental Impact Report ("DEIR") for the City of Tracy's Proposed General Plan Amendment and Proposed Sustainability Action Plan.

Comments on the General Plan Amendment

The BIA is supportive of the objectives of the General Plan Amendment. Moreover, the BIA is aware that the General Plan Amendment is an important step in facilitating development in the community and we do not want to unduly delay its adoption. However, to be consistent with our prior comments to the City about the fact that the Housing Element (which is part of the General Plan) violates the State Housing Element Law (Govt. Code §§ 65580-65589.8) as a result of the Growth Management Ordinance ("GMO"), we feel compelled to note that the proposed General Plan Amendment suffers from the same legal deficiency to the extent it assumes continued implementation of the GMO.

In its letter to the City dated August 19, 2010, the Department of Housing and Community Development ("HCD") directed the City to revise its Housing Element to comply with its obligation under State Housing Element Law to accommodate the development of sufficient housing to meet its Regional Housing Needs Allocation ("RHNA") allocation. Specifically, HCD directed the City "to include programs to address and mitigate and/or remove the constraints of the GMO." In light of this HCD directive, and in light of the recent court decision in *Urban Habitat v. City of Pleasanton* which invalidated a similar housing cap, we urge the City to take the opportunity created by the General Plan Amendment to remove

ORG3-1

ORG3-2

ORG3-3

the constraints of the GMO. We note that the State Attorney General filed suit against the City of Pleasanton challenging its General Plan Update and associated EIR on the grounds it assumed continued implementation of a Housing Element that violated State law. Continued implementation of the GMO perpetuates the violation of State law, and the Land Use Element of the updated General Plan must squarely address this.

The City has the authority to amend or remove the GMO in order to comply with State law. In addition to the thoughtful analysis set forth in the *Urban Habitat v. City of Pleasanton* decision that explains why State law preempts any local laws that contradict State law, Measure A states in part that "Nothing in this Initiative Ordinance shall be construed to preclude, prohibit, or limit the City from complying with any requirements under State housing law." See Draft Housing Element, p. 48. Moreover, the City Council has already set a precedent of amending the GMO without voter approval. In 2006, the Council approved a policy amending the GMO to effectively negate the 150 limit on building permits for affordable projects established through Measure A.

As discussed above, the City has a legal obligation in its General Plan to accommodate the development of sufficient housing to meet its RHNA allocation, and HCD has determined that the City's draft Housing Element does not meet that legal obligation because of the GMO. The City also has an obligation to prepare a General Plan that is internally consistent. (Cal. Govt. Code § 65300.5.) Objective LU-1.4 of the proposed Land Use Element includes revisions to Policies P.2, P3, P4, P6 and P7, each of which further refines the manner in which the City must implement the GMO. In particular, Policy P7 will require the creation of a specific plan to guide implementation of the GMO in the City's Secondary Residential Growth Areas. Although Objective LU-1.4 and the revised Policies it references may further the City's obligation to prepare an internally consistent General Plan, in doing so it infects the entire General Plan with the same legal deficiency from which the Housing Element suffers. The better way to meet the internal consistency requirement would be to cure the legal deficiency by removing the constraints of the GMO, and simultaneously amend both the Housing Element and the Land Use Element to reflect this cure. This is the only way the City can ensure its entire General Plan is in compliance with State law.

**ORG3-3
(cont.)**

Comments on the Draft Environmental Impact Report

The DEIR is defective because the Land Use impact analysis fails to evaluate the City's ability to meet its RHNA obligation and inappropriately defers any analysis of the impacts of the GMO to the environmental review process for the Housing Element update. The revisions to the Policies of Land Use Element Objective LU-1.4 will

ORG3-4

directly affect the manner in which the GMO is implemented. Accordingly, the DEIR must analyze the potential impacts of these revised Policies now. The City cannot simply postpone an analysis of these revised Policies until it undertakes an evaluation of the Housing Element. CEQA does not allow an agency to defer analysis of a project's impacts and mitigation measure until a future time. (Cal. Code Regs., tit. 14, § 15126.4(a)(1)(B).)

**ORG3-4
(cont.)**

The DEIR is defective because the Population/Employment and Housing Section includes analyses of employment trends and the jobs/housing imbalance that are based on data from 2003 that is stale and outdated. See DEIR, pages 4.2-5 to 4.2-6. In addition, the analysis of commuting patterns is based on a comparison of 1990 data and 2000 data. See DEIR, pages 4.2-7 to 4.2-8. To provide a meaningful analysis of how the GMO affects the job/housing imbalance, the City must update these analyses to reflect reasonably current information.

ORG3-5

Moreover, the DEIR is defective because the entire analyses in both the Land Use and Population/Employment and Housing Sections are premised on residential development under the GMO as being "steady", even though the reality of the averaging process for distributing Residential Growth Allocations under the GMO can result in bursts of residential development, followed by years during which virtually no permits are available to for residential development other than for exempted affordable units and projects that are subject to a development agreement. Nowhere in the DEIR is this "fits and starts" reality addressed. Thus, one of the most fundamental bases for the analyses in these two sections is patently inaccurate.

ORG3-6

The DEIR is also defective for failing to consider removing the constraints of the GMO as a feasible mitigation measure for reducing vehicle miles traveled or greenhouse gas ("GHG") emissions. An EIR must include mitigation measures to minimize significant impacts identified in the EIR. Pub. Res. Code §§ 21002.1(a), 21100(b)(3). Mitigation measures designed to minimize or reduce a significant environmental impact should be included even if the mitigation measures do not eliminate the significant impacts. Pub. Res. Code § 21100(b)(3); 14 Cal. Code Reg. §§ 15126(a)(1), 15126.4(a)(1), 15370. Impact GHG-1 indicates that implementation of the General Plan and the Sustainability Action Plan will be insufficient to reduce GHG emissions to the San Joaquin Valley Air Pollution Control District's threshold of a 29 percent reduction, as identified in its Climate Action Plan. Impact AIR-3 indicates that policies proposed under both the General Plan and the Sustainability Action Plan are not sufficient to mitigate the increase in vehicle miles traveled which will result from buildout of the General Plan.

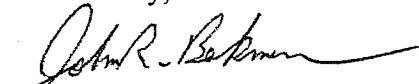
ORG3-7

A substantial increase in jobs is expected as a result of buildout of the General Plan. See DEIR, page 4.2-5. Over 70 percent of residents currently commute to their jobs and the number of residents commuting over 45 minutes has increased significantly. See DEIR, page 4.2-7. Fully 63.5 percent of the community wide emissions inventory results from transportation. See DEIR, page 4.16-8. And yet the DEIR does not include an evaluation of the alternative of amending or removing the GMO as potential mitigation for the increase in vehicle miles traveled which results in the significant impacts identified in both Impact GHG-1 and Impact AIR-3. Consideration of removal of this significant governmental restraint on development would not be considered infeasible or speculative mitigation. The failure to consider this obvious potential mitigation for significant and unavoidable impacts renders the DEIR defective. We note that the State Attorney General's suit against the City of Pleasanton challenged the EIR for the General Plan Update on the grounds it had not adequately analyzed the impact of the housing cap on vehicle miles traveled and GHG emissions.

ORG3-8

We urge the City to avail itself of this excellent opportunity to use adoption of the General Plan Amendment as the opportunity to bring the City into compliance with State law.

Sincerely,


John R. Beckman
Chief Executive Officer

LETTER ORG3

John R. Beckman, Chief Executive Officer. Building Industry Association of the Delta. September 3, 2010.

Response ORG3-1

This comment serves as an introduction to the comments that follow. No response is necessary apart from the responses provided to the comments below.

Response ORG3-2

This comment refers to the Growth Management Ordinance (GMO) and its relationship to the General Plan's Housing Element, and states that the GMO violates State Housing Element law. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG3-3

This comment cites a letter from the Department of Housing and Community Development commenting on the City's Draft Housing Element that directs the City to remove the constraints of the GMO. The comment also directs the City to remove the constraints of the GMO through the General Plan Amendment. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG3-4

This comment states that the land use impact analysis fails to evaluate the City's ability to meet its Regional Housing Needs Allocation (RHNA), which is related to State Housing Element law. The comment also states that

**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
COMMENTS AND RESPONSES**

the Draft Supplemental EIR inappropriately defers analysis of the GMO to the CEQA review for the Housing Element update. The Land Use Element of the General Plan acknowledges that the City has a GMO in place that will continue to implement it. The Housing Element is currently being updated separately from this General Plan Amendment, and the regulations of the GMO and their relationship with the State Housing Element Law are discussed in that document, which is available at the City's website at http://www.ci.tracy.ca.us/modules/dms/file_retrieve.php?function=view&obj_id=1131. The contact for the Housing Element is Alan Bell, Senior Planner, (209) 831-6426.

Appendix G of the CEQA Guidelines establishes the land use thresholds that must be evaluated in the EIR:

- ◆ Projects that would physically divide an established community.
- ◆ Projects that would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- ◆ Projects that would conflict with any applicable habitat conservation plan or natural community conservation plan.
- ◆ Projects that would allow development of land uses that would be incompatible with existing or planned surrounding uses.

These thresholds do not call for an evaluation of whether the General Plan can meet its RHNA obligation. While the second threshold listed above requires an evaluation of consistency with State regulations, such evaluation is only required for regulations that are in place for the purpose of avoiding or mitigating an environmental effect. The RHNA requirements are not intended to avoid or mitigate an environmental effect.

Because CEQA Guidelines do not require an evaluation of the ability to meet RHNA obligations, the Draft Supplemental EIR does not defer CEQA analy-

sis to the Housing Element. All policies in the General Plan, including the policies under Objective LU-1.4, are part of the project description for the Draft Supplemental EIR, and were adequately analyzed in Chapter 4 of the Draft Supplemental EIR based on the thresholds of significance required by the CEQA Guidelines.

Response ORG3-5

The comment states that the population, employment, and housing impact analysis is defective because it relies on outdated data. Chapter 3 of this Final Supplemental EIR provides updated employment and jobs/housing balance data. Some information is only available through the US Census, and cannot be updated until the release of the 2010 Census, which is expected to occur in February 2011.

Although the Draft Supplemental EIR includes some outdated information, the updated information provided in Chapter 3 of this Final Supplemental EIR does not change the findings of the population, employment, and housing impact analyses.

Response ORG3-6

This comment states that the Draft Supplemental EIR fails to recognize the uneven rate of residential development that may occur. The Draft Supplemental EIR evaluates the amount of development that is likely to occur through implementation of the General Plan in 2025, the planning horizon for the General Plan. The steadiness or unevenness of the rate of this growth does not affect the findings of the Draft Supplemental EIR.

It is generally held that modeling of traffic and associated air quality and noise impacts much beyond a 20-year time period is inaccurate and unreliable. Therefore, the Draft Supplemental EIR analyzes growth occurring between 2008 and 2025, a 17-year buildout horizon, with the exception of the traffic, noise, and air quality analyses, which extend to a 2030 horizon, or 22 years. The 2030 development projection is used for those sections because the traffic modeling, which also affects the air quality and noise analyses, is based on the

San Joaquin Council of Governments (SJCOG) regional travel demand model, which was recently updated to 2030.

In addition, while Tracy has the capacity to accommodate development allowed by the General Plan beyond the year 2025, it is probable that Tracy will have adopted an update to the General Plan by or before 2025, in keeping with past decisions in the California courts, which dictate that local jurisdictions should update General Plans regularly. Therefore, development after 2025 is expected to take place under a revised General Plan, rather than under the proposed project.

This horizon-year buildout analysis is consistent with CEQA requirements that an EIR evaluate the “reasonably foreseeable” direct and indirect impacts of a proposed project. The Draft Supplemental EIR considers the “reasonably foreseeable” effects of adopting the General Plan, which would result from development allowed between the adoption of the document and its horizon year of 2025.

Response ORG3-7

This comment states that the Draft Supplemental EIR fails to consider mitigation to greenhouse gas (GHG) emission and air quality impacts through the removal of constraints to residential development from the GMO. Specifically, the comment asserts that removal of the GMO constraints would reduce VMT. While it is possible that removing the constraints of the GMO may reduce commute trips into Tracy, the traffic model for the year 2030, which is based on the land use map, shows that the percentage of residents employed within the city will be over 60 percent. Simply adding the ability for more housing to be constructed may not increase the percentage of residents that are employed in Tracy, in part because the job opportunities in Tracy may not match the skills and wage needs of Tracy residents. Further-

more, building permit history data indicates that since 2005, the number of permits issued has not been limited by the GMO.¹

In addition, one of the City's goals with the General Plan is to reduce VMT by adding jobs to Tracy. As indicated in the updated employment data in Chapter 3 of this Final Supplemental EIR, only 20 percent of Tracy residents currently work in Tracy, while 46 percent commute across the Altamont Pass to jobs in the Bay Area. By increasing job opportunities in Tracy, the General Plan will improve the jobs/housing balance and reduce VMT. Adding more housing in Tracy through the removal of the GMO constraints would be contrary to these goals.

Finally, the GMO includes incentives for downtown and infill development. These incentives help to promote smart growth, reduce VMT, and reduce GHG emissions.

Response ORG3-8

This comment states that the General Plan is expected to result in a substantial increase in the number of jobs in Tracy, and that the Draft Supplemental EIR should evaluate potential VMT reductions from the removal of the GMO. The comment correctly notes that over 70 percent of Tracy residents currently commute out of the city to work. As indicated in Response ORG3-7, the General Plan helps to improve VMT by increasing the number of jobs in Tracy. See Response ORG3-7.

¹ In 2005, 2006, 2007, 2008, and 2009, only 420, 210, 23, 18, and 28 permits were issued, respectively. The GMO allows an average of 600 housing units per year for market rate housing.

LETTER # ORG-4
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CITY OF TRACY
D.E.S.



CENTER for BIOLOGICAL DIVERSITY

September 7, 2010

Via Electronic Mail and Facsimile

Victoria Lombardo, Senior Planner
 City of Tracy
 333 Civic Center Drive
 Tracy, CA 95376
 Fax: 209-831-6439
 victorial@ci.tracy.ca.us

RE: Comments by Center for Biological Diversity on Draft Recirculated Supplemental Environmental Impact Report for the City of Tracy General Plan Amendment and Draft Sustainability Action Plan (SCH # 2008092006)

Dear Ms. Lombardo:

These comments are submitted on behalf of the Center for Biological Diversity ("Center") on the Draft Recirculated Supplemental Environmental Impact Report ("DRSEIR") for the City of Tracy General Plan Amendment ("the Project") and the accompanying Draft Sustainability Action Plan ("SAP"). Over a year ago, on June 8, 2009, the Center submitted extensive comments on the failure of the Draft Supplemental EIR to properly analyze and mitigate the Project's impacts on climate change. Regrettably, these comments were not responded to in the DRSEIR contains many of the same shortcomings as the original document. Moreover, despite a specific request for future notification on the Project, the Center was not notified of circulation of the DRSEIR or the SAP. The City's failure to notify the Center frustrates CEQA's role of ensuring accountability and providing information on environmental impacts to the public. Having only recently learned of the existence of the DRSEIR and SAP, the Center briefly highlights the continued deficiencies in the climate analysis. The Center also reiterates its request to be notified of future Project developments.

ORG4-1

As the future land-use planning document for the County, general plan policies and land use determinations have profound implications for global warming. The California Air Resources Board has accurately called local governments "essential partners" in implementing AB 32.¹ Leadership by local governments in improving land use patterns and reducing greenhouse gases is a key component in solving the climate crisis. Supporting smart growth development is one of the most important ways to achieve substantial reductions in greenhouse gas emissions. Addressing climate change through local planning documents also provides other long term benefits to the local

ORG4-2

¹ CARB, Climate Change Proposed Scoping Plan (Oct. 2008) 26-27.
 Arizona • California • Nevada • New Mexico • Alaska • Oregon • Illinois • Minnesota • Vermont • Washington, DC

planning agency. Smart growth policies that discourage sprawl not only reduce greenhouse gas emissions but also reduce the cost of public services, improve public health, allow for streamlining of future environmental review through the method of tiering to a Program EIR (CEQA Guidelines §§ 15064(h)(3), 15183.5), and facilitate compliance with state greenhouse gas reduction requirements under the Global Warming Solutions Act (AB32) and Executive Order S-03-05.² Largely composed of aspirational measures, the General Plan and SAP do not appear to take their obligation to reduce greenhouse gas emissions seriously. We urge the City to revisit the DRSEIR's greenhouse gas analysis and develop a climate action plan with a legitimate emissions target, specific and enforceable mitigation and a robust monitoring program.

**ORG4-2
(cont.)**

1. Proposed Mitigation for the Project's Greenhouse Gas Impacts is Vague, Unenforceable, and Improperly Deferred

While the DRSEIR properly acknowledges that Project greenhouse gas impacts are significant, it fails to adopt all feasible mitigation and alternatives to minimize this impact as required under CEQA. Pub. Res. Code § 21002. Contrary to CEQA, mitigation for the full range of the Project's greenhouse gas impacts is improperly vague, unenforceable and deferred. As recently set forth by the Court of Appeal in *Communities for a Better Environment v. City of Richmond*, "the novelty of greenhouse gas mitigation measures is one of the most important reasons 'that mitigation measures timely be set forth, that environmental information be complete and relevant, and that environmental decisions be made in an accountable arena.'" 184 Cal.App.4th 70, 96 (citation omitted).

ORG4-3

Rather than propose meaningful, specific and enforceable mitigation for the Project's greenhouse gas impacts, the SAP is composed largely of hortatory measures. For example, with regard to energy use, the only specific, non-aspirational measure is to adopt Title 24 standards. (SAP at 5-2.) Yet, because Title 24 is *already* required under state law, purported adoption by the City would not result in additional GHG reductions and serves only to mislead the public that the City is actually taking action to address energy and climate impacts. In contrast, requiring a land use project to *exceed* Title 24 requirements by a specific percentage would result in additional GHG benefits. Remaining measures only call for the City to "encourage" various action. Accordingly, the SAP provides no sense of what, if anything, would be ultimately achieved. Notably, the Center raised this same concern in comments over a year ago. The City had ample opportunity to develop and adopt meaningful and specific measures but has failed to do so. Indeed, in invalidating an EIR for improperly deferring mitigation of greenhouse gas impacts, the Court in *Communities For a Better Environment v. City of Richmond*, held that the "solution was not to defer the specification and adoption of mitigation measures until a year after Project approval; but, rather, to defer approval of the Project until proposed mitigation measures were fully developed, clearly defined, and made available to the public and interested agencies for review and comment." 184 Cal.App.4th 70, 95.

ORG4-4

² See Anders et al, *Applying California's AB 32 Targets to the Regional Level: A Study of San Diego County Greenhouse Gases and Reduction Strategies*, 37 ENERGY POLICY 2831 (2009) ("Although the largest reductions are achieved through state mandates, all measures, including at the local level, will be required to achieve the AB 32 target.")

2. The EIR Improperly Dismisses Feasible Mitigation

The DRSEIR claims that the document includes “all measures that are considered to be feasible at this time.” (DRSEIR at 5-2.) The DRSEIR also asserts that the City engaged in a “comprehensive review” of other climate-related plans and policies. The DRSEIR’s blanket claim of infeasibility of all measures not listed in the DRSEIR fails to meet CEQA’s informational mandates and provide for a full vetting of potential measures to further reduce Project impacts. Indeed, the DRSEIR fails to respond to many feasible measures set forth by the Center in its June 8, 2009 comments, which are herein incorporated by reference.

ORG4-5

The Attorney General’s Office has compiled a list of resources and model policies to address climate change in general plans. (Attorney General, Sustainability and General Plans: Examples of Policies to Address Climate Change, Jan. 22, 2010, available at http://ag.ca.gov/globalwarming/pdf/GP_policies.pdf) Please respond to the feasibility of these measures and policies. In addition, the following are proposed mitigation measures recommended by the Center in earlier comments for which the City has yet to respond:³

Measures to mitigate emissions from land use:

- Increasing the density and intensity of land use as a means of reducing per capita VMT by increasing pedestrian activities, bicycle usage, and public or private transit usage. Increased density in infill areas can reduce sprawl and leave more land for open space on the outskirts of town.
- Requiring a minimum number of units to be located in downtown area. Stockton General Plan Settlement 2008.
- Providing incentives to promote infill development in downtown area, including but not limited to: reduced impact fees, less restrictive height limits, less restrictive setback requirements, less restrictive parking requirements, subsidies, and a streamlined permitting process. Stockton General Plan Settlement 2008.
- Ensuring that development on the outskirts of the City does not grow in a manner that is out of balance with development of infill. Possible measures to effect this objective are set forth in the AG Settlement with the City of Stockton. Stockton General Plan Settlement 2008.
- Establishing mixed land uses, another key component of smart growth and livable communities. The City can apply mixed-use designations such as:

ORG4-6

ORG4-7

ORG4-8

ORG4-9

ORG4-10

³ Full citations to measures are listed in the Center’s June 2009 comments.

- *General commercial mixed use* that would allow a wide variety of commercial uses, including retail and service businesses, professional offices and restaurants in conjunction with mixed-use residential development;
- *Office/commercial mixed use* that would encourage a mixture of professional, administrative and medical office uses, in conjunction with mixed-use residential;
- *Neighborhood/commercial mixed use* that would permit smaller-scale, pedestrian-oriented retail and office uses to serve adjacent residential areas.
- Locating mixed-use, medium- to higher-density development in appropriate locations along transit corridors.
- Identifying transit nodes appropriate for mixed-use development.
- Rezoning commercial properties to residential or mixed use.
- Expanding the area zoned for multifamily housing.
- Introducing flexible parking requirements based on location, density and range of land use, accessibility to public transit and carsharing services, area walkability, and/or housing tenure (for more information, see <http://transtoolkit.mapc.org/Parking/Strategies/flexiblerequirements.htm>, <http://www.dca.state.ga.us/toolkit/ToolDetail.asp?GetTool=17>).
- Tactically crafting building height limitations.
- Rewarding density through bonus programs.
- Designing density guidelines for private and public spaces.
- Incentivizing redevelopment of underutilized areas, such as surface parking lots.
- Enabling prototype structures in neighborhood center zones that can be adapted to new uses over time.
- Allowing mixed use in commercial districts.

Measures to reduce energy consumption:

**ORG4-10
(cont.)**

ORG4-11

ORG4-12

ORG4-13

ORG4-14

ORG4-15

ORG4-16

ORG4-17

ORG4-18

ORG4-19

ORG4-20

ORG4-21

ORG4-22

- Requiring that all new public buildings meet a minimum LEED Silver standard. *See* Alameda County Administrative Code Chapter 4.38, requiring all new County projects meet a minimum LEED Silver rating.
- Requiring that new residential and commercial development, as well as major remodels of homes and businesses, meet green building standards and/or are LEED Certified.
- Requiring that all new buildings exceed Title 24 energy standards by 25 percent. *See* Town of Windsor Building and Housing Code Article 13, establishing green building standards and ratings for commercial and residential buildings.
- Requiring building projects to recycle or reuse a minimum of 50 percent of unused or leftover building materials. *See* Alameda County Administrative Code § 4.38.030.
- Offering incentives to encourage green building standards and discourage business as usual construction.
- Providing information, marketing, training, and education to support green building.
- Requiring energy efficiency and water conservation upgrades to existing residential and non-residential buildings at the time of sale, remodel, or additions. Berkeley's Residential Energy Conservation Ordinance (RECO) is an example of such a measure. Berkeley's RECO, Berkeley Municipal Code Chapter 19.16. Under this ordinance, Berkeley establishes ten energy or water conservation measures that residential structures must incorporate. These include measures such as installing ceiling insulation, certain water efficiency technologies for shower fixtures and sink faucets, and weatherstripping on all exterior doors. Berkeley Municipal Code § 19.16.050(B). The ordinance requires the seller to certify that some of these measures have been met prior to the sale or exchange of any residential structure or unit. Berkeley Municipal Code § 19.16.050(A). Similarly, Berkeley's Commercial Buildings - Energy Conservation Measures requires commercial building owners to conduct an energy audit of their building prior to the sale or major renovation of the building and ensures that they have installed energy conservation measures such as efficient heating, cooling, water, and lighting systems, among others. Berkeley Municipal Code Chapter 19.72.
- Requiring new residential construction to meet specific energy efficiency standards that go beyond those mandated by California law. For example, the City of Rohnert Park recently enacted an ordinance establishing minimum energy efficiency standards for all new low-rise residential

**ORG4-22
(cont.)**

ORG4-23

ORG4-24

ORG4-25

ORG4-26

ORG4-27

ORG4-28

ORG4-29

construction of any size, low-rise residential additions over a specific size threshold and all residential and non-residential swimming pools and water features. City of Rohnert Park Municipal Code Chapter 14 at § 14.01.010. The ordinance requires residential buildings to use Energy Star appliances and directs that new and expanded residential structures meet specific energy use standards. City of Rohnert Park Municipal Code Chapter 14 at §§ 14.02.050(A); 14.02.060.

ORG4-29
(cont.)

- Requiring that all new buildings be constructed to allow for future installation of solar energy systems. In its Community Greenhouse Gas Reduction Plan, the City of Arcata recommended that it adopt such requirements. City of Arcata, Community Greenhouse Gas Reduction Plan (Aug. 2006). Additionally, Chula Vista's Energy Conservation Regulations mandate that all new residential units include plumbing specifically designed to allow later installation of systems that will rely on solar energy as the primary method of heating domestic potable water Chula Vista Municipal Code § 20.04.030.

ORG4-30

- Adopting and implementing a Heat Island Mitigation Plan that requires new residential buildings to have "cool roofs" with high or highest-commercially-available solar reflectance and thermal emittance characteristics. Research shows that "cool roofs" can reduce air-conditioning energy use between 10 and 50 percent. Akbari 2000. Concomitantly, the City can adopt a program of building permit enforcement for re-roofing to ensure compliance with existing state building code "cool roof" requirements for non-residential buildings.

ORG4-31

- Integrating renewable energy requirements into development and building standards, such as requiring onsite solar generation of electricity in new retail or commercial buildings and parking lots and garages (solar carports).

ORG4-32

- Adopting a resolution or ordinance that will require sources of renewable energy, such as installing solar photovoltaic systems to generate electricity for public buildings and operations,⁴ using methane to generate electricity at wastewater treatment plants, and installing combined heat and power systems.

ORG4-33

- Requiring new residential developments to participate in the California Energy Commission's New Solar Homes Partnership and include onsite solar photovoltaic systems in at least 50% of residential units. See <http://www.gosolarcalifornia.ca.gov/nshp/index.html>; see also California

ORG4-34

⁴ Under the California Solar Initiative, the California Public Utilities Commission offers different incentives to government agencies, as well as private businesses and residents, for installing certain types of solar power systems. See California Public Utilities Commission, California Solar Initiative Program Handbook (Jan. 2008), available at <http://www.cpuc.ca.gov/puc/energy/solar/> (last visited June 1, 2009).

Public Utilities Commission, New Solar Homes Partnership Guidebook, Second Edition (July 2007).

ORG4-34
(cont.)

- Using Geographical Information Systems (GIS) to map and assess local renewable resources, the electric and gas transmission and distribution system, community growth areas anticipated to require new energy services, and other data useful to the deployment of renewable technologies.
- Identifying possible sites for production of local renewable energy sources such as solar, wind, small hydro, biogas, and tidal; evaluating potential land use, environmental, economic, and other constraints affecting their development; and adopting measures to protect those resources, such as utility easements, rights-of-way, and land set-asides.
- Providing information, marketing, training and education to support renewable resource use.

ORG4-35

ORG4-36

ORG4-37

Measures to reduce emissions from waste:

- Implementing an environmentally preferred purchasing program which could include giving bid preferences to contractors and suppliers that meet established sustainability criteria. This is a policy several cities and counties are either considering or currently implementing. City of Sacramento 2007 at 12; City of Sacramento 2008 at 4.
- Establishing a program and system for reuse or recycling of construction and demolition materials for government and non-governmental construction projects.
- Requiring recycling in all government buildings and public schools.
- Implementing an organics and yard debris collection and composting program.
- Employing best management practices at landfill facilities and implementing a policy to incorporate effective new practices as they become available.
- Pursuing aggressive recycling, resource recovery and composting strategies to divert waste from landfills.
- Adopting policies, economic incentives, and rate structures for garbage so that recycling, reusing, and composting become cheaper than incinerating waste or sending it to a landfill.

ORG4-38

ORG4-39

ORG4-40

ORG4-41

ORG4-42

ORG4-43

ORG4-44

Measures to reduce emissions from water consumption:

- Requiring new construction or users to offset demand so that there is no net increase in demand.
- Using reclaimed water for landscape irrigation in new developments and on public property and installing the infrastructure to deliver and use reclaimed water.
- Requiring buildings to be water-efficient and mandating water-efficient fixtures and appliances in all new development and government buildings.
- Requiring site-appropriate, drought-tolerant low water use, native landscaping and ultra-efficient irrigation systems where appropriate for all development applications and re-landscaping projects and limiting the amount of water intensive landscaping to reduce the amount of water needed for irrigation.

ORG4-45

ORG4-46

ORG4-47

ORG4-48

ORG4-49

GHG Mitigation Fee for New Development:

A fair share mitigation fee can be imposed on new development to fund measures in the Climate Action Plan. This fee can allow projects to achieve carbon neutrality to address emissions that cannot be feasibly reduced on site. The Bay Area Air Quality Management District (BAAQMD) has developed guidance for local governments to develop an offsite mitigation program. (See BAAQMD, Guidance for Lead Agencies to Develop an Offsite Mitigation Program, available at <http://www.baaqmd.gov/Home/Divisions/Planning%20and%20Research/CEQA%20GUIDELINES/Tools%20and%20Methodology.aspx>)

3. The Proposed Climate Action Plan Sets an Improper GHG Target

The DRSEIR's proposed 29 percent below business as usual emissions reduction target is flawed on numerous grounds. First, Guidance proposed by SJVAPCD on CEQA GHG thresholds was limited to industrial, residential and commercial projects, not general plans. It also must be noted that the Attorney General opined that the 29% below business as usual threshold proposed by SJVAPCD "will not withstand legal scrutiny."⁵ Notably, emission reduction targets for climate action plans identified by BAAQMD for 2020 are 6.6 tons of emissions per capita.⁶ Because the guidance is based on statewide objectives, it is applicable to the Tracy General Plan. Here, even assuming full ad

ORG4-50

⁵ Letter from Attorney General to SJVAPCD re: Final Draft Staff Report on Greenhouse Gas Emissions Under CEQA, Nov. 4, 2009.

⁶ BAAQMD, CEQA Guidelines Update, Proposed Thresholds of Significance, May 3, 2010.

effective implementation, the General Plan and SAP fall short of this objective. (DRSEIR at 4.16-16 (noting that implementation of Project and SAP would result in 2020 per capita emission of between 8.2 and 8.9 metric tons).) To set a defensible target for GHG reductions, the DRSEIR should set a 2020 per capita target with per capita emissions decreasing beyond 2020 to meet 2050 objectives.

**ORG4-50
(cont.)**

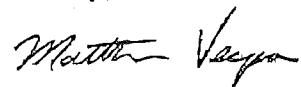
Using a per capita metric in lieu of purported reductions from "business as usual" is a more stable and informative means for evaluating Project impacts. Indeed, courts have repeatedly held that existing, actual existing environmental conditions control, not hypothetical ones that would otherwise serve to minimize the impacts of the proposed project and allow the agency to avoid analysis and mitigation. *See, e.g., Woodward Park Homeowners Ass'n, Inc. v. City of Fresno*, 150 Cal. App. 4th 683, 691 (2007) ("hypothetical office park was a legally incorrect baseline [against which to measure significance] which resulted in a misleading report of the project's impacts."); *Env't Planning & Information Council v. County of El Dorado*, 131 Cal. App.3d 350 (1982) (EIR for area plan invalid because impacts were compared to existing general plan rather than to existing environment). Here, by measuring the significance of project impacts by comparing the project to a hypothetical "what if" business as usual scenario, the analysis of project impacts is improper and misleading. Indeed, the California Supreme Court has recently affirmed that "[a]n approach using hypothetical allowable conditions as the baseline results in 'illusory' comparisons that 'can only mislead the public as to the reality of the impacts and subverts full consideration of the actual environmental impact,' a result at direct odds with CEQA's intent." *Communities for a Better Env't v. South Coast Air Quality Management Dist.*, 48 Cal. 4th 310, 322 (2010). Accordingly, because the EIR does not evaluate the significance of project greenhouse gas impacts based on a comparison with existing environmental conditions, the EIR violates CEQA. *Id.* ("[t]he comparison must be between existing physical conditions without the [project] and the conditions expected to be produced by the project. Without such a comparison, the EIR will not inform decision makers and the public of the project's significant environmental impacts, as CEQA mandates.").

ORG4-51

Thank you for considering these comments. If you have any questions, please contact Matt Vespa, mvespa@biologicaldiversity.org, (415) 436-9682 x309.

Please ensure that we are notified of any future action on this Project.

Sincerely,



Matthew Vespa
Senior Attorney

LETTER ORG4

Matthew Vespa, Senior Attorney. Center for Biological Diversity. September 7, 2010.

Response ORG4-1

This comment notes that the Center for Biological Diversity submitted a comment letter on the Draft Supplemental EIR before it was recirculated, and asserts that the comments in that letter were not responded to in the Recirculated Draft Supplemental EIR. In fact, due in part to the comments included in the previous Center for Biological Diversity comment letter, the City has since prepared a Sustainability Action that directly addresses the climate change comments, and the Recirculated Draft Supplemental EIR includes an expanded GHG emissions analysis.

The commentor's request to be notified of future project developments is noted. The availability of the Draft EIR was publicized in the Tri-Valley Herald and on the City's website, and the Draft EIR was distributed to the Office of Planning and Research on July 22, 2010. In addition, a Notice of Availability was sent to all persons on the "Interested Parties" list. The commentor has been added to the Interested Parties list for future notifications.

Response ORG4-2

The comment expresses support for local government planning efforts to reduce GHG emissions. The commentor urges the City to revisit the Draft Supplemental EIR's GHG analysis and develop a climate action plan with a "legitimate" emissions target, specific and enforceable mitigation, and a robust monitoring program. The GHG emissions analysis of the Draft Supplemental EIR was conducted in a manner consistent with CEQA requirements. The Sustainability Action Plan analyzed by the EIR serves as the City's comprehensive climate action strategy and contains the elements suggested by the commentor. Since the release of the Draft Supplemental EIR, a monitoring plan for the Sustainability Action Plan has been developed, and will be published with the publication of this Final Supplemental EIR; the monitoring plan will be available for review on the City's website. Please also see Re-

sponses ORG4-4, ORG4-50, and ORG4-51 for a discussion about the enforceability of mitigation and the legitimacy of the GHG emissions target.

Response ORG4-3

The comment states that the City has failed to adopt all feasible mitigation and alternatives to minimize GHG emissions, and that mitigation is improperly vague, unenforceable, and deferred. The General Plan and Sustainability Action Plan include all measures that the City considers to be appropriate and feasible to implement in Tracy during the planning processes for the General Plan and Sustainability Action Plan. In addition, in response to this comment, since publication of the Draft Sustainability Action Plan and Draft General Plan, the City has re-examined all of the policies in the two documents that could contribute to GHG emission reductions in an effort to determine whether any policies or measures could be added or strengthened to further reduce the city's GHG emissions. Revisions made as a result of this review and revision process will be shown in the revised documents published with this Final Supplemental EIR. Revisions made in response to specific recommendations from this commentor are described in the responses to the comments below. See also Response ORG4-4 for a discussion about the enforceability of the mitigation measures.

Response ORG4-4

The comment states that mitigation for GHG impacts and measures in the Sustainability Action Plan are not meaningful or enforceable. As an example, the comment refers to Measure E-1(a), "Adopt the 2010 California Green Building Standards Code (Title 24, Part 6, CCR)." The comment states that this measure is not meaningful because it does not require additional energy efficiency measures beyond Title 24 and merely "encourages" such measures. The commentor is correct that Title 24 standards are required under State law. Measure E-1 of the Sustainability Action Plan represents a comprehensive, incentives-based approach to reducing energy usage in new buildings. The City considers an incentives-based approach for this measure to be more feasible and appropriate than a mandatory approach. The Sustainability Action Plan does include several other measures aimed at reducing energy usage

that are mandatory rather than incentives-based, such as Measures E-2, E-7, E-8, and E-9.

In addition, as indicated in Response ORG4-3, in response to this comment, the City has re-examined all of the policies in the Draft Sustainability Action Plan and Draft General Plan that could contribute to GHG emission reductions in an effort to determine whether any policies or measures could be strengthened to further reduce the city's GHG emissions. Revisions made as a result of this review and revision process will be shown in the revised documents published with this Final Supplemental EIR.

Response ORG4-5

The comment states that the Draft Supplemental EIR does not sufficiently explain why measures not included in the Draft Supplemental EIR are considered infeasible. The Sustainability Action Plan and General Plan were developed through a comprehensive planning process spanning several years. During that time, the City considered and evaluated many measures that were not included in the proposed General Plan or Sustainability Action Plan. Because the documents represent what the City believes to be a complete list of feasible measures, the Draft Supplemental EIR does not propose mitigation to reduce or avoid the significant and unavoidable GHG emissions impact. However, as described in Response ORG4-3, the City strengthened its policies and measures aimed at reducing GHG emissions in Tracy. The results of this process are shown in the revised General Plan and Sustainability Action Plan that will be published with this Final Supplemental EIR. Revisions made in response to specific recommendations made by the commentor are described in the responses to the comments below.

In this comment, the commentor does not suggest a specific set of policies considered to be appropriate in Tracy, but rather cites a document that contains references to other available documents. Therefore, it is not reasonable to describe the feasibility of any specific recommended measures. However, one of the documents cited in the Attorney General document is the California Air Pollution Control Officer's Association's (CAPCOA) *Model Policies for Greenhouse Gases in General Plans*. During the development of the Draft

Sustainability Action Plan and Draft General Plan, the City reviewed that document and considered the model policies. In addition, since the Draft Supplemental EIR was published, CAPCOA has released a new document entitled *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures* (August 2010). The City has since reviewed this document, and revised existing and added new policies to reflect the policies contained in the CAPCOA document. These revisions and additions are shown in the updated Sustainability Action Plan and Draft General Plan that will be published with this Final Supplemental EIR, and include the following:

- ◆ Revision to existing Objective OSC-1.1, Policy P3.
- ◆ Revision to existing Objective OSC-5.3, Policy P3.
- ◆ Revision to existing Objective OSC-5.3, Policy P7.
- ◆ Revision to existing Objective PF-6.5, Policy P4.
- ◆ Two new air quality policies under Objective AQ-1.2.
- ◆ Revision to existing Sustainability Action Plan Measure E-1(n).
- ◆ Four new sub-measures to Sustainability Action Plan Measure E-4.
- ◆ New sub-measure to Sustainability Action Plan Measure T-3.
- ◆ New sub-measure to Sustainability Action Plan Measure T-8.
- ◆ Revision to existing Sustainability Action Plan Measure T-17(a).
- ◆ Revision to existing Sustainability Action Plan Measure T-17(b).
- ◆ Two new sub-measures to Sustainability Action Plan Measure T-17.

Response ORG4-6

The comment suggests that the City increase the density and intensity of land use as a means of reducing per capita VMT by increasing pedestrian activities, bicycle usage, and public or private transit usage.

The General Plan already addresses this topic through the following policies:

- ◆ Objective LU-1.4, Policy P2: On a regular basis, the City shall prioritize the allocation of Residential Growth Allotments (RGAs) and Building Permits for new residential development to meet the goals of the General Plan including, but not limited to, growth concentrated around existing urban development and services, infill development, affordable housing,

senior housing, and development with a mix of residential densities and housing types, as a high priority.

- ◆ Objective LU-1.4, Policy P4: The City shall continue to make available RGAs and building permits for downtown and infill development as a high priority.
- ◆ Objective LU-1.5, Policy P1: Development with a vertical mix of uses, such as residential or office above retail is encouraged within $\frac{1}{4}$ mile of existing and proposed transit stations.
- ◆ Objective LU-1.5, Policy P2: The Bowtie shall include high density residential development in close proximity to the multi-modal station.
- ◆ Objective CC-8.1, Policy P3: The City shall encourage high density residential uses in the Downtown.
- ◆ Objective CC-9.3, Policy P1: Village Centers should be designed around a main street that is designed to encourage and facilitate pedestrian activity.
- ◆ Objective AQ-1.1, Policy P1: The City shall promote land use patterns that reduce the number and length of motor vehicle trips.
- ◆ Objective AQ-1.1, Policy P3: Higher density residential and mixed-use development shall be encouraged adjacent to commercial centers and transit corridors.

In addition, the Sustainability Action Plan includes the following measure:

- ◆ Measure 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 transitions 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 pe-

destrian connectivity both internally and externally to the project through the allocation of Residential Growth Allotments.

- d. Develop each phase of development in Tracy Hills at the density and mix of uses that is anticipated at buildout.
- e. Develop each phase of new development in Tracy as close to existing development as possible and maximize the density and mix of uses for each phase of development.

In addition, in response to this comment, the City has added a new policy (Objective LU-1.4, Policy P7) to the General Plan, and has revised Objective CC-7.1, Policy P2 of the General Plan, as shown below:

- ♦ Objective LU-1.4, Policy P7: The City shall encourage infill development by examining the City's impact fee structure, with the intent of reducing development fees on infill projects where feasible.
- ♦ Objective CC-7.1, Policy P2: High-density The City shall encourage high-density residential development, mixed use, and office and hotel uses shall be encouraged to locate in the I-205 Regional Commercial Area by offering development incentives to these types of projects. Incentives may include, but not be limited to, less restrictive height limit, setback and parking requirements. These areas shall have direct pedestrian and bicycle access to nearby commercial and retail uses.

Response ORG4-7

The comment suggests that the City require a minimum number of units to be located in the Downtown.

The City does not believe that it would be appropriate to require a specific number of units to be located in the Downtown area. However, the City promotes centralized growth through several policies in the General Plan:

- ♦ Objective LU-1.4, Policy P4: The City shall continue to make available RGAs [Residential Growth Allotments] and building permits for downtown and infill development as a high priority.

- ♦ Objective LU-1.5, Policy P2: The Bowtie shall include high density residential development in close proximity to the multi-modal station.
- ♦ Objective CC-8.1, Policy P3: The City shall encourage high density residential uses in the Downtown.

In addition, the City has amended its Downtown land use designation to increase the maximum allowable density in the downtown.

Response ORG4-8

The comment recommends that the City provide incentives to promote infill development in the Downtown, including reduced impact fees, less restrictive height limits, less restrictive setback requirements, less restrictive parking requirements, subsidies, and a streamlined permitting process.

The City's GMO prioritizes growth in the Downtown. Under the GMO, builders must obtain a Residential Growth Allotment (RGA) in order to secure a residential building permit. The GMO limits the number of RGAs and building permits per year for market rate housing. The GMO includes the criteria used to determine which development projects have priority to receive RGAs in the event that the number of RGAs requested exceeds the number available in a given cycle. These criteria prioritize high-density housing, development in the Redevelopment Area, infill development, and high connectivity.

In addition, in response to this comment, the City has added a new policy to the General Plan, as shown below:

- ♦ Objective LU-1.4, Policy P7: The City shall encourage infill development by examining the City's impact fee structure, with the intent of reducing development fees on infill projects where feasible.

Response ORG4-9

The comment recommends that the City ensure that development on the outskirts of the City does not grow in a manner that is out of balance with development of infill.

The City promotes balanced, centralized growth through several policies in the General Plan:

- ◆ Objective LU-1.4, Policy P2: On a regular basis, the City shall prioritize the allocation of Residential Growth Allotments (RGAs) and Building Permits for new residential development to meet the goals of the General Plan including, but not limited to, growth concentrated around existing urban development and services, infill development, affordable housing, senior housing, and development with a mix of residential densities and housing types, as a high priority.
- ◆ Objective LU-1.4, Policy P4: The City shall continue to make available RGAs and building permits for downtown and infill development as a high priority.
- ◆ Objective LU-1.5, Policy P2: The Bowtie shall include high density residential development in close proximity to the multi-modal station.
- ◆ Objective CC-8.1, Policy P3: The City shall encourage high density residential uses in the Downtown.
- ◆ Objective AQ-1.1, Policy P1: The City shall promote land use patterns that reduce the number and length of motor vehicle trips.

The Sustainability Action Plan includes the following related measure:

- ◆ Measure 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 transitions 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 development in Tracy Hills at the density and mix of uses that is anticipated at buildout.
- e. Develop each phase of new development in Tracy as close to existing development as possible and maximize the density and mix of uses for each phase of development.

As described above, the City's GMO prioritizes high-density housing, development in the Redevelopment Area, infill development, and high connectivity. In addition, in response to this comment, the City has added a new policy to the General Plan to promote infill development, as shown below:

- ♦ Objective LU-1.4, Policy P7: The City shall encourage infill development by examining the City's impact fee structure, with the intent of reducing development fees on infill projects where feasible.

Response ORG4-10

The comment recommends that the City establish mixed-use land use designations.

Although the General Plan does not include a "Mixed-Use Land Use Designation," the General Plan does promote mixed land uses through the following land use designation categories:

- ♦ **Commercial.** The Commercial land use designation allows office, retail and consumer services uses, as well as appropriately scaled and designed residential development in the density ranges permitted in the Residential High land use designation.
- ♦ **Office.** The Office land use designation allows commercial uses such as restaurants, retail stores, dry-cleaners, daycare centers, public assembly and banks within individual buildings or projects as supports for the allowed uses.
- ♦ **Downtown.** The Downtown land use designation is characterized by a vertical mixed-use development and a diverse mix of public and private uses.

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- ◆ **Village Center.** Village Centers are intended to be relatively small retail or mixed-use areas.

The following General Plan policies support mixed-use development:

- ◆ Objective LU-1.5, Policy P3: A new, mixed-use, high-density Village Center should be developed in Urban Reserves 10 and 11 along the Union Pacific Railroad.
- ◆ Objective CC-9.3, Policy P2: Mixed-use development, with residential and office above retail, is encouraged in Village Centers.
- ◆ Objective AQ-1.1, Policy P3: Higher density residential and mixed-use development shall be encouraged adjacent to commercial centers and transit corridors.

In addition, the Sustainability Action Plan includes the following measures related to mixed-use development:

- ◆ Measure 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. 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.
- ◆ Measure T-20(b): Employment-Generating and High-Density Infill Projects

Promote smart growth in Tracy through the following:

- b. Require mixed use nodes surrounded by high density development that transitions to lower density development.

In addition, in response to this comment, the City has revised the Commercial land use designation to specifically allow mixed use.

Response ORG4-11

The comment recommends that the City locate mixed-use, medium- to higher-density development in appropriate locations along transit corridors.

The Tracy General Plan addresses this issue through the following policies:

- ◆ Objective AQ-1.1, Policy P3: Higher density residential and mixed-use development shall be encouraged adjacent to commercial centers and transit corridors.
- ◆ Objective LU-1.5, Policy P1: Development with a vertical mix of uses, such as residential or office above retail is encouraged within $\frac{1}{4}$ mile of existing and proposed transit stations.
- ◆ Objective LU-1.5, Policy P2: The Bowtie shall include high density residential development in close proximity to the multi-modal station.
- ◆ Objective LU-1.5, Policy P3: A new, mixed-use, high-density Village Center should be developed in Urban Reserves 10 and 11 along the Union Pacific Railroad.

The City has determined that the existing policies listed above are sufficient to promote mixed-use and high-density development along corridors in Tracy.

Response ORG4-12

The comment recommends that the City identify transit nodes appropriate for mixed-use development. As indicated in Response ORG4-11, the General Plan already promotes mixed-use and high-density development along transit corridors and near transit stations. The City has determined that the existing policies listed in Response ORG4-11 sufficiently promote mixed-use development at transit nodes.

Response ORG4-13

The comment recommends that the City rezone commercial properties to residential or mixed use.

The General Plan already addresses this issue in the following ways:

- ◆ The Commercial land use designation allows residential development in the density ranges permitted in the Residential High land use designation.
- ◆ Objective AQ-1.1, Policy P3: Higher density residential and mixed-use development shall be encouraged adjacent to commercial centers and transit corridors.

In addition, in response to this comment, the City has revised Objective CC-7.1, Policy P2 of the General Plan to include mixed-use development, as shown below:

- ◆ Objective CC-7.1, Policy P2: ~~High density~~ The City shall encourage high-density residential development, mixed use, and office and hotel uses shall be encouraged to locate in the I-205 Regional Commercial Area by offering development incentives to these types of projects. Incentives may include, but not be limited to, less restrictive height limit, setback and parking requirements. These areas shall have direct pedestrian and bicycle access to nearby commercial and retail uses.

Response ORG4-14

The comment recommends that the City expand the area zoned for multi-family housing. As stated in Response ORG4-13, the General Plan already addresses this issue in through its Commercial land use designation, which allows residential development in the density ranges permitted in the Residential High land use designation.

Response ORG4-15

The comment recommends that the City introduce flexible parking requirements based on location, density and range of land use, accessibility to public transit and carsharing services, area walkability, and/or housing tenure.

The City has already considered ways to create more flexible parking requirements. Sustainability Action Plan Measure T-2 represents the City's approach to this issue:

♦ Measure 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

Response ORG4-16

The comment recommends that the City tactically craft building height limitations. This issue is already addressed through the City's Zoning Code, which contains district-specific height requirements.

Response ORG4-17

The comment recommends that the City reward density through bonus programs. This issue is already addressed through Article 36.5 of the City's Zoning Regulations.

Response ORG4-18

The comment recommends that the City design density guidelines for private and public spaces. This is already addressed through the City's Zoning Code, which contains district-specific density requirements.

Response ORG4-19

The comment recommends that the City offer incentives for the redevelopment of underutilized areas, such as surface parking lots.

This is already addressed through the following General Plan policy:

♦ Objective ED-6.2, Policy P4: The City shall encourage infill development on vacant and underutilized commercial and industrial areas, such as surface parking lots, by offering development incentives to these types of projects. Incentives may include, but not be limited to, less restrictive height limit, setback and parking requirements.

Response ORG4-20

The comment suggests that the City enable prototype structures in neighborhood center zones that can be adapted to new uses over time.

The General Plan already supports adaptive reuse through the following policy:

- ◆ Objective PF-5.1, Policy P6: City buildings shall be rehabilitated and reused when feasible.

Response ORG4-21

The comment recommends that the City allow mixed-use development in commercial districts.

As stated above, the General Plan's Commercial land use designation permits office and residential uses, and the Office land use designation permits commercial uses. In addition, the Commercial land use designation has been revised to specifically allow mixed use.

Response ORG4-22

The comment recommends that the City require all new buildings to meet a minimum LEED Silver standard.

The General Plan already supports "green" building and LEED standards through the following actions:

- ◆ Objective OSC-5.2, Action A1: Study programs that encourage "green" building, such as the LEED (Leadership in Energy & Environmental Design) program developed by the US Green Building Council, and consider code amendments that encourage "green" construction.
- ◆ Objective AQ-1.2, Action A4: Develop a green building standard for new development.

The Sustainability Action Plan includes several measures related to green building, and also calls for the City to establish a new Green Building Ordinance:

♦ Measure E-1: Green Building Ordinance

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

In addition, in response to this comment the City has added a new action (Objective OSC-5.3, Action A4) to the General Plan and has revised policies of the General Plan, as shown below:

- ♦ Objective OSC-5.3, Action A4: The City shall consider requiring green building standards, such as obtaining LEED or similar certification, as a requirement for new or substantial renovations to public buildings.
- ♦ General Plan Objective OSC-5.3, Policy P3: The City shall ~~promote the development of~~ consider including alternative energy systems, ~~including but not limited to~~ such as solar thermal, photovoltaic and other clean energy systems, ~~directly into building~~ in the design and construction of City facilities.
- ♦ General Plan Objective OSC-5.3, Policy P8: The City shall ~~pursue the implementation of~~ energy efficiency measures of improvements for existing and future City facilities as opportunities arise.

Response ORG4-23

The comment recommends that the City require new residential and commercial development, as well as major remodels of homes and businesses, to meet green building standards and/or become LEED Certified. See Response ORG4-22.

Response ORG4-24

The comment recommends that the City require all new buildings to exceed Title 24 energy standards by 25 percent. As described in response to previous comments, the City is proposing to adopt several policies and measures that promote energy efficiency standards. The City does not consider a requirement to exceed Title 24 standards to be appropriate for Tracy.

Response ORG4-25

The comment recommends that the City require building projects to recycle or reuse a minimum of 50 percent of unused or leftover building materials.

The Sustainability Action Plan already addresses this topic through the following measure:

- ◆ Measure SW-1: Diversion of Construction Waste from Landfills
Amend the Municipal Code to require at least 50 percent diversion (i.e. reuse or recycling) of non-hazardous construction waste from disposal.

Response ORG4-26

The comment recommends that the City offer incentives to encourage green building standards and discourage business as usual construction.

The City's GMO prioritizes projects that use energy efficient design and, as described above, the General Plan already supports "green" building and standards through the following actions:

- ◆ Objective OSC-5.2, Action A1: Study programs that encourage "green" building, such as the LEED (Leadership in Energy & Environmental Design) program developed by the US Green Building Council, and consider code amendments that encourage "green" construction.
- ◆ Objective AQ-1.2, Action A4: Develop a green building standard for new development.

The Sustainability Action Plan includes several measures related to green building, and also calls for the City to establish a new Green Building Ordinance:

- ◆ Measure E-1: Green Building Ordinance
Develop an incentives-based Green Building Ordinance that promotes energy efficient design for new buildings [...]

The City has added a new action (Objective OSC-5.3, Action A4) to the General Plan and has revised policies of the General Plan to promote green building, as shown below:

- ◆ General Plan Objective LU-1.4, Action A1: Develop criteria or amended criteria for inclusion in the GMO Guidelines or other implementation tools, to guide the issuance of RGAs. Such criteria may include assigning new or modified priorities to development projects or areas based on location, mix of housing types, use of “green” building features and practices, and other factors.
- ◆ Objective OSC-5.3, Action A4: The City shall consider requiring green building standards, such as obtaining LEED or similar certification, as a requirement for new or substantial renovations to public buildings.
- ◆ General Plan Objective OSC-5.3, Policy P3: The City shall ~~promote the development of~~ consider including alternative energy systems, ~~including but not limited to~~ such as solar thermal, photovoltaic and other clean energy systems, ~~directly into building~~ in the design and construction of City facilities.
- ◆ General Plan Objective OSC-5.3, Policy P8: The City shall ~~pursue the implementation of~~ energy efficiency measures of improvements for existing and future City facilities as opportunities arise.

In addition, the City has revised Measure E-1(n) of the Sustainability Action Plan as follows:

- ◆ Measure E-1(n): Green Building Ordinance
 - Develop an incentives-based Green Building Ordinance that promotes energy efficient design for new buildings. As part of this Ordinance:
 - n. Encourage the use of locally-sourced, sustainable, salvaged and recycled-content materials and other materials that have low production energy costs for building materials, hard surfaces, and non-plant landscaping.

Response ORG4-27

The comment recommends that the City provide information, marketing, training, and education to support green building.

The Sustainability Action Plan already addresses this topic through the following measures:

- ◆ Measure OE-2: Green Building Training for City Staff
Train all plan review and building inspection staff to evaluate plans and improvements for compliance with green building requirements and practices.
- ◆ Measure OE-5: Coordination with Other Agencies for Green Building Policies and Programs
Work with interested agencies such as Build It Green to develop green building policies and programs in Tracy.

In addition, in response to this comment the City has revised the following Sustainability Action Plan measure, a shown below:

- ◆ Measure E-3(b): Green Building and Energy Efficiency Design and Education
 - 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.

Response ORG4-28

The comment recommends that the City require energy efficiency and water conservation upgrades to existing residential and non-residential buildings at the time of sale, remodel, or additions.

The Sustainability Action Plan already addresses this topic through the following measures:

- ◆ Measure E-2(d): Energy Efficiency in Site Planning and Design
Amend the Zoning Ordinance, City Standards, or Subdivision Guidelines to do the following:
 - 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.
- ◆ Measure E-4(e): Energy-Efficient Products and Retrofits
Partner with PG&E to do the following, using outside funds:
 - e. 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.
- ◆ Measure W-3: Incentives for Water Efficiency Retrofits
In partnership with the State adopt water efficiency retrofit ordinances that provide incentives for upgrades, including replacement of shower heads, faucets, and toilets with more water efficient models, when conducting renovations or additions.

Response ORG4-29

The comment recommends that the City require new residential construction to meet specific energy efficiency standards that go beyond those mandated by California law. As described in response to previous comments, the City is proposing to adopt several policies and measures that promote energy effi-

ciency standards. The City does not consider a requirement to exceed State mandated requirements to be appropriate for Tracy.

Response ORG4-30

The comment recommends that the City require all new buildings be constructed to allow for future installation of solar energy systems.

The Sustainability Action Plan already addresses this topic through the following measures:

♦ Measure E-1(e): Green Building Ordinance

Develop an incentives-based Green Building Ordinance that promotes energy efficient design for new buildings. As part of this Ordinance:

e. Encourage all new buildings to be constructed to allow for the easy, cost-effective installation of future solar energy systems. "Solar ready" features should include: proper solar orientation (i.e. south facing roof area sloped at 20° to 55° from the horizontal); clear access on the south sloped roof (i.e. no chimneys, heating vents, plumbing vents, etc.); electrical conduit installed for solar electric system wiring; plumbing installed for solar hot water system; and space provided for a solar hot water storage tank.

♦ Measure E-2(f): Energy Efficiency in Site Planning and Design

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

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.

Response ORG4-31

The comment recommends that the City adopt and implement a Heat Island Mitigation Plan that requires new residential buildings to have "cool roofs"

with high or highest-commercially-available solar reflectance and thermal emittance characteristics.

The Sustainability Action Plan already addresses this topic through the following measure:

- ◆ Measure E-1(e): Green Building Ordinance
 - Develop an incentives-based Green Building Ordinance that promotes energy efficient design for new buildings. As part of this Ordinance:
 - f. Encourage any roof to have a Solar Reflectance Index (SRI) of at least 29.

Response ORG4-32

The comment recommends that the City integrate renewable energy requirements into development and building standards, such as requiring on-site solar generation of electricity in new retail or commercial buildings and parking lots and garages (e.g. solar carports).

The Sustainability Action Plan already addresses this topic through the following measures:

- ◆ Measure E-1: Green Building Ordinance
 - Develop an incentives-based Green Building Ordinance that promotes energy efficient design for new buildings. As part of this Ordinance:
 - g. Encourage that residential projects of 6 units or more participate in the California Energy Commission's New Solar Homes Partnership, which provides rebates to developers of 6 units or more who offer solar power in 50 percent of new units and is a component of the California Solar Initiative or a similar program with solar power requirements equal to or greater than those of the California Energy Commission's New Solar Homes Partnership.
 - h. Partner with Pacific Gas and Electric or other appropriate energy providers and the California Public Utilities Commission to develop an incentive program for solar installation on new and retrofitted warehouses. Consider a mandatory minimum solar requirement for new warehouse space.

- i. Encourage that new or major rehabilitations of commercial, office, or industrial development greater than or equal to 25,000 square feet in size incorporate solar or other renewable energy generation to provide 15 percent or more of the project's energy needs. Major rehabilitations are defined as additions of 25,000 square feet of office/retail commercial or 100,000 square feet of industrial floor area.
- ♦ m. Encourage the inclusion of alternative energy facilities that are a secondary use to another project. Identify the best means to avoid noise, aesthetic, and other potential land use compatibility conflicts for alternative energy facilities (e.g. installing tracking solar PV or angling fixed solar PV in a manner that reduces glare to surrounding land uses). Identify and remove regulatory or procedural barriers to producing renewable energy as a secondary use to another project, such as updating codes, guidelines, and zoning.

Response ORG4-33

The comment recommends that the City adopt a resolution or ordinance that will require renewable energy sources, such as installing solar photovoltaic systems to generate electricity for public buildings and operations, using methane to generate electricity at wastewater treatment plants, and installing combined heat and power systems.

As described above, several General Plan and Sustainability Action Plan policies and measures promote the use of renewable energy. In addition, the following Sustainability Action Plan addresses methane recovery:

- ♦ Measure ED-14: Methane Recovery at Wastewater Treatment Facilities Continue to provide for methane recovery at all wastewater treatment facilities.

Response ORG4-34

The comment recommends that the City require new residential developments to participate in the California Energy Commission's New Solar Homes Partnership and include on-site solar photovoltaic systems in at least 50 percent of residential units.

The Sustainability Action Plan already addresses this topic through the following measure:

- ♦ Measure E-1(g): Green Building Ordinance
 - Develop an incentives-based Green Building Ordinance that promotes energy efficient design for new buildings. As part of this Ordinance:
 - g. Encourage that residential projects of 6 units or more participate in the California Energy Commission's New Solar Homes Partnership, which provides rebates to developers of 6 units or more who offer solar power in 50 percent of new units and is a component of the California Solar Initiative or a similar program with solar power requirements equal to or greater than those of the California Energy Commission's New Solar Homes Partnership.

Response ORG4-35

The comment recommends that the City map and assess local renewable resources, the electric and gas transmission and distribution system, community growth areas anticipated to require new energy services, and other data useful to the deployment of renewable technologies. The City does not currently have the ability to embark on such an endeavor. However, the City will continue to work on the targets and goals of the General Plan and Sustainability Action Plan, and will evaluate each project and its potential for the use and production of renewable resources within the project or in conjunction with the efforts of others.

Response ORG4-36

The comment recommends that the City identify possible sites for the production of local renewable energy sources, evaluate potential constraints affecting their development, and adopt measures to protect those resources.

In response to this comment, the City has revised the following Sustainability Action Plan measure, as shown below:

- ♦ Measure E-1(l): Green Building Ordinance
 - Develop an incentives-based Green Building Ordinance that promotes energy efficient design for new buildings. As part of this Ordinance:

1. Encourage the development of alternative energy projects and conduct a review of City policies and ordinances to address alternative energy production. Develop protocols for alternative energy storage, such as biodiesel, hydrogen, and/or compressed air. Continue to research the location needs for alternative energy producers and send direct, targeted marketing pieces to alternative energy producers that are appropriate for Tracy. Identify possible City-owned sites for production of local renewable energy sources such as solar, wind, small hydro, and biogas.

Response ORG4-37

The comment recommends that the City provide information, marketing, training, and education to support renewable resource use.

In response to this comment the City has revised the following Sustainability Action Plan measure, a shown below:

- ♦ Measure E-3(b): Green Building and Energy Efficiency Design and Education
 - 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.

Response ORG4-38

The comment recommends that the City implement an environmentally preferred purchasing program which could include giving bid preferences to contractors and suppliers that meet established sustainability criteria.

The General Plan already addresses this topic through the following policies:

- ♦ Objective ED-1.2, Policy P3: The City shall purchase green products from local businesses whenever feasible.
- ♦ Objective OSC-5.3, Policy P9: City purchasing policies shall require purchase of energy-efficient products, products that contain recycled materials, and products that reduce waste generated when feasible.

The Sustainability Action Plan addresses this topic through the following measure:

- ♦ Measure OE-1: When requesting proposals or applications for contracts, professional service agreements, or grants, request that proposals or applications include information about the sustainability practices of the organization, and use such information as a partial basis for proposal evaluations.

In addition, in response to this comment, the City has revised the following Sustainability Action Plan measure, a shown below:

- ♦ Measure E-1(n): Green Building Ordinance
 - Develop an incentives-based Green Building Ordinance that promotes energy efficient design for new buildings. As part of this Ordinance:
 - n. Encourage the use of locally-sourced, sustainable, salvaged and recycled-content materials and other materials that have low production energy costs for building materials, hard surfaces, and non-plant landscaping.

Response ORG4-39

The comment recommends that the City establish a program and system for reuse or recycling of construction and demolition materials for government and non-governmental construction projects.

The Sustainability Action Plan already addresses this topic through the following measure:

- ◆ Measure SW-1: Diversion of Construction Waste from Landfills
Amend the Municipal Code to require at least 50 percent diversion (i.e. reuse or recycling) of non-hazardous construction waste from disposal.

Response ORG4-40

The comment recommends that the City require recycling in all government buildings and public schools.

The Sustainability Action Plan already addresses this topic for City facilities through the following measure:

- ◆ Measure SW-4: Municipal Recycling and Reuse
Require all City departments and facilities to reuse office supplies, furniture and computers before buying new materials. When buying new materials, require that City departments and facilities purchase products that are made with high levels of post-consumer recycled content and have limited packaging.

While the City does not have the jurisdiction to require this same measure for schools, through its on-going cooperation with school districts, the City will encourage schools to follow this measure.

Response ORG4-41

The comment recommends that the City implement an organics and yard debris collection and composting program.

In response to this comment the City has revised the following Sustainability Action Plan measure, a shown below:

- ◆ Measure SW-2: Increased Recycling and Waste Diversion
Increase recycling and waste diversion in Tracy by expanding marketing efforts to increase participation by residents and businesses. As part of this program, conduct public education and outreach about reuse and recycling, including the City and PG&E's programs for appliance disposal, yard debris collection and composting, waste to energy, and zero waste programs. Work with the local waste hauler to permit collection and

composting of residential food waste. In addition, train a recycling coordinator for each City department.

Response ORG4-42

The comment recommends that the City employ best management practices at landfill facilities and implement a policy to incorporate effective new practices as they become available. The City of Tracy does not contain any landfills. Therefore, this recommendation is not applicable to Tracy. However, in response to this recommendation, the City has added a new policy to the General Plan, as shown below:

- ♦ Objective AQ-1.2, Policy P17: Encourage the use of Best Management Practices in the Tracy Material Recovery Facility and Transfer Station.

Response ORG4-43

The comment recommends that the City pursue aggressive recycling, resource recovery, and composting strategies to divert waste from landfills.

The Sustainability Action Plan already addresses this topic through the following measure:

- ♦ Measure SW-1: Diversion of Construction Waste from Landfills
Amend the Municipal Code to require at least 50 percent diversion (i.e. reuse or recycling) of non-hazardous construction waste from disposal.

In addition, as stated above the City has revised the following Sustainability Action Plan measure, as shown below:

- ♦ Measure SW-2: Increased Recycling and Waste Diversion
Increase recycling and waste diversion in Tracy by expanding marketing efforts to increase participation by residents and businesses. As part of this program, conduct public education and outreach about reuse and recycling, including the City and PG&E's programs for appliance disposal, yard debris collection and composting, waste to energy, and zero waste programs. Work with the local waste hauler to permit collection and

composting of residential food waste. In addition, train a recycling coordinator for each City department.

Response ORG4-44

The comment recommends that the City adopt policies, economic incentives, and rate structures for garbage so that recycling, reusing, and composting become cheaper than incinerating waste or sending it to a landfill. The City has determined that this recommendation would not be feasible in Tracy. However, as explained above, the Sustainability Action Plan includes measures that promote recycling, reusing, and composting.

Response ORG4-45

The comment recommends that the City require new construction or users to offset water demand so that there is no net increase in demand.

The General Plan already addresses this topic through the following policy:

- ◆ Objective PF-6.1, Policy P4: The City shall establish water demand reduction standards for new development and redevelopment to reduce per capita and total demand for water.

The Sustainability Action Plan already addresses this topic through the following measure:

- ◆ Measure W-3: In partnership with the State adopt water efficiency retrofit ordinances that provide incentives for upgrades, including replacement of shower heads, faucets, and toilets with more water efficient models, when conducting renovations or additions.

Response ORG4-46

The comment recommends that the City use reclaimed water for landscape irrigation in new developments and on public property and install infrastructure to deliver and use reclaimed water.

The General Plan already addresses this topic through the following policies:

- ♦ Objective PF-6.5, Policy P1: The City shall provide recycled water systems, including pipelines, pump stations and storage facilities, to serve primarily City-owned facilities, schools and parks as funding becomes available.
- ♦ Objective PF-6.5, Policy P2: Recycled water piping systems (“purple pipe”) shall be constructed as appropriate in all new development projects to facilitate the distribution and use of recycled water. The specific location and size of the recycled water systems shall be determined during the development review process.
- ♦ Objective PF-6.5, Policy P3: Recycled water shall be used for all public properties and large private open spaces or common areas to the extent feasible.
- ♦ Objective PF-6.5, Action A1: Explore incentives for businesses and industries to use recycled water for irrigation.
- ♦ Objective PF-6.5, Action A2: Develop a program to supply recycled water to all new parks and schools.
- ♦ Objective PF-6.5, Action A3: Explore incentives for businesses and industries to use recycled water for irrigation.

The Sustainability Action Plan already addresses this topic through the following measure:

- ♦ Measure W-1(c): Potable Water Conservation through Development Standards, Public Education, and Municipal Wastewater Reuse
Adopt the following water conservation measures:
 - c. Produce and promote the use of municipal wastewater (i.e. treated wastewater) for agricultural, industrial, and irrigation purposes consistent with the appropriate provisions of Title 22 and approval of the State Department of Public Health. As part of this measure, conduct the following:
 - i. Inventory potential non-potable uses of water for potential substitution by recycled water.

- ii. Collaborate with responsible agencies to encourage the use of recycled water where cost and energy efficiencies for its production, distribution and use are favorable.
- iii. Plan for recycled water infrastructure in the Infrastructure Master Plans.

In addition, in response to this comment, the City has revised the following General Plan policy, as shown below:

- ♦ Objective PF-6.5, Policy P4: To The City shall plan for recycled water infrastructure in the City's Infrastructure Master Plans and, to the extent feasible, recycled water should be utilized for non-potable uses, such as landscape irrigation, dust control, industrial uses, cooling water and irrigation of agricultural lands.

Response ORG4-47

The comment recommends that the City require buildings to be water-efficient and mandate water-efficient fixtures and appliances in all new development and government buildings.

The General Plan already addresses this topic through the following policies and action:

- ♦ Objective OSC-5.1, Policy P4: The City shall encourage buildings to incorporate energy- and water-efficient technologies.
- ♦ Objective PF-6.1, Policy P1: The City shall promote water conservation by implementing the Best Management Practices contained in the Urban Water Management Plan.
- ♦ Objective PF-6.1, Policy P4: The City shall establish water demand reduction standards for new development and redevelopment to reduce per capita and total demand for water.
- ♦ Objective AQ-1.2, Action A4: Develop a green building standard for new development.

The Sustainability Action Plan already addresses this topic through the following measures:

- ◆ Measure W-1: Potable Water Conservation through Development Standards, Public Education, and Municipal Wastewater Reuse
Adopt the following water conservation measures:
 - a. In compliance with SBX7-7, develop water use and efficiency standards in the City's Green Building Ordinance to reduce overall potable water consumption utilizing Method 1 established in the Department of Water Resources' *Methodologies for Calculating Baseline and Compliance Urban Per Capita Water Use* for targets of 202 gallons per capita daily (gpcd) by 2015 and 180 gpcd by 2020. Include clear parameters for integrating water efficient infrastructure and technologies, including low-flush toilets, low-flush urinals and low-flow showerheads that are more stringent than the Energy Policy Act of 1992 fixture performance requirements.
 - d. Promote the use of gray water systems for underground landscape irrigation in accordance with the incorporation of the new residential Graywater Standard into California Plumbing Code (Title 24, Part 5, Chapter 16A).
 - i. Collaborate with other agencies to encourage the use of graywater systems where cost and energy efficiencies for its production, distribution and use are favorable.
 - e. Require through Ordinance or City standard that all new development and re-development install irrigation controllers in landscaping that shall be weather- or soil moisture-based controllers which automatically adjust irrigation in response to changes in plants' needs as weather conditions change in compliance with the City's water efficient landscape ordinance.
 - g. Require through Ordinance or City standard that all plumbing fixtures using potable water (showerheads, toilets, faucets, urinals, etc.) be in compliance with Energy Policy Act of 1992 fixture performance requirements upon lease, resale, or remodel.
 - h. Develop incentives for property owners to replace high water use landscaping to more water efficient landscaping.

♦ Measure W-3: Incentives for Water Efficiency Retrofits

In partnership with the State adopt water efficiency retrofit ordinances that provide incentives for upgrades, including replacement of shower heads, faucets, and toilets with more water efficient models, when conducting renovations or additions.

Response ORG4-48

The comment recommends that the City require low water use, native landscaping and ultra-efficient irrigation systems, and limit the amount of water intensive landscaping to reduce the amount of water needed for irrigation.

The General Plan already addresses this topic through the following policies:

- ♦ Objective OSC-4.1, Policy P6: Golf courses shall be designed to minimize water, energy and chemical (e.g. pesticides and fertilizer) usage, preserve wildlife habitat, and incorporate native plants and drought-resistant turf.
- ♦ OSC-5.1, Policy P3: The City shall encourage landscaping that is water- and energy- efficient.

The Sustainability Action Plan already addresses this topic through the following measure:

♦ Measure W-2: Water Efficient Landscape Ordinance

Review and update the City's water efficient landscape ordinance to be consistent with the State's Model Water Efficient Landscape Ordinance and the 20x2020 Water Conservation Plan, which requires the reduction of outdoor potable water use by 50 percent from a calibrated mid-summer baseline case, for example through irrigation efficiency, plant species, recycled wastewater and captured rainwater.

In addition, in response to this comment the City has revised the following General Plan policy, as shown below:

- ♦ Objective OSC-1.1, Policy P3: New development should incorporate native, drought-tolerant vegetation into landscape plans and reduce the use of invasive, non-native plant species.

Response ORG4-49

The comment recommends that the City establish a fair share mitigation fee to be imposed on new development to fund measures in the Sustainability Action Plan. The City has determined that this recommendation would not be feasible in Tracy because increased fees could potentially defer future development in Tracy, thereby pushing growth to areas outside of the city that are not covered by the Sustainability Action Plan. In addition, such a standardized fee may be detrimental to certain projects in the event that some projects may far exceed these requirements while other projects merely meet the minimum. Implementation of the Sustainability Action Plan will change over time, and although a fee could be beneficial at times it may not always be the best form of mitigation.

Response ORG4-50

The comment recommends that the EIR be revised to use the per capita GHG emissions reduction target from the Bay Area Air Quality Management District (BAAQMD). Given that Tracy is located outside of the BAAQMD boundaries, and that conditions in Tracy are different from the majority of the Bay Area, the City has determined that use of this threshold is not appropriate. The San Joaquin Valley Air Pollution Control District's (SJVAPCD) threshold of a 29 percent reduction from business as usual (BAU) conditions in 2020 was the only threshold available at the local level at the time the Draft Supplemental EIR was prepared. Since that time, the California Air Resources Board (CARB) has released a draft target for the San Joaquin Valley under Senate Bill (SB) 375, but that target is focused on passenger vehicles and light trucks, and only proposes a 5 percent reduction in per capita GHG emissions in 2020 relative to 2005.²

In response to this comment, the City considered revising the GHG emission reduction target in the Sustainability Action Plan to a per capita target. After researching the BAAQMD, SJVAPCD, CARB, and other targets, the City

² CARB, August 9, 2010, *Draft CEQA Functional Equivalent Document for Proposed Regional Greenhouse Gas Emission Reduction Targets for Automobiles and Light Trucks Pursuant to SB 375* (http://arb.ca.gov/cc/sb375/fed_sb375_080910.pdf).

determined that the Sustainability Action Plan target should be revised to be a 15 percent reduction in per capita baseline (2006) emissions by 2020. This revised target is consistent with the State's Emerald Cities Program target of a 15 percent reduction in GHG emissions from current levels by 2020,³ combined with trend towards using a per capita target evidenced by the BAAQMD and CARB targets described above.

While the City has revised the GHG target in the Sustainability Action Plan, the City has also determined that the GHG emission analysis in the Draft Supplemental EIR should not be revised based on the new target. By using an analysis that is based on a target of a 29 percent reduction in total emissions from 2020 BAU, the EIR provides a more conservative analysis than if it relied upon the revised target of a 15 percent reduction in per capita emissions from baseline conditions. While the revised target is perhaps a more appropriate target in Tracy for the reasons described above, and one that the City could achieve, the impact remains a significant and unavoidable impact under this more conservative approach.

The comment also recommends that the EIR establish 2050 objectives. It is generally held that modeling of traffic and associated air quality and noise impacts much beyond a 20-year time period is inaccurate and unreliable. Therefore, establishing 2050 objectives would not be appropriate as an analysis tool in the EIR.

Response ORG4-51

This comment states that using a per capita target instead of a reduction from BAU conditions would provide a more informative analysis in the EIR, and that a target that is based on BAU rather than existing conditions is inappropriate. As explained in Response ORG4-50, the standard of significance used in the Draft Supplemental EIR is based on information available from the

³ California Department of Conservation, Emerald Cities Program, *Matrix for Sustainability Elements and State/Regional/Local Programs*, <http://www.conservation.ca.gov/index/Documents/State%20Sustainability%20Elements%20Matrix.pdf>, accessed on November 16, 2010.

**CITY OF TRACY
GENERAL PLAN
FINAL SUPPLEMENTAL EIR
COMMENTS AND RESPONSES**

SJVAPCD, which has interpreted Assembly Bill (AB) 32 to mean that projects within its district that result in a 29 percent reduction in GHG emissions from BAU projected emissions are considered to have a less-than-significant impact on GHG emissions. Therefore, this target is considered to be appropriate for Tracy. Furthermore, the use of this target does not mislead the public as to the actual GHG emission-related impacts of the proposed project. Existing baseline information about total and per capita GHG emissions is provided in the Draft Supplemental EIR, and this is compared to the future condition with implementation of the proposed target. The threshold by which the significance of project impacts is evaluated does involve a forecast of BAU conditions, but that threshold is based on the local air district's interpretation of AB 32, and it does not obscure the facts that are presented related to existing and future GHG emissions.

See also Response ORG4-50 for a discussion about a revised GHG target in the Sustainability Action Plan.



RECEIVED

SEP 07 2010

CITY OF TRACY

September 7, 2010

Mr. William Dean
 Planning Director, City of Tracy
 333 Civic Center Plaza
 Tracy, CA 95376

Re: General Plan Amendment, Sustainability Action Plan, and DEIR Comments

Dear Mr. Dean:

Please consider the following comments on the above referenced documents.

GENERAL PLAN (July 22, 2010 Draft)**1. Objective CIR-3.1, P5: 1/4-Mile Walkability Standard. [pg. 5-31]**

We are supportive of creating walkable communities, but we believe this is an unrealistic standard for every project to adhere to due to existing connectivity constraints and retail economics. We propose the following modification:

“The City shall use reasonable efforts to achieve a 1/4-mile walkability standard...”

ORG5-1

SUSTAINABILITY ACTION PLAN (July 2010 Draft)**2. T-17: Transit Passes for Residents and Employees of New Developments. [pg. 5-16]**

It is our understanding that the City will be providing the transit passes to residents of new developments. We propose the following modification:

“The City shall provide transit passes...”

ORG5-2

3. W-1-a: Potable Water Conservation through Development Standards. [pg. 5-21]

The adoption of construction standards that are more restrictive than those of surrounding cities will put projects within the City at a competitive disadvantage. We ask that this measure be modified to include only those requirements that are required by state-wide codes.

ORG5-3

Thank you for the opportunity to provide our comments. Please feel free to call me at (925) 383-2945 if you have any questions or feedback.

Sincerely,

Michael Bowes
 2010.09.07 16:43:17
 -07'00'

Michael Bowes

LETTER ORG5

Michael Bowes. Calandev. September 7, 2010.

Response ORG5-1

This comment questions the feasibility of the ¼-mile walkability standard proposed in the General Plan. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG5-2

This comment suggests clarification to the wording of Sustainability Action Plan Measure T-16. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG5-3

This comment requests that the requirements in Sustainability Action Plan Measure W-1(a) be reduced. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

LETTER # ORG-6



ONE MARKET PLAZA, STEUART TOWER, 6TH FLOOR SAN FRANCISCO, CA 94105-1008

www.sdma.com 415.781.7900 phone 415.781.269

Facsimile Transmittal Sheet

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SEP 07 2010

**CITY OF TRACY
D.E.S.**

DATE September 7, 2010

TIME 4:18 PM

NUMBER OF PAGES 5 (including coverpage)

If any portion of the following document is
illegible or missing, please call our Fax Center
at 415.781.7900 as soon as possible.

TO:

NAME

Victoria Lombardo

COMPANY

Development & Engineering
Services, City of Tracy

TELEPHONE

(209) 831-6400

FACSIMILE

(209) 831-6439

FROM:

NAME Anna Shimko

FAX BACK NUMBER (415) 781-2635

OFFICE: San Francisco

OUR FILE NO.: 10614-1

RE: Keenan Land Company - Comments on Draft General Plan Amendment and Draft Recirculated
Supplemental EIR

MESSAGE:

Please find the attached letter. The original will follow via U.S. mail. Thank you.

ORG6-1

Privilege and Confidentiality Notice

The information contained in this facsimile message is attorney privileged and confidential information intended only for the persons or entity named above. If you are not the intended recipient (or someone responsible to deliver to the intended recipient), please be aware that any dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us by telephone immediately and return the original message to us at the address above via the U.S. Postal Service. Thank you.

ONE MARKET PLAZA STEUART TOWER, 8TH FLOOR SAN FRANCISCO, CALIFORNIA 94105-1101

www.sdma.com 415.781.7900 phone 415.781.2635 fax

Sedgwick
DETERT, MORAN & ARNOLD LLP

Anna C. Shimko
anna.shimko@sdma.com

September 7, 2010

Via Facsimile and U.S. Mail

Victoria Lombardo
Senior Planner
Development & Engineering Services, City of Tracy
333 Civic Center Drive
Tracy, CA 95376

Re: Comments on Draft General Plan Amendment and Draft Recirculated Supplemental EIR

Dear Ms. Lombardo:

We are writing on behalf of our client, Keenan Land Company ("Keenan"), to convey Keenan's comments on the proposed General Plan Amendment ("GPA") and Draft Recirculated Supplemental EIR ("SEIR"), both dated July 2010. We applaud the City's effort through the GPA to update its 2006 General Plan to reflect current policies regarding the City's sphere of influence and sustainability. We also believe that the SEIR is thorough, comprehensive and conservative in its assumptions. Our primary comments relate to ensuring that the density shown on the property for which Keenan has submitted a development application (*i.e.*, Urban Reserve 9) comports with that shown in the submitted application and the proposed Infrastructure Master Plans ("IMP") in the interests of consistency, logic and good planning and so that future environmental review may be streamlined as appropriate in accordance with the California Environmental Quality Act ("CEQA"). After a brief description of the Keenan property and proposed development application, we provide comments below keyed to each of the pertinent draft documents.

ORG6-2

1. Background

As you know, Keenan has submitted an application for development of the approximately 133 acres of land located southeast of the intersection of Corral Hollow Road and Valpico Road ("Property"). While outside the City limits, the Property is within the City's sphere of influence and thus intended for annexation to the City and development in accordance with City standards. The City adopted its current General Plan in 2006. Table 2-19 of the General Plan indicates that approximately 1,080 dwelling units of various densities may be developed on the Property. On February 12, 2008, Keenan submitted an application to the City for a proposed development project on the Property. Consistent with and in reliance upon the City's General Plan, the application sought approval for 830 residential units at various densities as well as park and other open space uses.

ORG6-3

Victoria Lombardo
September 7, 2010
Page 2

2. Comments on GPA

If adopted, the GPA would reduce the amount of growth allowed in the City by approximately 20,000 residential units from that allowed under the 2006 General Plan. SEIR, p. 1-3. The environmental impact report ("EIR") certified by the City in connection with its adoption of the General Plan thus analyzed the environmental impacts associated with 20,000 more dwelling units than would be allowed under the GPA. This reduction would occur as the result of the adoption of a contracted sphere of influence area in accordance with guidelines adopted by the San Joaquin County Local Agency Formation Commission. The GPA would also incorporate policies to address new state laws regarding flooding and include enhanced goals and policies regarding sustainability and the reduction of greenhouse gas ("GHG") emissions pursuant to a separately proposed Sustainability Action Plan ("SAP").

ORG6-4

The City's IMP process involves careful development of infrastructure plans (*i.e.*, for transportation, water, wastewater, etc.) to meet the needs of projected development. Based on the General Plan and discussions with various interested parties, the City developed the unit count and density numbers to be used as part of the IMP process. Keenan, in particular, worked closely with City staff on the land use assumptions for Urban Reserve 9, ensuring that its development application (already submitted) was consistent with the IMP assumptions for unit count and density. In 2009, the City and various property owners entered into a processing agreement regarding the IMPs, and the IMPs are currently being developed. To facilitate logical, orderly implementation of the IMPs so that all landowners know what their responsibilities and costs will be, and to avoid over-sizing infrastructure at an unreasonable cost and generating growth-inducing effects, the GPA should mirror the IMP assumptions.

ORG6-5

The Property is designated as Urban Reserve 9 in the GPA. The GPA's proposed density for Urban Reserve 9 (800 units) is inconsistent with the density assumed by the City as part of the IMP process (1,011 units).¹ While the density in the GPA is only an estimate and is not intended to reflect the exact amount of development allowed in each Urban Reserve area, (*see, e.g.*, GPA, p. 2-61), the density should nonetheless be consistent with the thoughtful, costly and time-consuming efforts of the City to adopt the General Plan and to develop the proposed IMPs. We request that the number of units shown by the GPA on the Property be revised to reflect the number and density ranges assumed as part of the IMP process. Per the latest land use assumptions dated December 2009, the IMPs would include 1,011 units on the Property distributed in the following categories: 305 low density units on 70 acres, 387 medium density units on 43 acres, and 319 high density units on 17 acres. Raising the number of units in Urban Reserve 9 by 211 units to match the IMP has no effect on SEIR assumptions or environmental impact conclusions. For instance, the SEIR assumes that 9,499 new residential units will be developed by 2025. SEIR, p. 3-37. Of that amount, 2,000 units would be infill development, 4,128 units would be Urban Reserve development and 1,080 would be affordable housing units. SEIR, pp. 3-36, 3-37, 3-39.

ORG6-6

¹ The number of units under the IMP is higher than the number of units sought in Keenan's application (830) because the IMP is based on average density assumptions within each range whereas the Keenan application assumes that units are actually built at closer to the lower (slightly less dense) end of the range for each use type. The IMP numbers thus would sufficiently cover Keenan's application, retain flexibility and maintain consistency with the General Plan, the EIR and the SEIR.

Victoria Lombardo
September 7, 2010
Page 3

This leaves a total of 2,291 remaining units assumed to be developed by 2025. Thus, raising the number of units on Urban Reserve 9 by slightly more than 200 units would have no effect on the environmental review findings because the SEIR assumed that 2,000 additional units would be developed under the GPA.²

**ORG6-6
(cont.)**

Further, the GPA's ultimate roadway plan (Figure 5-1) should be revised to conform with the proposed site plan submitted by Keenan in connection with its application. Keenan's plan was developed by an expert land planner and was thoughtfully and carefully designed to provide an efficient and cohesive circulation pattern for the Property. By comparison, the GPA plan includes an east-west connector road that bisects the site and extends to Corral Hollow Road. To implement this connection would require the condemnation of private property currently located outside the City's boundaries (possibly leading to the elimination of one or more private homes) and could lead to protracted and costly litigation between the City and affected property owners. Further, the proposed east-west connector would substantially adversely impact the cohesiveness of the neighborhood Keenan is trying to establish by allowing extraneous through traffic within the development. The proposed connector is also unnecessary given that Keenan's plan provides ample access to and from Urban Reserve 9. In short, the GPA plan appears to be economically, practically and legally infeasible. To the extent that future traffic analyses and circumstances were to demonstrate that such a connection were advisable and feasible, the City may wish to consider such a connection at that time. However, there is no present need to consider such a connection and such a conceptual plan should not be locked into the General Plan at this point. Instead, the GPA should be revised to reflect Keenan's proposed circulation plan.

ORG6-7

3. Comments on SEIR

The SEIR is intended to supplement the EIR certified by the City when it adopted the General Plan in 2006 and address the impacts of the GPA. Given the substantial reduction in development potential, overall there would a decrease in the intensity of impacts in most environmental categories from the EIR as result of the GPA. The only new impacts relate to air quality and GHG emissions.

ORG6-8

Overall, the environmental analysis in the SEIR is thorough, conservative and defensible. For instance, the SEIR's traffic and air quality analyses only take into account some, but not all, of the trip reduction benefits resulting from the SAP and thus provide a conservative estimate of the trip-related impacts resulting from implementation of the GPA and SAP. SEIR, p. I-17. The SEIR also appears to analyze roadways under the current adopted levels of service ("LOS") standards as opposed to the proposed more lenient standards, thus providing a conservative estimate of roadway deficiencies.³ Further, although the GPA would only result in two new impacts not identified in EIR, the SEIR contains comprehensive analysis of entire chapters affected by proposed changes (*i.e.*, reiterating impacts that were found in the EIR), as well as including a new chapter on GHG emissions.

ORG6-9

² Further, the SEIR supplements the EIR, focusing on the new impacts associated with the GPA. The EIR analyzed the impacts of substantially more growth overall and on the Property in particular. Thus, the impacts of any further development on the Property above that assumed in the proposed GPA have already been fully analyzed and vetted as part of the EIR process.

³ Along those lines, the statement on page 4.4-49 of the SEIR that the 2009 GPA "revised" the LOS thresholds should be amended to clarify that the 2009 GPA, like the current proposed GPA, includes proposed revisions to the City's LOS thresholds.

Victoria Lombardo
September 7, 2010
Page 4

In the Summary (p. 2-6), the SEIR indicates that there would be a significant noise impact associated with increased traffic on new roadways. The analysis of Impact NOI-1 (Chapter 4.14), however, makes clear that the impact occurs because of increased noise from traffic on new and existing roadways. Please revise the statement in the summary to reflect the analysis in the SEIR.

ORG6-10

On page 3-21, the SEIR states that the proposed Urban Reserve designation would apply in areas that are "not expected to develop for a number of years." This is not entirely accurate as Figure 1-2 of the SEIR plainly shows the Property and other Urban Reserve areas as within the 10 year planning horizon. Please revise this statement to reflect that development is forecast to occur within 10 years on some of the Urban Reserve lands. Similarly, since the Property is within the 10 year planning horizon and thus projected to be developed by 2025, Table 3-3 should be updated to reflect full build out of the site in accordance with the 1,011 units forecast under the IMP as opposed to the 677 units shown.⁴ As explained above, raising the number of units on Urban Reserve 9 to reflect the IMP numbers would have no effect on SEIR assumptions or conclusions.

ORG6-11

Please clarify what mitigation measures and/or General Plan policies would reduce the significant impacts to the intersections of Eleventh Street/Corral Hollow Road and Eleventh Street/Lammers Road to a less than significant level. See, SEIR, p. 4.4-58. Also, on page 3-32, the SEIR mistakenly refers to eleven Urban Reserve areas when there are in fact ten.

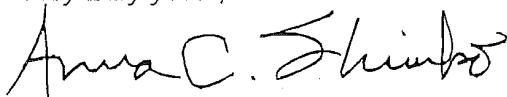
ORG6-12

Finally, the SAP states that it considers impacts of future development on a city-wide level and provides a framework for addressing mitigation of such impacts, thus "effectively streamlin[ing] the development process by relieving individual projects of the task to develop their own impacts analyses and mitigation measures." SAP, p. 1-1. To make clear that individual development projects do not need to perform their own GHG analysis but can rely instead on the SAP, please make this point explicit in both the GPA and SEIR.

ORG6-13

Again, we thank you for the chance to submit these comments. We look forward to continued cooperation and participation in the City's long-range planning processes. Please feel free to contact me or Wyatt Weisel at any time to discuss these comments, or for any other reason.

Very truly yours,



Anna C. Shimko

cc: Wyatt Weisel

⁴ See also, SEIR, p. 3-39 and GPA, pp. 2-36 to 2-39 regarding the prospect of near-term development on Urban Reserve 9 and other sites in the secondary residential growth area.

LETTER ORG6

Anna Shimko. Sedgwick, Detert, Moran & Arnold, LLP. September 7, 2010.

Response ORG6-1

This comment serves as an introduction to the comment letter on the Draft Supplemental EIR submitted by Sedgwick, Detert, Moran & Arnold, LLP. No response is required.

Response ORG6-2

This comment provides an introduction to the comments that follow. No response is necessary apart from the responses to the comments provided below.

Response ORG6-3

This comment provides background information on a property for which Keenan Land Company has submitted a development application. This comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.

Response ORG6-4

This comment briefly summarizes the General Plan Amendment and Draft Supplemental EIR. This comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.

Response ORG6-5

This comment states that the Statistical Profile (or land use assumptions) for Urban Reserve 9 should be consistent with those assumptions used for the Infrastructure Master Plans. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG6-6

This comment states that the Statistical Profile (or land use assumptions) for Urban Reserve 9 should be consistent with those assumptions used for the Infrastructure Master Plans. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG6-7

This comment requests that the roadway plan (shown in General Plan Figure 5-1) be amended to eliminate the east-west connector road that is depicted within Urban Reserve 9 because it is inconsistent with the proposed site plan for the project area. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response ORG6-8

This comment describes the purpose of the Draft Supplemental EIR and briefly summarizes its findings. This comment does not address the adequacy of the Draft Supplemental EIR; therefore, no response is required.

Response ORG6-9

This comment concludes that the Draft Supplemental EIR is “thorough, conservative, and defensible” and provides examples to back up this conclusion. This comment does not dispute the adequacy of the Draft Supplemental EIR; therefore, no response is required.

Response ORG6-10

The commentor correctly notes that text on page 2-6 of the Draft Supplemental EIR is inconsistent with Impact NOI-1. The text on page 2-6 has been

revised accordingly, as shown in Chapter 2 of this Final Supplemental EIR. In addition, similar text on pages 6-17 to 6-18 has been revised as shown in Chapter 3 of this Final Supplemental EIR.

Response ORG6-11

This comment requests that text in the Draft Supplemental EIR be revised to reflect the anticipated schedule for development of Urban Reserves. The text has been revised to reflect that the urban reserves are not expected to develop immediately because they will be required to complete Specific Plans or Development Plans prior to development, as shown in Chapter 3 of this Final Supplemental EIR.

Response ORG6-12

This comment asks for clarification regarding the mitigation or General Plan policy required to reduce the impacts at the Eleventh Street\Corral Hollow and Eleventh Street\Lammers Road intersections to a less-than-significant level. Both of these locations could be mitigated to result in no impact or a less-than-significant impact by grade-separating the major traffic volumes along Eleventh Street from the cross-street traffic. By separating the major traffic from the cross-street traffic and traffic turning to or from Eleventh Street, the delay would be reduced. However, the cost and physical area required for these mitigations may be inconsistent with other General Plan policies, as described further on page 4.4-58 of the Draft Supplemental EIR.

General Plan Objective CIR-1.3, Policy 2 indicates that the City may allow individual locations to fall below the City's level of service standards in instances where the construction of physical improvements would be infeasible, prohibitively expensive, significantly impact adjacent properties or the environment, or have a significant adverse effect on the character of the community. Therefore, the resulting level of service for these intersections would not result in a significant impact.

Response ORG6-13

This comment requests that the General Plan and Draft Supplemental EIR explicitly state that individual development projects do not need to perform

C I T Y O F T R A C Y
G E N E R A L P L A N
F I N A L S U P P L E M E N T A L E I R
C O M M E N T S A N D R E S P O N S E S

their own GHG analyses and instead rely on the Sustainability Action Plan. While the Sustainability Action Plan does streamline the development process, it does not exempt future development projects from CEQA. Projects will be evaluated on a case by case basis, and the level of the GHG impact analysis will depend on the specific characteristics of the proposed project. All projects will be subject to the following CEQA threshold of significance: *Will the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, including AB 32's goal to reduce GHG emissions in 2020 to 1990 levels?* Given this threshold, projects that are consistent with the Sustainability Action Plan may be found to have a less-than-significant impact. However, all projects are subject to this threshold and will require an analysis to determine whether they are consistent with the Sustainability Action Plan.

LETTER # IND-1

Christina D. B. Frankel
175 Victoria Street
Tracy, CA 95376

09.23.10

Kimberly Matlock
City of Tracy
333 Civic Center Plaza
Tracy, CA

RE: Sustainability Action Plan Comments

Kimberly,

Here are the comments that I sent to on 09.06.10 transcribed into a letter as requested.

Page No.	Excerpt	Comment	
1-1	"This Sustainability Action Plan will catapult Tracy as a leader in making sustainability work for climate change..."	Catapult is too strong a word for this plan that falls short of its goals, and has no teeth to implement.	IND1-1
	" ...for Tracy to be a destination of local employment centers and green jobs, an emerging field that diversifies Tracy's economic base and attracts complementary industries. Strengthening Tracy's employment base is likely to result in an increase of higher education opportunities and retail development."	There needs to be more than encouragement to bring in green jobs	IND1-2
1-8	"Once in the landfill, solid waste continues to emit GHGs, most notably methane (CH ₄), which is approximately 21 times more potent than carbon dioxide (CO ₂) in terms of its global warming impacts."	Does this mean that the small percentage that is calculated for GHG from landfills are multiplied by 21?	IND1-3
1-11	"Ozone is not emitted directly by specific sources, but is created through the reaction of sunlight on nitrogen oxide and volatile organic compounds emissions, which are themselves emitted through a variety sources. Ozone exposure is harmful for people with respiratory illnesses such as asthma, but also for healthy individuals. Prolonged exposure even at low concentrations can significantly reduce lung function and trigger respiratory inflammation in healthy individuals, causing symptoms such	Not enough emphasis on poor air quality linked to the problems of particulates in the lungs of children.	IND1-4
			IND1-5

	as nausea, coughing, chest pain, and pulmonary congestion.”		IND1-5 cont.
1-12	“The Tracy General Plan has a strong emphasis on sustainability...”	Then why the do-over? Since the same people that wrote the (untested) general plan are authoring this document, this smacks of self promotion in a public document.	IND1-6
2-13	“Only 35 percent of Tracy’s resident workforce is employed in San Joaquin County, including 20 percent that work in Tracy. A far greater share of residents, 46 percent, commutes across the Altamont Pass to jobs in the Bay Area, including 27 percent that work in Alameda County. Only 9 percent of residents work elsewhere in the Central Valley.”	Doesn’t match employment numbers from preceding paragraphs above.	IND1-7
3-1	“...an average annual residential growth rate of 1.6 percent, which is consistent with the City’s Growth Management Ordinance.”	Growth ordinance is eliminated in 2012, two years from SAP, but 8 yrs without it. The growth rate should consider growth without ordinance.	IND1-8
3-3	“Therefore, the transportation component of the municipal BAU forecast would not have a significant impact on the total BAU forecast.”	Yet 30% of municipal GHC is from employee commuting.	IND1-9
3-3	“Emissions associated with solid waste generation and subsequent burial in landfills are projected to grow in proportion to population, i.e. by 1.6 percent per year.	Based on earlier statements, methane from landfills is 21 worse than average CO2, but yet the increase in trash tracks w/resident growth without addressing toxicity.	IND1-10
3-4	“This forecast assumes that the energy intensity of City water remains constant in future years.”	Doesn’t take into account that addt'l water will come from other sources, not those existing, and they will be farther away.	IND1-11
4-1	“Targets are presented for each sector of the Sustainability Action Plan.”	No mention is made at how these targets percentages were arrived at?	IND1-12
4-4	“Target #20: 10% of jobs are “green” by practice or product.”	Green jobs sector has higher growth in jobs now, but is lower than it should be to be a force in the green job sector.	IND1-13
4-5	“These measures were developed and refined through an iterative process that included community and stakeholder involvement.”	Refined is the wrong word, for one community meeting.	IND1-14
5-2	“Adopt the 2010 California Green Building Standards Code (Title 24, Part 6, CCR).”	Since this is mandatory now (required Jan 2011) its not really a goodwill gesture. What about setting a higher Tier?	IND1-15

5-2	<p>b. Encourage energy efficiency measures...</p> <p>c. Encourage the use of cement substitutes...</p> <p>d. Encourage the use of energy-efficient appliances..." , etc</p>	Encourage will not change the game. Need to define what encourage means, otherwise goals will never be reached.	IND1-16
5-4	<p>...giving green projects priority in plan review, processing and field inspection services."</p>	Since all projects under the new green bldg code will set the new green standard, you need to be more specific about what constitutes a green project since they will all be baseline green.	IND1-17
5-5	<p>b. Distribute compact fluorescent light (CFL) bulbs and/or fixtures to community members."</p>	<p>Need to include proper disposal of CFL's as well.</p> <p>What about incentives for LEDs?</p>	IND1-18
5-6	<p>Continue to fund weatherization projects for low-income households using the City's rehabilitation grant and loan program."</p>	Why limit to low income? With the aging housing stock in Tracy, more benefit could be gained with weatherization than other energy efficiency measures.	IND1-19
5-6	<p>Develop a program under AB 811..."</p>	Don't remove even though program in jeopardy from federal programs.	IND1-20
5-9	<p>Amend the Zoning Ordinance to allow a reduction in parking requirements..."</p>	This will be a burden on businesses if it is not partnered with an increase of transit options.	IND1-21
5-10	<p>a. Add to the Transportation Master Plan, where justified by ridership and funding availability, an increase transit route coverage to within 1/2 mile of all residents in the developed city and to within 1/4 mile of 75 percent of residents within new development areas."</p>	This lofty goal doesn't jive with the Long Range Transit Plan's long drawn out timeline. Expanding transit plan is based on fare box recovery and cost of city to run a larger system.	IND1-22
5-11	<p>This measure would reduce GHG emissions in Tracy by 1,248 metric tons CO2e."</p>	Since a high percentage of GHG is based on VMT, the reduction in GHG for increasing transit seems low. Or are the expectations that even with all this work, people will stay in their cars?	IND1-23
5-11	<p>Include an interconnected grid of collectors and arterials within the developed city..."</p>	There needs to be an overlay of what is needed for bus routes into new subdivisions to achieve increase of transit options above.	IND1-24
5-12	<p>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</p>	How?	IND1-25

	Boulevard, MacArthur Drive, and Chrisman Road corridors.”		IND1-25 cont.
5-13	“a. Continue to provide free or reduced bus passes for school students.”	There are no free rides (singled out) for students now? How does an existing program (of free rides in April and December) result in reduction?	IND1-26
5-13	“Continue to implement a comprehensive signal coordination program..”	Getting people faster out of town has to work with increasing safety for people walking, and riding bicycles (Complete Streets requirement).	IND1-27
5-14	“Work with regional transit agencies to increase the frequency and capacity of intercity buses connecting Tracy to Bay Area cities, Stockton, and other San Joaquin Valley employment centers.”	This is so undervalued! If we had a regional transit system, all the people commuting out of Tracy could do so on public transportation.	IND1-28
5-14	“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.”	It should be stated that this is based on high speed rail coming downtown. Right now there isn't even a bus to ACE.	IND1-29
5-18	“Develop each phase of development in Tracy Hills at the density and mix of uses that is anticipated at buildout.”	Tracy Hills: Don't see how building a development at the edge of Tracy's boundaries reduces GHG? Not appropriate in this section of high density and infill. We will need to do everything we can do with the SAP to compensate for extended sprawl.	IND1-30
5-18	“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.”	Yeah, but unless the plan to eliminate CNG is scrapped, its not fair claiming CNG as a reduction, when it will be eliminated in the future, and the hybrid buses would actually increase GHG.	IND1-31
5-20	“Amend the Municipal Code to require at least 50 percent diversion...”	This is too low a number. Again not accounting for the higher toxicity of methane from landfills.	IND1-32
5-22	“Review and update the City's water efficient landscape ordinance...”	Need to set up ordinance above for allowed greywater use and rainwater harvesting to allow residents to use their “saved” water.	IND1-33
5-25	“Amend the Parks Master Plan to minimize turf in City parks....”	What about allowing for community gardens within community parks? (accomplishes several goals).	IND1-34
5-27	“Require best management practices for stormwater in all significant development projects in accordance with City	The new SWPPP requirements need to be incorporated into this SAP because there are some overlaps and advantages that can utilized.	IND1-35

	Standards."		
5-28	"PH-2: Healthy Practices at City Offices and City-Sponsored Events"	What about tying all city events to the SAP, including establishing requirements for recycling, or restrictions of disposable flatware, or banning plastic bags?	IND1-36
		General Comment 1: I had expected for all the work (and consultant fees) something more than guidelines. There doesn't seem to be any teeth in the document, with words like "encourage", and "continue" under the action of the sustainability measures - these words will not result in changes.	IND1-37
		General Comment 2: Shocker in the end: Even with all these guidelines, the measures don't reach its own goals of a reduction of GHG by 29%. That is assuming of course that all measure are implemented to their full potential (which they won't without teeth), Tracy will fall severely short of reaching the goal that the effort began with.	IND1-38
		General Comment 3: A level of integration missing: The General Plan is being updated to tie with the SAP, but the Transit Plan and City of Tracy ordinances conflict with some goals of the SAP. SAP should take precedence over other established city documents.	IND1-39
		General Comment 4: This SAP isn't a road map to guide us through the next ten years, but something that will require readjustment, maybe several times before we reach 2020. Consider the length of time to get ordinances changed.	

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LETTER IND1

Christina Frankel. September 6, 2010.

Response IND1-1

This comment serves as an introduction to the comments that follow. No response is necessary apart from the responses to the comments provided below.

Response IND1-2

This comment recommends a revision to text in the second paragraph in the Introduction chapter of the Sustainability Action Plan. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-3

This comment suggests that the City should do more than only encourage the development of green jobs in Tracy. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-4

This comment asks for clarification regarding the share of GHG emissions resulting from solid waste in Tracy. The GHG inventory was created using ICLEI's modeling software, CACP 2009. It models landfill emissions based on the types of waste that are sent to the landfill. Each type of waste off-gases a certain amount of GHG depending on the composition of the material (e.g. paper products, food waste, plant debris, wood, and textiles). The software provides a carbon dioxide equivalent value for each of these different types of

material. Therefore, the inventory has adequately accounted for the GHG emissions from landfill waste and does not need to be adjusted in order to reflect the potency of landfill emissions.

Response IND1-5

This comment suggests that the City provide more emphasis on air quality issues in the Introduction chapter of the Sustainability Action Plan. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-6

This comment questions the purpose of the Sustainability Action Plan, given the description in Chapter 1 of the Sustainability Action Plan about other sustainability efforts already underway in Tracy. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-7

This comment notes a discrepancy regarding the employment figures presented in the economic development discussion in Sustainability Action Plan Chapter 2, Existing Conditions. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-8

This comment questions the growth rate after 2012, given the comment's assertion that the GMO will be eliminated in 2012, which is incorrect. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-9

This comment refers to the municipal share of citywide GHG emissions, and questions the lack of transportation-related emissions from the 2020 BAU forecast for municipal operations. As indicated in the Sustainability Action Plan, municipal GHG emissions make up only 0.8 percent of total citywide emissions. Data and modeling constraints prevent transportation-related emissions from municipal operations from being included in the 2020 BAU forecast. However, given the fact that municipal operations in total account for a very insignificant portion of total emissions, the lack of this data does not substantially affect the total 2020 BAU forecast.

Response IND1-10

This comment questions whether the GHG emissions resulting from solid waste are fully accounted for in the 2020 BAU forecast, given the potency of methane emissions. ICLEI's CACP 2009 modeling software was used to model GHG emissions that result from solid waste. The software calculates a carbon dioxide equivalent to the various types of solid waste emissions, including methane.

Response IND1-11

This comment questions whether the 2020 BAU forecast takes into account new sources of water that will require a greater travel distance than existing sources of water. As explained on page 3-3 of the Sustainability Action Plan, the GHG modeling considered locally-pumped water as well as imported water. While it is true that sources of water may change in the future, and water may need to be imported over a greater distance than today, future water

sources are not known at this time. The City cannot model the energy needs for unknown future water sources, so the forecast assumes that the water sources will remain constant.

Response IND1-12

This comment questions how the Sustainability Action Plan targets were developed. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-13

This comment states that the amount of green jobs is lower than it should be. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-14

This comment disagrees with language used in the introductory paragraph of Sustainability Action Plan Chapter 5, Sustainability Measures. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-15

This comment suggests requiring green building standards beyond what will become mandatory through the California Green Building Standards Code. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan

and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-16

This comment questions the effectiveness of encouraging green building practices. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-17

This comment suggests that the City define a “green project.” This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-18

This comment recommends that the Sustainability Action Plan address the proper disposal of CFLs and provide incentives for LEDs. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-19

This comment suggests that Sustainability Action Plan Measure E-5 be provided for all Tracy residents and not just low income households. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sus-

tainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-20

This comment expresses support for Sustainability Action Plan Measure E-6. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-21

This comment suggests that Sustainability Action Plan Measure T-2 will be ineffective unless it is partnered with increased transit options. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-22

This comment questions Sustainability Action Plan Measure T-4(a) and its compatibility with the City's plan for future public transit. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-23

This comment states that the GHG emission reduction value modeled for Sustainability Action Plan Measure T-4 seems low, given that a large portion of the GHG emissions in Tracy are from VMT. This measure focuses on expanding local bus service and results in a 0.5 percent reduction in vehicle trips. Due to the short distance traveled within the city, the reduction

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achieved by this measure is approximately 7,100 VMT per day. Given the size of the city, this is a noticeable reduction in VMT and GHG emissions compared to BAU conditions.

Response IND1-24

This comment refers to the need for bus routes in new residential subdivisions. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-25

This comment questions how Sustainability Action Plan Measure T-6 will be implemented. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-26

This comment questions the GHG emission reduction value for Sustainability Action Plan Measure T-8, asking whether there are already free bus passes for students. There is an existing program to provide free or reduced transit passes, but the VMT and GHG emission reductions from that existing program are not included in the calculation of the GHG emission reduction for this measure. Rather, the existing program must be continued and complimented by implementing and expanding Safe Routes to School programs to achieve the stated GHG reduction.

Response IND1-27

This comment states that the comprehensive signal coordination program provided through Sustainability Action Plan Measure T-9 must also involve safety improvements for pedestrians and bicyclists. This comment pertains to

the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-28

This comment expresses support for Sustainability Action Plan Measure T-11. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-29

This comment states that the success of Sustainability Action Plan Measure T-12 is dependent upon the presence of high speed rail in Downtown Tracy. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-30

This comment states that development in Tracy Hills does not reduce GHG emissions because it is located at the edge of the city, and that the Sustainability Action Plan should reduce sprawl. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-31

This comment states that CNG will be eliminated in the future, so it is not appropriate for the Sustainability Action Plan to show a GHG emission reduction for Measure T-21. As indicated in Chapter 5 of the Sustainability Action Plan, since CNG buses are already in use, the GHG emission reduction value for this measure was not included in the calculation of the total GHG emission reduction resulting from implementation of the Sustainability Action Plan. The GHG emission reduction value is provided for this measure only to demonstrate the current benefit from this existing program. See also the City's responses to comments on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-32

This comment states that the GHG emission reduction value for Sustainability Action Plan Measure SW-1, Diversion of Construction Waste from Landfills, is too low given the potency of methane as a GHG. Similar to the GHG inventory solid waste calculation discussed in Response IND1-14, the ICLEI modeling software that calculates GHG emission reductions from the Sustainability Action Plan accounts for the potency of methane emissions. The modeling software calculates a carbon dioxide equivalent for the solid waste emissions, including methane.

Response IND1-33

This comment suggests that the City develop an ordinance for graywater use and rainwater harvesting. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-34

This comment suggests that the City allow community gardens within community parks. This comment pertains to the General Plan and/or Sustain-

ability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-35

This comment recommends that the Sustainability Action Plan incorporate new stormwater pollution prevention plans. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-36

This comment suggests that all City events be tied to the Sustainability Action Plan so that there are recycling requirements and restrictions on disposable flatware. This comment pertains to the General Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-37

This comment indicates that the Sustainability Action Plan measures are not enforceable, and expresses concern that the City will fall short of reaching its GHG emission reduction target without more enforceable measures. See Responses ORG4-4 and ORG4-5 for a discussion about the enforceability of Sustainability Action Plan measures and the efforts undertaken by the City to include all feasible mitigation to achieve the GHG emissions reduction target.

Response IND1-38

This comment refers to the coordination between the Sustainability Action Plan and other City policy documents. This comment pertains to the Gen-

eral Plan and/or Sustainability Action Plan, and does not address the adequacy of the Draft Supplemental EIR. The City has provided responses to all comments received on the General Plan and Sustainability Action Plan in an attachment to the staff report for the EIR Planning Commission and City Council certification hearings.

Response IND1-39

This comment notes that the Sustainability Action Plan will require adjustments before 2020. The City has prepared a monitoring plan for the Sustainability Action Plan that will be released with the publication of this Final Supplemental EIR. In addition, the City has strengthened the General Plan policy and action that require implementation and monitoring of the Sustainability Action Plan, as shown below:

- ◆ Objective LU-9.1, Policy P1: The City shall maintain implement and monitor the Sustainability Action Plan, and adjust the Sustainability Action Plan as needed based on monitoring results and as funding becomes available.
- ◆ Objective LU-9.1, Action A1: Implement and regularly update the Sustainability Action Plan and monitor its effectiveness as funding allows, ideally every five years, by conducting a greenhouse gas emissions inventory. Adjust the Sustainability Action Plan as needed every five years and as funding allows based on these calculations to ensure that the City is on track to meet its greenhouse gas emissions reduction target.

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