

*FINAL*  
ENVIRONMENTAL IMPACT REPORT  
FOR THE  
COPPER TRAILS SPECIFIC PLAN  
AND ANNEXATION PROJECT

March 2026

*Prepared for:*

City of Ceres  
Community Development Department  
2220 Magnolia Street  
Ceres, CA 95307

*Prepared by:*

BaseCamp Environmental, Inc.  
802 W. Lodi Avenue  
Lodi, CA 95240





*FINAL*  
ENVIRONMENTAL IMPACT REPORT  
FOR THE  
COPPER TRAILS SPECIFIC PLAN  
AND ANNEXATION PROJECT  
Ceres, CA

March 2026

*Prepared for:*

City of Ceres  
Community Development Department  
2220 Magnolia Street  
Ceres, CA 95307  
209-538-5774

*Prepared by:*

BaseCamp Environmental, Inc.  
802 W. Lodi Avenue  
Lodi, CA 95240  
209-224-8213  
[www.basecampenv.com](http://www.basecampenv.com)

# TABLE OF CONTENTS

## Copper Trails Specific Plan and Annexation Project, Final EIR City of Ceres, CA

	Page
1.0 Introduction	1-1
1.1 Project and EIR Overview	1-1
1.2 CEQA Processing and Final EIR	1-2
1.3 EIR Certification and Findings	1-3
2.0 Summary	2-1
2.1 Summary of Project Description	2-1
2.2 Summary of Impacts and Mitigation Measures	2-2
2.3 Summary of Alternatives	2-2
2.4 Other Project Considerations	2-3
3.0 Comments on Draft EIR and Lead Agency Responses to Comments	3-1
4.0 Draft EIR Errata	4-1

### APPENDIX

- A Draft EIR Distribution List and Legal Notices
- B Updated DEIR Project Description Graphics

### LIST OF FIGURES

1-1. Regional Location Map	1-5
1-2. Project Location	1-6
1-3. Proposed Annexation Area	1-7
1-4. USGS Map	1-8
1-5. Aerial Photo	1-9

## LIST OF TABLES

2-1.	Revised Summary of Impacts and Mitigation Measures	2-5
------	--	-----

# 1.0 INTRODUCTION

## 1.1 PROJECT AND EIR OVERVIEW

---

This Final Environmental Impact Report (Final EIR or FEIR) describes the potential environmental impacts that would result from the City of Ceres' approval of the proposed Copper Trails Specific Plan (CTSP) and Annexation Project (project). The proposed annexation area is comprised of the 534.6-acre CTSP area and an adjacent 146.1-acre area lying between the CTSP and the existing City of Ceres boundary (Figures 1-1 through 1-5). The overall annexation project includes a total of 680.7 acres in 244 existing parcels;

The Copper Trails Specific Plan would guide and regulate the future development of new urban land uses on 68 undeveloped or under-developed parcels located within the CTSP area, which is adjacent to and southwest of Ceres in unincorporated Stanislaus County. The CTSP area would be annexed to the City of Ceres in conjunction with approval of the specific plan. The CTSP proposes a mix of commercial, public, park, and low- to high-density residential land uses. Total potential development pursuant to the CTSP would include an estimated 2,392 new single- and multi-family residential units and 1.2 million square feet of new regional commercial development. Development of the CTSP area would include approximately 42.3 acres of new parks and open space and 3.4 acres of new public space in addition to an existing 74.1 acres of public space (schools) within the CTSP Area.

The CTSP establishes locations and provides for the construction of streets and other public facilities that would meet urban service needs while encouraging use of alternate modes of transportation, such as walking and bicycling. Utilities and other supporting infrastructure would be installed in conjunction with planned new development. Additional project details can be found in Chapter 3.0 of the Draft EIR Project Description.

In addition to annexation of the 68 parcels that comprise the CTSP area, the project would also include annexation of another 176 parcels totaling 146.1 acres of other unincorporated but largely developed lands between the CTSP area and the existing City boundary to the north and east; this area is hereinafter referred to as the "Pocket Area." The Pocket Area would be pre-zoned consistent with the existing Ceres General Plan designations for the area, which is within the City's Sphere of Influence. Annexation of the CTSP Area, without including the Pocket Area, would result in an unincorporated island within the City limits, which is contrary to LAFCo annexation policy. The proposed annexation requires the approval of the Stanislaus Local Agency Formation Commission (LAFCo).

## 1.2 CEQA PROCESSING AND FINAL EIR

---

The Copper Trails EIR, including both the Draft EIR and this Final EIR, has been prepared in accordance with the requirements of CEQA and the State CEQA Guidelines. The City of Ceres is the “lead agency” for the proposed specific plan and annexation project. The City determined that an EIR would be required for the project and released a Notice of Preparation (NOP) on September 27, 2023 for agency and public review. The NOP comment period closed on October 26, 2023. A copy of the NOP and comments received in response to the NOP are included in Appendix A of the Draft EIR.

The Notice of Preparation (NOP), comments on the NOP received by the City, the Draft EIR and technical appendices to the Draft EIR are available for review at the City offices and on the City’s website:

City of Ceres Community Development Department  
2220 Magnolia Street  
Ceres, CA 95307

<https://www.ci.ceres.ca.us/1798/Copper-Trails-Specific-Plan>

The City prepared a Draft EIR (the Public Review Draft EIR, dated November 6, 2024) that identified the potential environmental effects of the project. The Draft EIR was distributed locally and through the State Clearinghouse (SCH #2023090637) for agency and public comment between November 6, 2024 and January 27, 2025. The Draft EIR distribution list, legal notices and other information related to the public review period for the Draft EIR are shown in FEIR Appendix A. Public and agency comments received by the City during the public review period, together with the City’s responses to these comments, are shown in FEIR Section 3.0.

CEQA Guidelines Section 15132 specifies the content of a Final EIR as:

- The Draft EIR or a revision of the draft,
- Comments and recommendations received on the Draft EIR, either verbatim or in summary,
- A list of persons, organizations, and the public agencies commenting on the Draft EIR,
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process, and
- Any other information added by the Lead Agency. This may include additional technical information or clarification to the Draft EIR.

This Final EIR provides the information required by the CEQA Guidelines. This Section 1.0 describes the purpose and format of the Final EIR and incorporates the Draft EIR by reference, below. Section 2.0 summarizes the Public Review Draft EIR, together with any modifications dictated by responses to comments on the Draft EIR (FEIR Section 3.0). FEIR Section 3.0 lists and displays all of the comments received by the City concerning the Draft EIR verbatim, provides the City's response to each substantive comment pertaining to the EIR content and/or its processing pursuant to CEQA. FEIR Section 4.0 sets forth any corrections and changes to the Draft EIR, including changes that address public and agency comments as well as any pertinent revisions originating with City staff. FEIR Appendix A includes copies of transmittal documents, the Notice of Availability of the Draft EIR, the distribution list for the NOA the Notice of Completion, and other material related to the public review of the Draft EIR.

The Draft EIR, cited below, is hereby incorporated by reference. Copies of the Draft EIR are available for review at the City of Ceres Community Development Department, 2220 Magnolia Street, Ceres CA 95307, or on the City's website at the link shown above.

Public Review Draft Environmental Impact Report for the Copper Trails Specific Plan and Annexation Project, Ceres, CA. November 6, 2024. Prepared for City of Ceres Department of Community Development, 2220 Magnolia Street, Ceres, CA 95307. Prepared by BaseCamp Environmental, Inc., 802 West Lodi, CA 95240. State Clearinghouse Number 2023090637.

As required by CEQA, a copy of the City's proposed responses to comments on the Draft EIR it received from agencies, as shown in Section 3.0 of this Final EIR, were provided to each commenting agency a minimum of 10 days ahead of the proposed certification of the Final EIR.

### 1.3 EIR CERTIFICATION AND FINDINGS

---

Sections 15090 through 15093 of the CEQA Guidelines outline required procedures for Lead Agency certification and findings related to the EIR. Before taking action on the project, the City must first certify that the EIR is adequate under CEQA. Then, in conjunction with its decision on the project, the City must make specific findings with respect to each of the significant environmental effects identified in the EIR.

CEQA Guidelines Section 15090 requires that the Lead Agency certify that 1) the Final EIR has been completed in compliance with CEQA, 2) that the Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information contained in the Final EIR prior to a decision on the project, and 3) that the Final EIR reflects the Lead Agency's independent judgment and analysis.

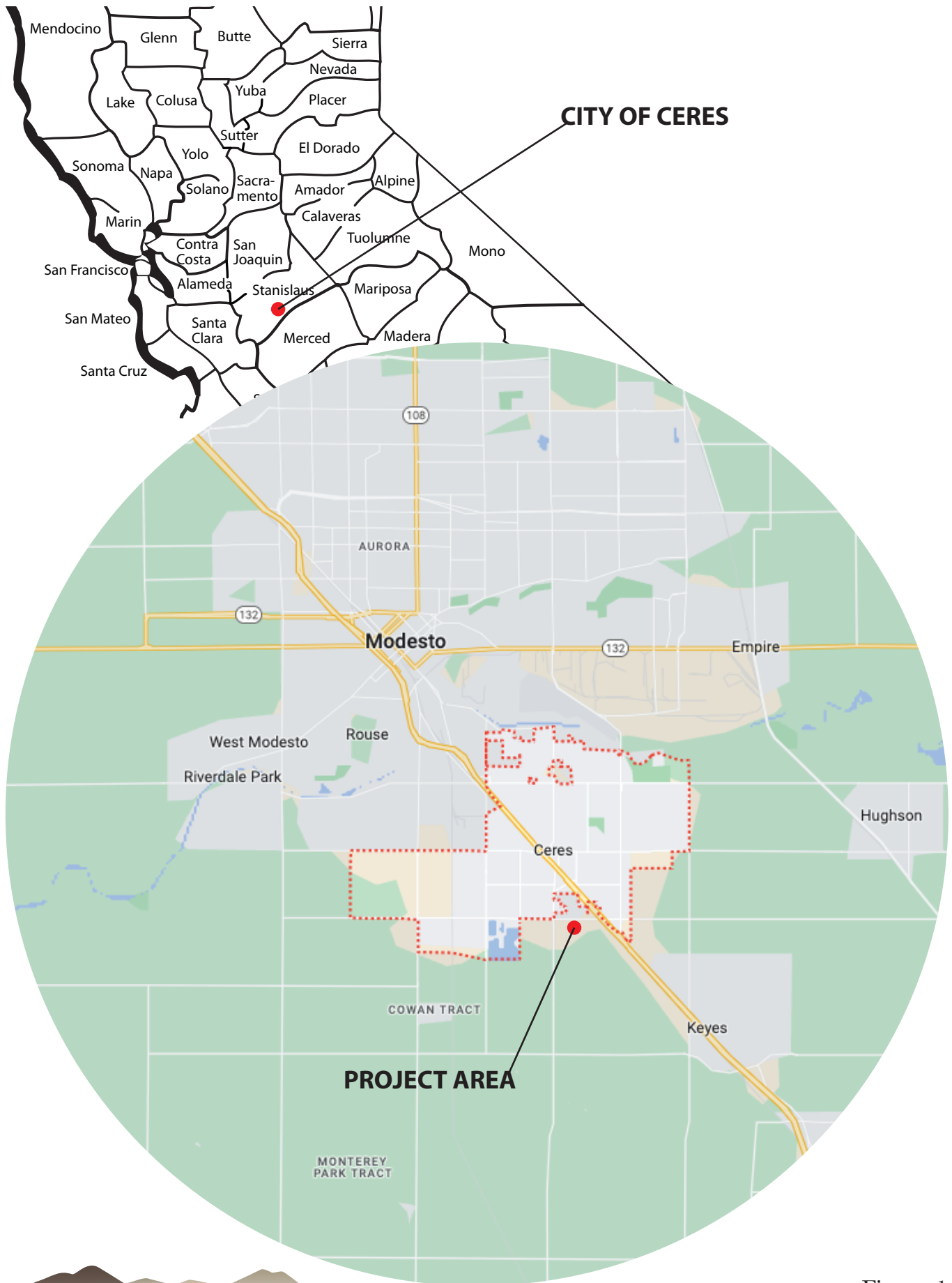
The EIR is intended by CEQA to be an informational document (CEQA Guidelines Section 15121). Decision-making on the project in relation to its environmental impacts is reserved to the Lead Agency and any interested Responsible Agencies. Consequently, information in the EIR does not limit the Lead Agency's ultimate discretion on the project, but as noted the Lead Agency must make specific findings with respect to each significant effect

identified in the EIR (CEQA Guidelines Section 15091). The City's findings for the project are contained in a separate *CEQA Findings* document that accompanies this Final EIR and is expected to be adopted by the Ceres City Council at the time this EIR is certified. The possible findings are:

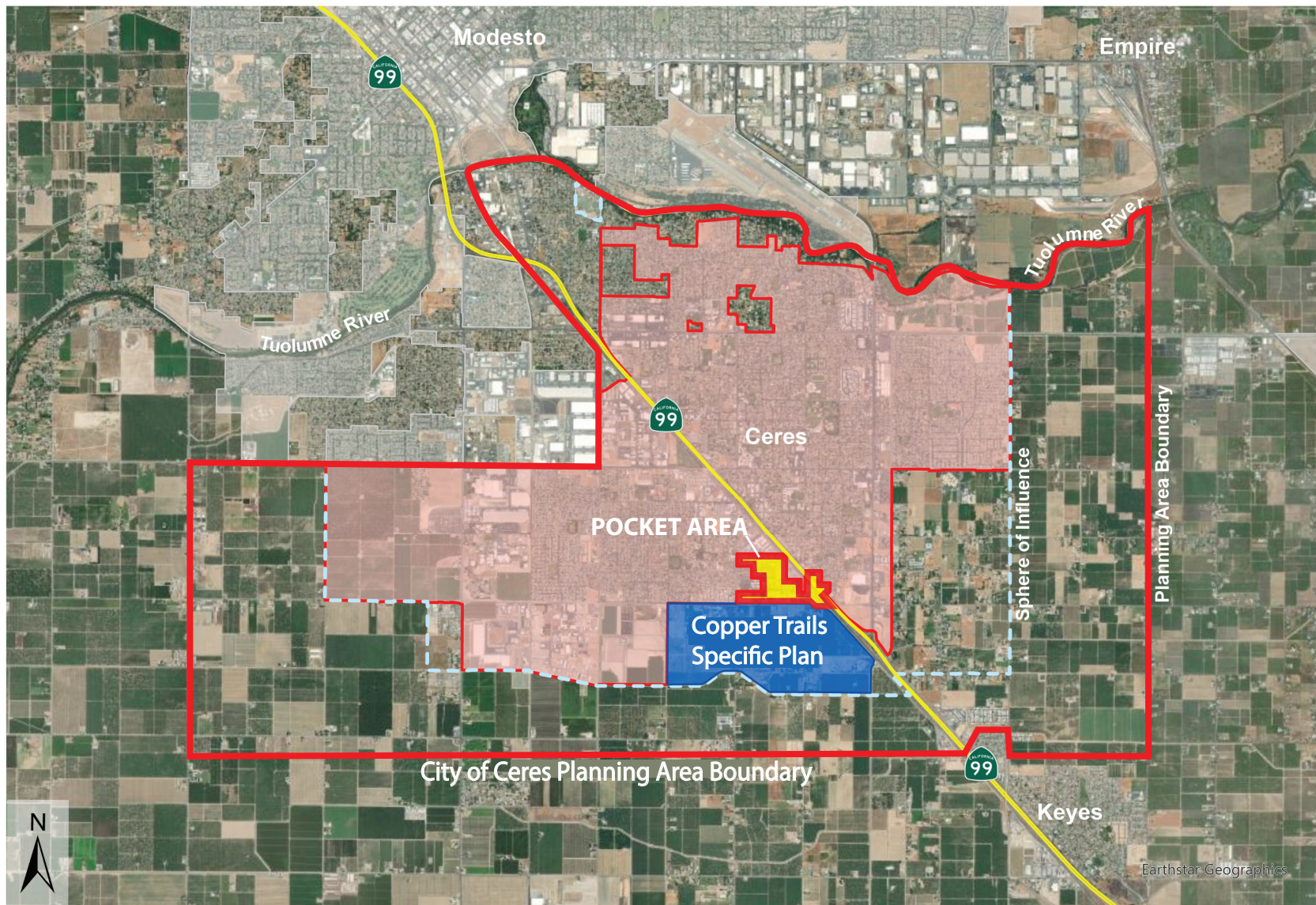
1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR (i.e., the impact has been "mitigated").
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (i.e., mitigation is the responsibility of an agency other than the City of Ceres).
3. Specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR (i.e., the impact is acceptable because the project's benefits outweigh it).

In the event that the City wishes to approve a project without providing substantial mitigation for all of its significant impacts (i.e., if the second or third finding options are utilized), then CEQA Guidelines Section 15093 allows the decision-makers to balance the project's benefits against its unavoidable environmental risks. This decision must be documented in a Statement of Overriding Considerations, which is adopted by the Lead Agency. As documented in this Final EIR, the Copper Trails Specific Plan and Annexation Project would have significant and unavoidable environmental impacts; therefore, the City of Ceres will need to adopt a Statement of Overriding Considerations before it takes action on the project. A proposed Statement of Overriding Considerations is included in the *CEQA Findings* document for the project.

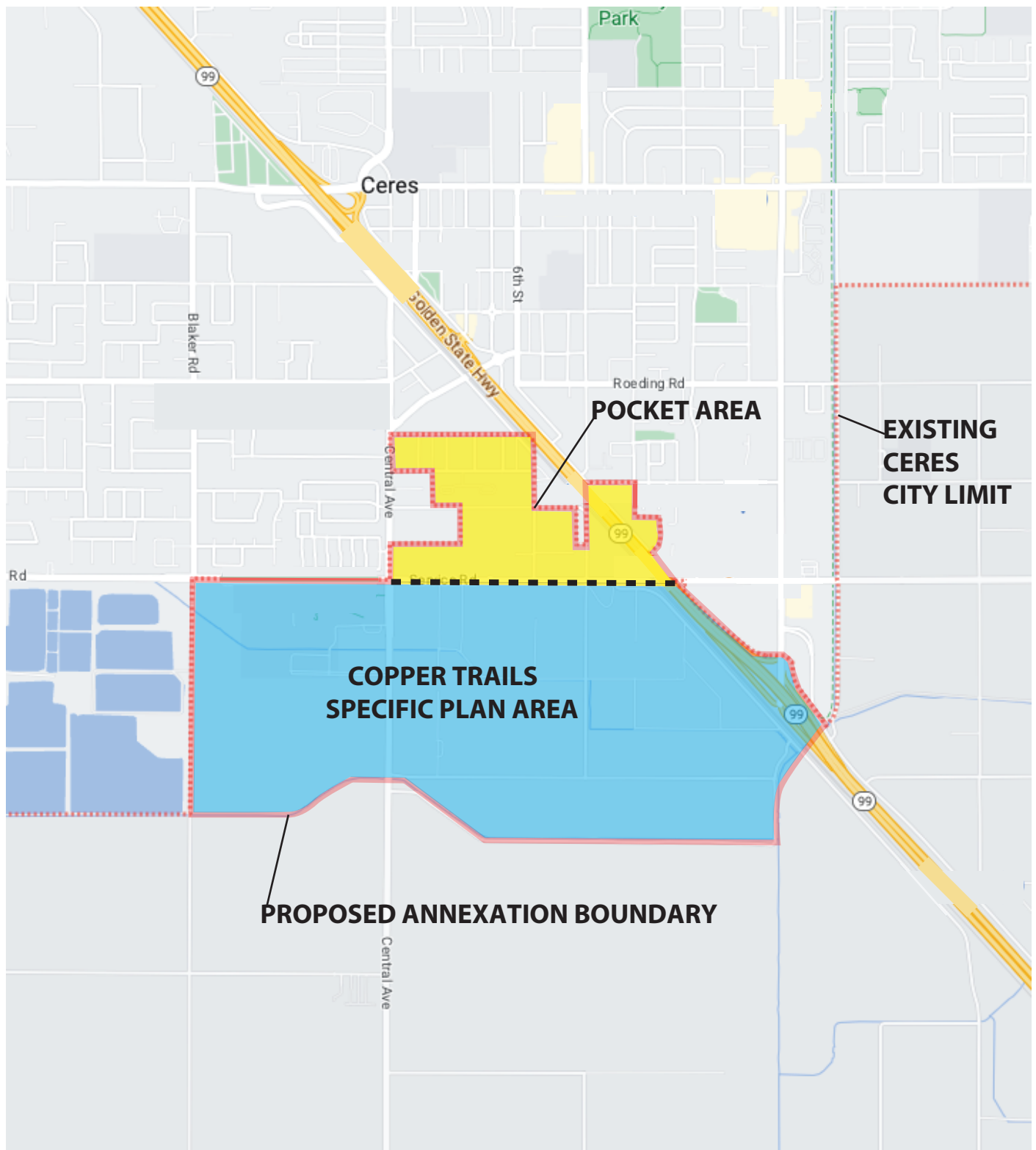
As a part of the project consideration and approval process described above, the City must also adopt a mitigation monitoring and/or reporting program (CEQA Guidelines Section 15097). The mitigation monitoring/reporting program is required to ensure that the mitigation measures and project revisions identified in the EIR are implemented. The measures and any revisions to this project are fully enforceable through permit conditions, agreements, or other measures. The mitigation monitoring/reporting program for this project is also contained in a separate document that accompanies this Final EIR and is expected to be adopted by the Ceres City Council at the time this EIR is certified.



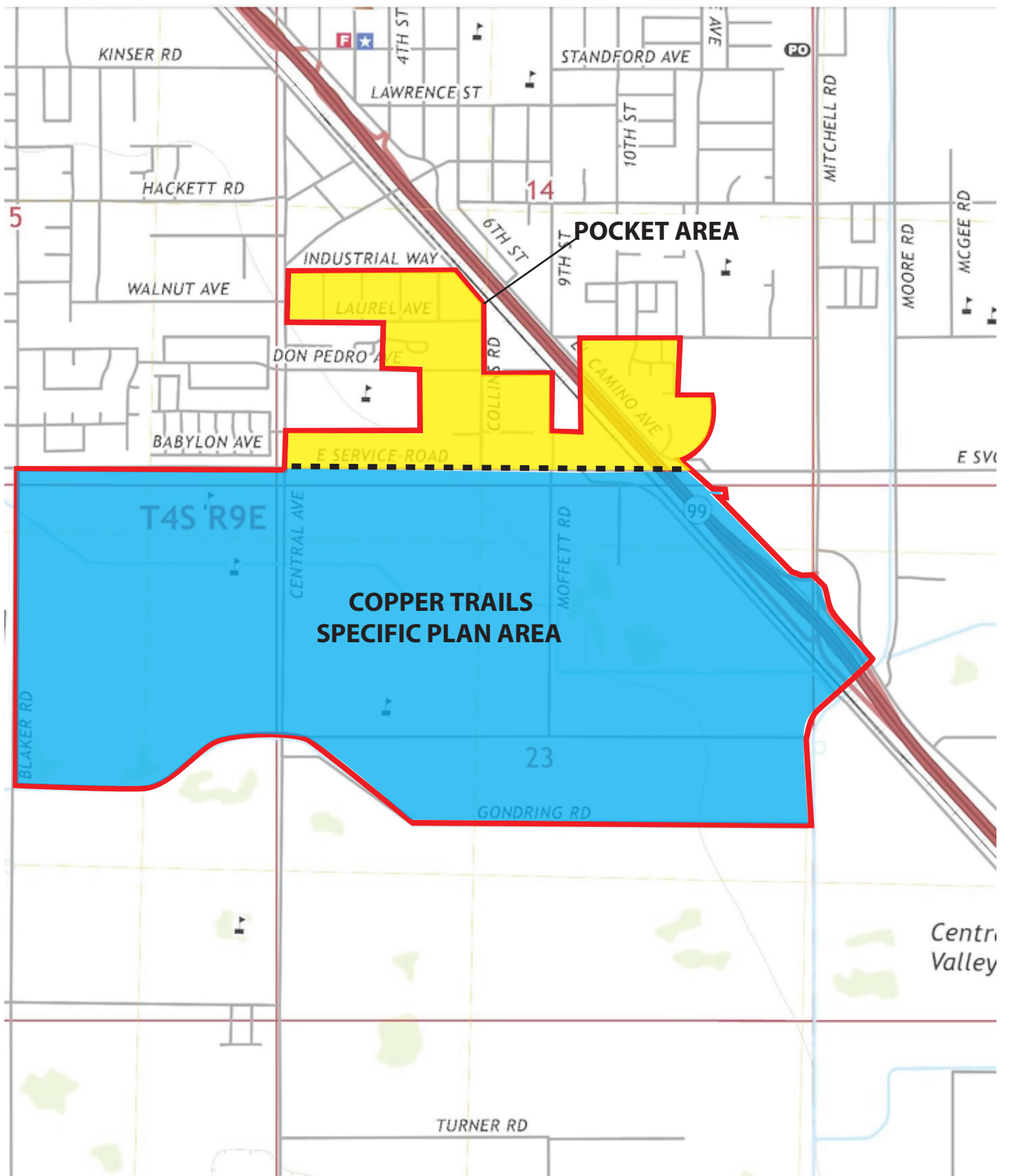




**SOURCE:** Wood Rodgers

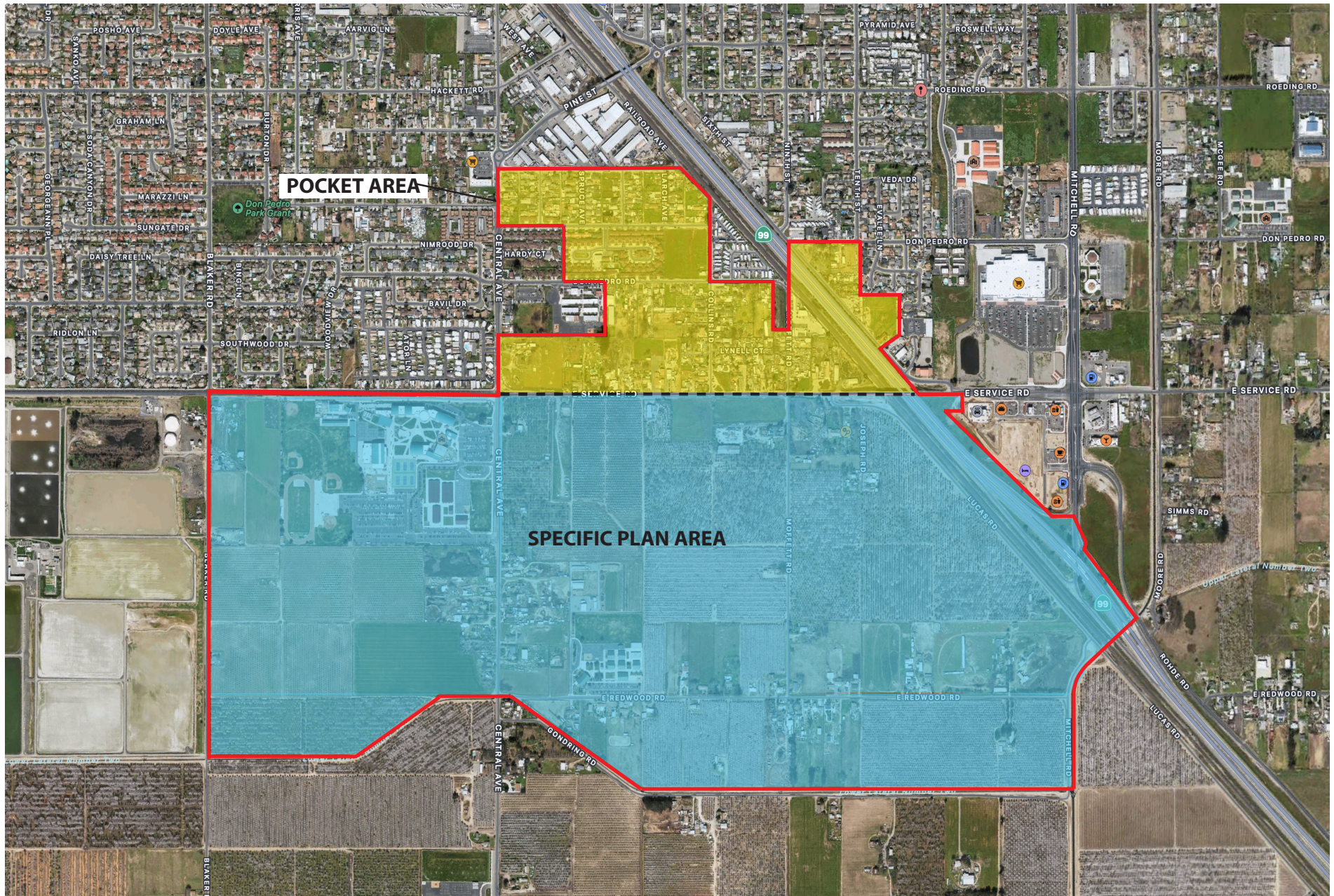






**SOURCE:** USGS Quadrangle Map, Ceres, CA 2021.





**SOURCE:** Google Earth



## 2.0 SUMMARY

### 2.1 SUMMARY OF PROJECT DESCRIPTION

---

This Environmental Impact Report (EIR) describes the potential environmental effects that would result from the approval of the Copper Trails Specific Plan (CTSP) and Annexation Project, including related permits and approvals. The CTSP establishes a plan for, and would result in, development of residential, commercial, and other urban land uses within the approximately 534.6-acre CTSP area south and west of Ceres. The project also proposes the annexation and pre-zoning of an additional 146.1 acres of currently unincorporated land outside and north of the CTSP Area, referred to as the Pocket Area; future development within the Pocket Area, which has already been largely developed under County jurisdiction, would likely be limited to remaining undeveloped or vacant parcels. The project area as a whole includes approximately 680.7 acres.

CTSP approval and annexation would result in the potential for development of approximately 260.3 acres of low-, medium-, medium high-, and high-density residential units within the CTSP Area – up to a total of 2,392 units. Another approximately 107.4 acres is proposed for Regional Commercial development, with up to 1,169,586 square feet of building space. The CTSP also proposes approximately 42.3 acres of parks and open space, including street landscapes, and 3.4 acres for new public uses that would be in addition to the 74.1 acres already occupied by the existing Central Valley High School, Ceres Adult School and Hidahl Elementary School.

The CTSP proposes a circulation system that would utilize and improve existing roads and add new roads and streets. It also would provide for the development of new bicycle and pedestrian trails and open space linkages that would and between the planned residential neighborhoods, commercial areas, schools, and parks. The CTSP is proposed to be developed in four phases, with streets and utilities to be installed during each phase in accordance with an Infrastructure Plan. Specific development standards and community design themes for planned land uses are defined in Chapter 3 of the CTSP. It can be anticipated that future development of the CTSP Area would be similar to existing development patterns seen in the City's newer residential and commercial areas.

Annexation of the Pocket Area would include pre-zoning of the area consistent with the Ceres General Plan, extending the availability of City utilities and services to this largely developed unincorporated area. The Pocket Area includes some non-contiguous tracts of undeveloped land with new development potential. Potential development of the Pocket Area would be subject to the applicable provisions of the City's existing zoning regulations.

## 2.2 SUMMARY OF IMPACTS AND MITIGATION MEASURES

---

The potentially significant environmental effects of the proposed project, and the mitigation measures needed to minimize these effects, are listed in Table 2-1 at the end of this chapter. The table identifies the level to which the proposed mitigation measures would reduce environmental effects. “Significant and unavoidable” impacts are those that remain significant or potentially significant after mitigation measures are applied.

## 2.3 SUMMARY OF ALTERNATIVES

---

Chapter 19.0 identifies and discusses a range of reasonable alternatives to the proposed project, including the "no project" alternative. Several alternatives were considered but not analyzed in detail as they were inconsistent with project objectives, were not feasible or did not offer an opportunity to reduce environmental effects. The alternatives addressed in detail include:

Alternative No. 1: No Project/No Development

Alternative No. 2: 2007 Copper Trails Specific Plan

Alternative No. 3: Current General Plan Map

The No Project alternative involves no action by the City with respect to the project or related development entitlement actions, including the proposed annexations. Under this alternative, existing County General Plan land use designations and zoning on the project site would remain in place, as would existing public roads and other urban infrastructure in the area. The County General Plan currently designates the entire project site as Urban Transition, but the CTSP Area is currently zoned General Agriculture. The continuation of existing uses would not result in any substantial change to the existing environment within or near the CTSP Area. However, the No Project alternative is not consistent with the project objectives nor with the proposed development in the City’s General Plan. Also, the City may be required to pursue alternative residential development, either through more intensive development, development on currently open space lands, or a combination of the two. This could result in new or more severe environmental impacts.

Under the 2007 CTSP Alternative, the CTSP as published for a public hearing in 2007 would be adopted. The 2007 CTSP covered approximately 175 acres, as opposed to the 534.6 acres covered by the proposed CTSP. It allowed for the development of up to 411 dwelling units of varying densities, along with parks and open space, but no commercial or other non-residential development. This alternative would reduce the proposed project’s direct physical environmental effects because of the reduced acreage involved. However, the 2007 CTSP Alternative would not meet all the objectives of the proposed project; specifically, the development of commercial uses and providing a balance of residential and non-residential land uses. Also, the City is unlikely to achieve its housing obligations under this alternative, which could lead to more housing development elsewhere, with attendant environmental impacts.

Under the Current Ceres General Plan Map Alternative, the project site would be developed in accordance with the current land use designations of the Ceres General Plan. The Ceres General Plan designates the CTSP Area for primarily medium and high-density residential, business park, and community recreation land uses. It allows for the development of up to 2,461 dwelling units. This alternative would meet the CTSP objectives of providing diversity in housing and in meeting housing targets, and the environmental impacts in general would be similar to those of the proposed project. However, this alternative may lead to more severe impacts on air quality, GHG emissions, noise, and traffic, due to more traffic being generated by the additional housing units that would be made available and to the introduction of more trucks. In addition, development of the Business Park area may introduce more hazardous materials to the area through transportation and storage.

Of these three alternatives, the No Project Alternative is considered the environmentally superior alternative. The 2007 CTSP Alternative would involve less severe environmental effects than the proposed project and therefore could be considered the Environmentally Superior Alternative behind the No Project Alternative.

## 2.4 OTHER PROJECT CONSIDERATIONS

---

CEQA Guidelines Section 15126(d) requires that an EIR shall consider the growth-inducing impacts of a proposed project. The project would inherently have a growth-inducing impact in that it would promote the urban development of the CTSP Area. The proposed CTSP has the potential to promote or stimulate future development of lands adjacent to the CTSP Area, mainly to the south and west. However, lands to the west are already substantially developed, and the Ceres General Plan has designated these lands for urban development. The agricultural lands south of the CTSP Area are not within either the Ceres General Plan Planning Area or the City's Sphere of Influence; moreover, they would be separated from the proposed development by TID Lower Lateral 2, which would act as a barrier.

CEQA Guidelines Section 15126(c) requires that an EIR address significant irreversible environmental changes that would be involved in the proposed project if it were implemented. Urban development promoted by the CTSP would involve the irreversible commitment of non-renewable materials and energy consumption to construction of proposed urban infrastructure, residential and non-residential areas and related development. The CTSP would involve significant irreversible environmental changes in the loss of agricultural land, involving the conversion of approximately 319.5 acres of Important Farmland (see Chapter 5.0, Agricultural Resources) from the present agricultural and open space uses to urban residential, commercial, and other urban uses. Development of the CTSP Area would involve an essentially irreversible reduction in groundwater recharge that would otherwise occur on the undeveloped soils of the area.

The State of California has recently emphasized the incorporation of environmental justice concerns in land use and environmental planning. Low-income residents, communities of color, tribal nations, and immigrant communities have historically experienced disproportionate environmental burdens with their related health problems, in part due to inappropriate zoning and incomplete land use planning. In recognition of this, and in

accordance with applicable legislation, this EIR evaluated the presence of the project site in a Census tract defined as a disadvantaged community. It was determined that the project site is not within a disadvantaged community.



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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
<b>4.0 AESTHETICS AND VISUAL RESOURCES</b>			
Impact AES-1: Scenic Vistas. Views of scenic vistas already limited; project would not contribute substantially to limiting views.	LS	None required.	-
Impact AES-2: Scenic Resources. There are no distinctive scenic resources on the project site. No scenic highways are in the area.	LS	None required.	-
Impact AES-3: Visual Character and Quality. Urban development would replace existing open space areas. New structures, site improvements, and landscaping would be designed and constructed to meet the aesthetic standards of the CTSP and be consistent with General Plan policies.	LS	None required.	-
Impact AES-4: Light and Glare. Lighting would be installed on properties that currently have none. Compliance with City and CTSP standards would minimize light and glare impacts.	LS	None required.	-
<b>5.0 AGRICULTURAL RESOURCES</b>			
Impact AG-1: Conversion of Farmland. The CTSP would convert 319.5 acres of Farmland as defined by CEQA Guidelines Appendix G. The City's Plan for Agricultural Preservation would compensate for impacts on Farmland but not avoid conversion. [This issue was analyzed in the Ceres General Plan EIR and was determined to be significant and unavoidable even with mitigating General Plan policies.]	S	AG-1: Prior to the approval of improvement plans, building permits, or recordation of a final map, applicants for projects in the Specific Plan Area shall offset the loss of Prime Farmland. This shall be done in coordination with the City, through the acquisition of conservation easements in Stanislaus County at a 1:1 ratio (i.e., one acre on which easements are acquired to one acre of Prime Farmland removed from agricultural use) that provide in-kind or similar resource value protection; payment of in-lieu fees to an established, qualified, mitigation program to fully fund the acquisition and maintenance of agricultural land or easements; or compliance with the City's adopted Plan for Agricultural Preservation, as adopted by Stanislaus LAFCO in accordance with LAFCO Policy 22.	SU

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		This same impact was previously addressed in Ceres General Plan EIR and was included in the City's Statement of Overriding Considerations when the General Plan was adopted.	
Impact AG-2: Conflict Between Agricultural and Urban Land Uses. Intensive agricultural operations adjacent or close to urban development can result in use conflicts. General Plan policies and existing physical buffers would minimize potential conflicts.	LS	None required.	-
Impact AG-3: Agricultural Zoning and Williamson Act. The CTSP Area is mostly zoned General Agriculture, while three parcels within the project site are under a Williamson Act contract. The project would rezone the CTSP Area to be consistent with proposed urban development, and the Williamson Act contracts would be cancelled or not renewed.	PS	<p>AG-2: Project applicants for urban development of lands with a surviving Williamson Act contract shall apply to the City for approval of immediate cancellation of the contract. The application shall be processed pursuant to the requirements of Sections 51282 and 51284 of the Government Code, including detailed findings specified in the law, and review and comment by the California Department of Conservation:</p> <ol style="list-style-type: none"> <li>1. That the cancellation is consistent with the purposes of this chapter, and</li> <li>2. That cancellation is in the public interest.</li> </ol> <p>Provided that required findings can be made, immediate cancellation of remaining Williamson Act contracts will reduce potential conflicts to a less than significant level.</p>	LS
Impact AG-4: Indirect Agricultural Land Conversion. The project may indirectly convert other agricultural land in the vicinity to non-agricultural uses, even with implementation of policies to reduce conversion pressures.	SU	None feasible.	-
<b>6.0 AIR QUALITY</b>			
Impact AIR-1: Air Quality Plans and Standards – Construction Emissions. Project construction emissions would not exceed SJVAPCD significance thresholds in a maximum development year, thereby being consistent with adopted air quality plans. Dust emissions would be	PS	<p>Recommended Air Quality Measures</p> <p>AIR-1: Prior to the issuance of a Grading Permit for each phase of the Project, the Project Proponent shall prepare and submit a Dust Control Plan that meets all of the applicable requirements of APCD Rule 8021, Section</p>	<u>LS</u>

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
reduced through the required implementation of SJVAPCD Regulation VIII and the Indirect Source Rule.		<p>6.3, for the review and approval of the APCD Air Pollution Control Officer.</p> <p>AIR-2: During all construction activities, the Project Proponent shall implement dust control measures, as required by APCD Rules 8011-8081, to limit Visible Dust Emissions to 20% opacity or less. Dust control measures shall include application of water or chemical dust suppressants to unpaved roads and graded areas, covering or stabilization of transported bulk materials, prevention of carryout or trackout of soil materials to public roads, limiting the area subject to soil disturbance, construction of wind barriers, access restrictions to inactive sites as required by the applicable rules.</p> <p>AIR-3: During all construction activities, the Project proponent shall implement the following dust control practices identified in Tables 6-2 and 6-3 of the GAMAQI (2016).</p> <p>a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.</p> <p>b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.</p> <p>c. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall control fugitive dust emissions by application of water or by presoaking.</p> <p>d. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.</p>	

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		<p>e. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.</p> <p>f. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.</p> <p>g. Limit traffic speeds on unpaved roads to 5 mph.</p> <p>h. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.</p> <p>AIR-4: Asphalt paving shall be applied in accordance with APCD Rule 4641, the purpose of which is to limit VOC emissions by restricting the application and manufacturing of certain types of asphalt for paving and maintenance operations. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations. The Applicant shall coordinate with the APCD and provide the City with evidence of consultation with the APCD, including confirmation of compliance with APCD Rule 4641.</p>	
Impact AIR-2: Air Quality Plans and Standards – Operational Emissions. the project would not contribute new or more severe air quality impacts than those analyzed in the GPEIR, and it may reduce some of these impacts. Individual projects would be subject to CEQA review and potential mitigation measures if necessary.	<del>SL</del>	None <del>feasible</del> <u>required</u> .	<del>SU</del>
Impact AIR-3: Exposure of Sensitive Receptors to Criteria Pollutants. Potentially significant CO effects could result	LS	None required.	-

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
from the CTSP if it would result in high traffic congestion. However, the transportation analysis indicates that intersections would not reach congestion levels causing elevated CO concentrations that may present a health risk.			
Impact AIR-4: Exposure of Sensitive Receptors to Toxic Air Contaminants. Development in the project site is unlikely to generate or be exposed to TACs at a level that can present a risk to human health. Projects that could generate potentially significant amounts of TACs would be subject to City review.	PS	AIR-5: For service station projects, as part of the Conditional Use Permit evaluation process, the Gasoline Service Station Industrywide Risk Assessment Look-up Tool shall be used to screen service stations for their cancer and non-cancer chronic and acute risks. If the results of the Look-up Tool indicate that the proposed service station would not exceed the significance thresholds for cancer and non-cancer chronic and acute risks, as set by the San Joaquin Valley Air Pollution Control District (SJVAPCD), then no further action need be taken. However, if the service station project exceeds one or more of these thresholds, particularly the cancer risk threshold, then the project shall be required to prepare a Health Risk Assessment. The Health Risk Assessment shall quantify the health risks associated with the project and identify project or design changes sufficient to reduce these risks to levels below their respective significance thresholds. These recommendations shall be incorporated as conditions of approval for the Conditional Use Permit and shall be implemented upon permit approval.	LS
Impact AIR-5: Odor Emissions. The project would not allow or promote development of significant odor sources.	LS	None required.	-
<b>7.0 BIOLOGICAL RESOURCES</b>			
Impact BIO-1: Special-Status Species and Habitats. Project development would involve the potential for impacts on foraging habitat for Swainson's hawk and shrub habitat for valley elderberry longhorn beetle.	PS	BIO-1: If ground-disturbing activities would take place on sites where suitable nesting habitat may exist, a survey for nesting Swainson's hawks <u>and burrowing owl</u> shall be conducted by a qualified wildlife biologist, following survey methods developed by the Swainson's Hawk Technical Advisory Committee (2000) <u>and CDFW's Staff Report on Burrowing Owl Mitigation (2012)</u> prior to undertaking any ground-disturbing activities. The survey shall include recommended mitigation measures for any potential impacts from the project.  If ground disturbing activities would take place during the nesting season (March 1 through August 31) and Swainson's	LS

TABLE 2-1  
REVISED SUMMARY OF IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		<p>hawk <del>or burrowing owl</del> nests are found to be present, a no-disturbance buffer <u>consistent with CDFW guidance</u> shall be established around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged.</p> <p><u>(BIO-1 continued) A qualified biologist shall conduct a habitat assessment to determine if the project area contains habitat suitable to support Crotch's bumble bee nesting, including identification of potential nesting sites. If the habitat assessment indicates high potential to support the bumble bee nesting, the biologist shall recommend appropriate mitigation.</u></p> <p>BIO-2: Prior to the start of construction activities for an approved development project, a survey shall be conducted by a qualified biologist for blue elderberry (<i>Sambucus mexicana</i>) shrubs. Should such shrubs be discovered by the survey, the development project shall avoid removal of these shrubs to the extent feasible. If avoidance is not feasible, then the biologist shall recommend actions to be taken to minimize or to compensate for any impacts on blue elderberry shrubs in accordance with the applicable state or federal regulations.</p>	
Impact BIO-2: Riparian and Other Sensitive Habitats. There are no riparian or other sensitive habitats on the project site.	NI	None required.	-
Impact BIO-3: State and Federally Protected Wetlands. No wetlands have been identified on the project site. Potential impacts on TID canals would be covered under the Section 404 permitting process.	LS	None required.	-
<p><del>Impact BIO-4: Migratory Fish and Wildlife Habitats, Migration Corridors and Nursery Sites</del></p> <p>Existing trees and grassy areas could be used by protected migratory bird species for nesting.</p>	PS	<p>BIO-3: If construction of a development project commences during the general avian nesting season (<u>February 1 through September 15</u>), a pre-construction survey for all species of nesting birds shall be conducted. If active nests for any bird species are found, work in the vicinity of the nests shall be delayed until the young have fledged. No survey shall be required if construction occurs outside the general avian nesting season.</p>	LS

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
<p><del>Impact BIO-5: Local Biological Requirements. Local Policies and Ordinances</del></p> <p>Development on the project site would be consistent with Ceres General Plan policies on biological resources, with implementation of Mitigation Measure BIO-1. No local ordinances protecting biological resources have been enacted.</p>	PS	Mitigation Measure BIO-1.	LS
Impact BIO-6: Habitat Conservation Plans. No habitat conservation plans apply to the area.	NI	None required.	-
<b>8.0 CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES</b>			
Impact CULT-1: Historical Resources. No historical resources have been recorded on the project site. However, buildings of at least 50 years of age may exist.	PS	CULT-1: Based on a determination of potential historical value by the Community Development Director, prior to issuance of a development permit for a site within the Copper Trails Specific Plan area, existing buildings or other structures on the site that are 50 years of age or older shall be evaluated by a qualified architectural historian to determine if they are eligible for listing on the National Register of Historic Places and/or the California Register of Historical Resources. Should any buildings be found eligible for such designation(s), then the architectural historian shall make recommendations concerning the disposition of the identified buildings, which shall be implemented by the project developer. Recommendations may include, but are not limited to, preservation of the existing structure or reuse of the structure in accordance with historic property standards of the U.S. Secretary of the Interior.	LS
Impact CULT-2: Archaeological Resources. No archaeological resources have been recorded on the project site. However, it is possible that currently unknown cultural resources may be uncovered during project construction.	PS	CULT-2: If any subsurface cultural resources are encountered during project construction that occurs within the Copper Trails Specific Plan area, the City of Ceres Community Development Department shall be immediately notified of the discovery, and all construction activity within 50 feet of the find shall be halted. A qualified archaeologist shall examine the find and determine its significance. If the find is determined to be significant, then the archaeologist shall recommend further mitigation measures that would reduce potential effects on the find to a level that is less than significant. Recommended measures may include, but are not limited to, 1) avoidance and preservation in place, or 2)	LS

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		excavation, recovery, and curation by qualified professionals. Construction activities in the area of the find shall not resume until the mitigation measures are in place. The project developer shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the City's Development Services Department, consistent with the requirements of the CEQA Guidelines.	
Impact CULT-3: Tribal Cultural Resources. No tribal cultural resources have been identified on the project site. However, it is possible that currently unknown tribal cultural resources may be disturbed during project construction.	PS	<p><del>CULT 3: If any subsurface tribal cultural resources, including human burials and associated funerary objects, are encountered during construction, all construction activities within a 50-foot radius of the encounter shall be immediately halted until a qualified archaeologist can examine these materials and evaluate their significance. The City shall be immediately notified in the event of a discovery, and the City shall notify the appropriate tribal representative, who may examine the materials with the archaeologist and advise the City as to their significance. The archaeologist, in consultation with the tribal representative if contacted, shall recommend mitigation measures needed to reduce potential cultural resource effects to a level that is less than significant in a written report to the City, with a copy to the tribal representative. Avoidance is the preferred means of disposition of tribal cultural resources, but other means may be pursued. Construction activities in the area of the find shall not resume until the mitigation measures are in place. The contractor shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in written reports to the City.</del></p> <p>CULT-4: In accordance with California Health and Safety Code Section 7050.5, if human remains are uncovered during project construction, then all work in the vicinity of the find shall be halted, and the County Coroner shall be immediately notified to determine if an investigation of the death is required. If it is determined that the remains are Native American in origin, then the County Coroner is required to contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission is required to identify the Most Likely Descendants of the deceased Native American, and the Most Likely Descendants may make recommendations on the</p>	LS



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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		<p><del>disposition of the remains and any associated grave goods with appropriate dignity. If a Most Likely Descendant cannot be identified or fails to make a recommendation, or the landowner rejects the recommendations of the Most Likely Descendant, then the landowner shall rebury the remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance.</del></p> <p><u>Implementation of Mitigation Measure CULT-2</u></p>	
<b>9.0 GEOLOGY, SOILS, AND MINERAL RESOURCES</b>			
Impact GEO-1: Fault Rupture, Seismic Shaking, and Seismically Induced Failure. There are no active or potentially active faults located on or in the vicinity of the project site. Routine implementation and enforcement of the California Building Code would minimize seismicity impacts on new development.	LS	None required.	-
Impact GEO-2: Soil Erosion. Project construction activities would loosen the soil, leaving it exposed to potential water and wind erosion. Project would be required to obtain a Construction General Permit, which has conditions that would reduce soil erosion impact, and would comply with the City's Storm Water Management Program.	LS	None required.	-
Impact GEO-3: Exposure to or Effects on Unstable Geologic Units or Soils. The potential hazards of unstable soil or geologic units would be addressed largely through the integration of geotechnical information in the planning and design process for projects, in accordance with standard industry practices and state-provided requirements.	LS	None required.	-
Impact GEO-4: Expansive Soils. Project site soils have low shrink-swell potential.	LS	None required.	-
Impact GEO-5: Adequacy of Soils for On-Site Wastewater Disposal Systems. Future development within the project	NI	None required.	-

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
site would be served by the City of Ceres wastewater collection and treatment system.			
Impact GEO-6: Paleontological Resources and Unique Geological Features. The project site does not contain unique geological features or any known paleontological resources; however, project construction could unearth previously unknown paleontological materials of significance.	PS	GEO-1: If paleontological resources are encountered during project construction, the City of Ceres shall be immediately notified of the discovery, and construction activity within 50 feet of the encounter shall cease until a qualified paleontologist examines the materials, determines their significance under CEQA, and recommends mitigation measures that would be necessary to reduce potentially significant effects to a level that is less than significant. The developer or its contractor shall be responsible for retaining a qualified paleontologist and for implementing recommended mitigation measures. Construction activities in the area of the find shall not resume until the mitigation measures are in place.	LS
Impact GEO-7: Mineral and Energy Resources. There are no identified mineral resource areas, including oil and gas fields, on the project site.	NI	None required.	-
<b>10.0 GREENHOUSE GAS EMISSIONS</b>			
Impact GHG-1: GHG Emissions from Construction Activities. GHG emissions from a maximum construction year would not exceed a quantitative threshold used to determine significance of impact.	LS	None required.	-
Impact GHG-2: GHG Emissions from Project Operations. Unmitigated operational GHG emissions would be reduced by project features, but impacts would remain significant and unavoidable.	SU	Project features will reduce GHG emissions. No other mitigation measures are available.	SU
Impact GHG-3: Consistency with Applicable GHG Plans and Policies. Project reductions would be consistent with targets of SB 32 and the implementing Scoping Plan.	LS	None required.	-
<b>11.0 HAZARDS AND HAZARDOUS MATERIALS</b>			
Impact HAZ-1: Hazardous Material Transportation. Compliance with applicable local, state, and federal regulations would minimize impacts.	LS	None required.	-

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
Impact HAZ-2: Hazardous Material Storage and Use. Compliance with applicable local, state, and federal regulations would minimize impacts. Also, agricultural chemicals currently in use in CTSP Area would be eliminated.	LS	None required.	-
Impact HAZ-23: Hazardous Material Releases. Compliance with applicable local, state, and federal regulations would minimize potential releases. Schools located within the CTSP Area would not be exposed to any releases.	LS	None required.	-
Impact HAZ-34: Hazardous Material Sites. No active hazardous material sites were identified on the project site. Past agricultural activities within the CTSP Area have the potential of leaving hazardous materials that could be released. Also, demolition of older buildings could release asbestos and lead-based paints into the environment.	PS	<p>HAZ-1: Prior to approval of a site plan or a tentative subdivision map for future development, a Phase I Environmental Site Assessment shall be conducted and submitted to the City Community Development Department. The Phase I Assessment shall evaluate the site for potential contamination, including residues of agricultural chemicals on sites of previous agricultural land use. If the Phase I Assessment determines the potential presence of any hazardous material contamination, then a Phase II Environmental Site assessment shall be conducted to identify the type and extent of hazardous material contamination. If necessary, the Phase II report shall include remediation measures. Project approval shall include requirements for completion of any Phase II remediation needed to permit the proposed land use under existing applicable regulations.</p> <p>HAZ-2: If evidence of unusual odors or soil discoloration is noted during construction, construction shall be halted and the City shall be notified. The property owner or responsible party shall contact a qualified environmental professional to evaluate the situation and take action as required by applicable environmental regulations. Construction work at the identified site shall not resume until the site is either remediated or found to pose no risk to worker health.</p> <p>HAZ-3: Demolition permits shall be obtained from the City for structures to be removed from development sites. Demolition would occur in accordance with the conditions of the City Demolition Permit, which shall include a Demolition Plan that is reviewed and approved by the Building Official. The Demolition Plan shall include the required qualifications of demolition</p>	LS

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		contractors, demolition procedures, safety requirements, testing for hazardous materials that shall include asbestos-containing material and lead-based paint, waste disposal worker and public health, and environmental protections. Permit applications for uses regulated shall include a Demolition Permit Release Form from the SJVAPCD.	
Impact HAZ-45: Airport Hazards. A portion of the project site is within the Airport Influence Area established for the Modesto City-County Airport.	PS	HAZ-4: For projects located within the Airport Influence Area of the Modesto City-County Airport, as delineated within the Stanislaus County Airport Land Use Compatibility Plan, site plan and design review submittals for the project shall be referred to the Stanislaus County Airport Land Use Commission for its review and recommendations. Implementation of applicable recommendations of the Airport Land Use Commission shall be made a condition of City approval unless the City overrides any recommendation in accordance with State law.	LS
Impact HAZ-56: Interference with Emergency Vehicle Access and Evacuations. The project would also include improvements to existing roadways that could potentially interfere with emergency vehicle access and evacuations in the area.	PS	HAZ-5: Encroachment permits for work within the public right-of-way shall be obtained from the City of Ceres. As a condition of the permit, and prior to the start of project construction, the permittee shall prepare and implement a Traffic Control Plan, which shall include such items as traffic control requirements, resident notification of access closure, and daily access restoration. The contractor shall specify dates and times of road closures or restrictions, if any, and shall ensure that adequate access will be provided for emergency vehicles. The Traffic Control Plan shall be reviewed and approved by the City Department of Public Works and shall be coordinated with the Ceres Police Department and the applicable firefighting agency if construction will require road closures or lane restrictions.	LS
Impact HAZ-67: Wildfire Hazards. Project is in an urbanizing area and has not been designated a fire hazard area by Cal Fire.	LS	None required.	-
Impact HAZ-78: Waterway Hazards. Residential development adjacent to TID Lower Lateral 2 could lead to trespassing that could endanger trespassers.	PS	HAZ-6: Prior to the start of development within the Copper Trails Specific Plan area, design plans for any trails along Turlock Irrigation District (TID) canals shall be submitted to TID for its review and approval. TID approval shall be obtained for any trail construction along the TID canals.	LS

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
Impact HAZ-89: Railroad Hazards. Although project site is adjacent to UPRR tracks, it is unlikely that pedestrian or vehicle accidents at the tracks would increase in the area.	LS	None required.	-
<b>12.0 HYDROLOGY AND WATER QUALITY</b>			
Impact HYDRO-1: Surface Water Features and Quality. There are no existing natural surface waters within the project site. Surface runoff may contain urban pollutants, along with sediments, that could degrade surface water quality. Compliance with the City's Storm Water Management Program, the Construction General Permit, and other regulations would minimize this impact.	LS	None required.	-
Impact HYDRO-2: Groundwater Resources and Quality. Project would be served by the City's water system, which relies in part on groundwater. Project can be accommodated from City's existing groundwater supplies. Project may reduce groundwater recharge through increased impervious surfaces, but the impact is not considered substantial. Existing groundwater wells would need to be plugged over course of development.	PS	HYDRO-1: Prior to the start of development within any portion of the Copper Trails Specific Plan area, any remaining existing groundwater wells shall be plugged and abandoned in accordance with the requirements of the Stanislaus County Department of Environmental Resources and the provisions of California Water Code Section 13751.  HYDRO-2: For areas containing a shallow groundwater table, a dewatering permit shall be obtained from the RWQCB prior to the start of construction activities. Dewatering shall be done in accordance with the conditions of the permit.	LS
Impact HYDRO-3: Exposure to Flooding Hazards. The project site is not within a designated 100-year flood zone nor a potential dam failure inundation zone.	LS	None required.	-
Impact HYDRO-4: Conflict with Water Plans. The project would comply with applicable water quality plans and be consistent with the Groundwater Sustainability Plan for the Turlock Groundwater Subbasin.	LS	None required.	-
<b>13.0 LAND USE, POPULATION, AND HOUSING</b>			
Impact LUP-1: Division of Established Communities. The CTSP Area is mostly agricultural uses with school development. This does not constitute a community that	NI	None required.	-

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
could be divided by the project. The Pocket Area would be annexed to the City of Ceres.			
Impact LUP-2: Conflict with Land Use Plans, Policies, and Regulations. With adoption of the required General Plan Amendments, the designations within the proposed CTSP Area would be consistent with the Ceres General Plan. Potential conflicts with General Plan policies designed to avoid or minimize environmental effects would be resolved. Project may conflict with LAFCo policies preserving agricultural land, but project would be subject to the Agricultural Preservation Policy. Project would not substantially conflict with Modesto Airport ALUCP.	LS	None required.	-
Impact LUP-3: Unplanned Population Growth. The project would not induce population growth beyond that anticipated in the Ceres General Plan.	LS	None required.	-
Impact LUP-4: Displacement of Housing and People. The project site has single-family residences that would likely be demolished. However, the housing stock in the Ceres area would increase, and plans to vacate and demolish existing residences would be subject to agreements and negotiations between developers and owners, or owners and tenants.	LS	None required.	-
<b>14.0 NOISE</b>			
Impact NOISE-1: Increase in Noise Levels in Excess of Standards-Traffic. Traffic generated under Near Term Plus Project conditions would increase traffic noise levels along East Service Road by an amount exceeding applicable significance thresholds. Mitigation would reduce this impact.	S	NOISE-1: To reduce traffic noise increases under Near-Term Plus Project conditions to less than +1.5 dB, the segment of East Service Road north of the Copper Trails Specific Plan boundary shall be paved with quiet pavement. The pavement would be required for any portion of the roadway passing a noise-sensitive use, and for a distance of 100 feet on either side of the sensitive use.	LS
Impact NOISE-2: Increase in Noise Levels in Excess of Standards-Other Project Noise. Noise from commercial operations were determined to not significantly affect nearby sensitive land uses, mainly residences. However,	PS	<del>NOISE-2: To ensure compliance with the City's noise level standards for stationary noise sources, the setback distances for the land uses listed in Table 14-7 of this EIR shall be maintained. In lieu of this measure, an acoustical analysis may be performed by a qualified acoustical consultant demonstrating compliance with the City's noise level standards.</del>	LS

TABLE 2-1  
REVISED SUMMARY OF IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
specific land uses could adversely affect nearby residences if placed too closely.		<u>NOISE-2: Proposed commercial and active sports recreational projects shall be subject to a preliminary review by Community Development staff for potentially significant noise impacts. Where potential noise impacts may be significant, an acoustical analysis shall be performed by a qualified acoustical consultant as to the project's consistency with exceed the City's noise level standards and mitigation measures needed to bring the proposed source into compliance with City standards.</u>	
Impact NOISE-3: Increase in Noise Levels in Excess of Standards-Construction. Construction activities may potentially increase ambient noise above City standards at nearby sensitive receptors.	PS	<p>NOISE-3: The City shall establish the following as conditions of approval for any permit that results in the use of construction equipment:</p> <ul style="list-style-type: none"> <li>• Construction shall be limited to 7:00 a.m. to 8:00 p.m. unless allowed by special permit issued by the Building Inspector or City Engineer.</li> <li>• All construction equipment powered by internal combustion engines shall be properly muffled and maintained.</li> <li>• Quiet construction equipment, particularly air compressors, are to be selected whenever possible.</li> <li>• All stationary noise-generating construction equipment such as generators or air compressors are to be located as far as is practical from existing residences. In addition, the project contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors closest to the project site.</li> <li>• Unnecessary idling of internal combustion engines is prohibited. In accordance with State regulations, idling shall be limited to no more than five minutes.</li> <li>• The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.</li> </ul>	LS

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
Impact NOISE-4: Groundborne Vibrations. Project construction activities would not generate groundborne vibrations at a level that would disturb people or risk damage to buildings.	LS	None required.	-
Impact NOISE-5: Airport and Airstrip Noise. The project site is outside noise contours established by the Modesto City-County Airport ALUCP. No private airstrips are in the vicinity.	NI	None required.	-
<b>15.0 PUBLIC SERVICES AND RECREATION</b>			
Impact PSR-1: Fire Protection Service. New or expanded facilities may be required in the future, but project has set aside land for a future fire station. Public Facility Fees will be paid, and the impacts of future development of a public facility are analyzed in this EIR.	LS	None required.	-
Impact PSR-2: Police Protection Services. New or expanded facilities may be required in the future, but project has set aside land for a future police station. Public Facility Fees will be paid, and the impacts of future development of a public facility are analyzed in this EIR.	LS	None required.	-
Impact PSR-3: Schools. The project would generate new students requiring services from the Ceres Unified School District. New development would be responsible for the payment of school impact fees, the payment of which is considered mitigation of impacts by State law.	LS	None required.	-
Impact PSR-4: Parks and Recreational Services. The CTSP would provide parkland at a population ratio that exceeds City standards.	LS	None required.	-
Impact PSR-5: Other Public Facilities. The project would not generate additional demand for library, hospital, and courthouse services, and therefore would not require new or expanded facilities.	LS	None required.	-



TABLE 2-1  
REVISED SUMMARY OF IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
<b>16.0 TRANSPORTATION</b>			
Impact TRANS-1: Conflict with Circulation Plans – Motor Vehicle. None of the roadway segments studied would have LOS that would be unacceptable by City standards. As such, the CTSP would be consistent with Ceres General Plan policies applicable to LOS. The CTSP is not expected to interfere with the implementation of 2022 RTP projects, including the SR 99/Mitchell Road/Service Road interchange project.	LS	None required.	-
Impact TRANS-2: Conflict with Circulation Plans Non-Motor Vehicle. The CTSP would not impact existing or proposed public transit, pedestrian or bicycle facilities in a way that would discourage their use. Therefore, it would not conflict with plans intended to promote the use of these alternative modes of transportation.	LS	None required.	-
Impact TRANS-3: Vehicle Miles Traveled. Based on thresholds developed for the project, the project would have a significant impact on VMT. <u>Mitigation has the potential to reduce impact to an estimated 12.2%, just short of 15% to reach less than significant.</u>	S	<del>TRANS-1: Prior to final approval of the Copper Trails Specific Plan, the City and the project applicant shall meet to discuss measures to reduce vehicle miles traveled generated by residential and office land uses within in Specific Plan area. The measures shall demonstrate quantitatively that the resultant vehicle miles traveled generated by residential and office land uses shall be under the respective significance thresholds for these land uses, as established in the Copper Trails Specific Plan Transportation Impact Analysis prepares by Wood Rogers in March 2024. This measures shall be incorporated within the Copper Trails Specific Plan.</del>  <u>Other mitigation listed in Chapter 4.0 Errata would be assigned during review of future CTSP projects, which would increase potential VMT mitigation, but still leave the impact potentially significant and unavoidable.</u>	SU
Impact TRANS-4: Traffic Hazards - Collisions. Project traffic would use interchanges with below-average collision rates. Construction of planned Service Road interchange would further reduce rates.	LS	None required.	-
Impact TRANS-5: Traffic Hazards - Queuing. Project would lead to excessive queuing at off-ramp and on-ramp at	SU	<del>TRANS-2: The project shall contribute full costs to the reconfiguration of the proposed SR 99 southbound off-ramp to</del>	<del>LS-SU</del>

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
Service Road interchange <u>in the short term</u> . Mitigation would lead to acceptable queuing.		<p><del>Service Road to include two southbound right-turn lanes and one southbound left-turn lane. Fair share costs shall be determined by the City Engineer in coordination with the California Department of Transportation.</del></p> <p><del>TRANS-3: The project shall contribute full costs to widening the eastbound entrance to the SR 99 northbound on-ramp at the Service Road interchange to two lanes and to converting the eastbound approach of Service Road at the SR 99 northbound on-ramp to consist of one dedicated left-turn trap lane onto the ramp, one shared left-through lane, and one through lane. Fair share costs shall be determined by the City Engineer in coordination with the California Department of Transportation.</del></p> <p>None available other than planned interchange reconstruction; however, interchange reconstruction is expected to occur well ahead of CTSP buildout. Impact may be significant and unavoidable but only in the short term.</p>	
Impact TRANS-6: Emergency Access. Adequate emergency access would be provided to the entire project site.	LS	None required.	-
<b>17.0 UTILITIES AND ENERGY</b>			
Impact UTIL-1: Relocation and Construction of Infrastructure Facilities. Pocket Area served by existing infrastructure. The CTSP Area would require new infrastructure, which would be provided in accordance with City and State requirements and standards. Project may require removal or relocation of TID facilities.	PS	UTIL-1: Prior to the start of development that impacts TID irrigation facilities, the project shall design one or more method acceptable to the City and TID that will minimize or avoid the impacts of development on the continued operation of existing TID irrigation facilities. The agreed-upon methods shall be incorporated as applicable into the design and construction of future development.	LS
Impact UTIL-2: Availability of Adequate Domestic Water Supply. City has adequate water supplies for project, even during multiple dry years.	LS	None required.	-
Impact UTIL-3: Wastewater System Capacity. City has adequate capacity at its treatment plant to accommodate project.	LS	None required.	-

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

Potential Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
Impact UTIL-4: Storm Drainage Services. Project would connect to City's drainage system in accordance with applicable City standards, specifications, and plans.	LS	None required.	-
Impact UTIL-5: Irrigation Water Systems. Demand for TID irrigation water would decrease with CTSP development. Storm drainage discharges to TID canals, if any, would be subject to the provisions of the Master Storm Drain Agreement between TID and the City.	LS	None required.	-
Impact UTIL-6: Solid Waste. Fink Road Landfill in the County would have adequate capacity to accommodate project solid waste. The project would comply with applicable federal, state, and local statutes and regulations related to solid waste.	LS	None required.	-
Impact UTIL-7: Energy Consumption. The project would not consume energy in a manner that is wasteful, inefficient, or unnecessary due to compliance with California Energy Code and CALGreen.	LS	None required.	-

Notes: S = Significant, PS = Potentially Significant, LS = Less than Significant, NI = No Impact, SU = Significant and Unavoidable (SU impacts addressed in the Ceres General Plan EIR).

### 3.0 COMMENTS ON DRAFT EIR AND LEAD AGENCY RESPONSES TO COMMENTS

This chapter displays the letters and other written comment received on the Draft EIR for the Copper Trails Specific Plan and Annexation Project; the Lead Agency's written responses to those comments are provided following each comment letter.

A total of 8 comment letters were received during the Draft EIR review period. One additional comment was submitted by attorneys for the Ceres Unified School District on August 29, 2025, approximately eight months after the close of the review period in December 2024. A list of agencies, organizations and persons that submitted comments during the review period is shown below. As required by CEQA, the City's proposed responses to substantive comments from agencies were provided to the commenting agencies at least 10 days before the planned certification of the Final EIR.

#### Comments Received on the Public Review Draft EIR

1. Pacific Gas and Electric Company (6 pages)
2. State Water Resources Control Board (3 pages)
3. California Department of Fish and Wildlife (10 pages)
4. Stanislaus LAFCo (4 pages)
5. John and Patti Warren (2 pages)
6. Stanislaus County Department of Environmental Resources (1 page)
7. San Joaquin Valley Air Pollution Control District (15 pages)
8. Stanislaus County Chief Executive Office (4 pages)
9. Lozano Smith for Ceres Unified School District (16 pages)

CEQA Guidelines Section 15088 states that the Lead Agency's responses shall describe the disposition of significant environmental issues raised in comments on the Draft EIR. In particular, the major environmental issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving reasons why specific comments and suggestions were not accepted. There must be good-faith, reasoned analysis in response to comments; responses may not be conclusory but rather must be supported by substantial evidence.

Each of the comment letters related to the Draft EIR and are shown in full on the following pages. The comment letters appear in number order together with the comment number and commenter name at the bottom of each page. Each comment letter is followed by the Lead Agency's response(s) to the individual comments in each letter, in

sequence. Each comment letter is assigned a number code from the list shown above, and each comment within the numbered letter is assigned an alphabetical code. Thus, each comment has a unique code made up of the letter number and the alphabetical comment code. For example, comment “1A” is the first comment made by Commenter #1, the Pacific Gas and Electric Company.

December 17, 2024

Lea Simvoulakis  
City of Ceres  
2220 Magnolia Street  
Ceres, CA 95307

Ref: Gas and Electric Transmission and Distribution

Dear Lea Simvoulakis,

Thank you for submitting the Copper Trails plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: <https://www.pge.com/en/account/service-requests/building-and-renovation.html>.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team  
Land Management

### Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [ $24/2 + 24 + 36/2 = 54$ ] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ( $90^\circ \pm 15^\circ$ ). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.
12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.
13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

## **Attachment 2 – Electric Facilities**

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), plant only low-growing shrubs under the wire zone and only grasses within the area directly below the tower. Along the border of the transmission line right-of-way, plant only small trees no taller than 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 ([http://www.cpuc.ca.gov/gos/GO95/go\\_95\\_startup\\_page.html](http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html)) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

## Responses to Pacific Gas and Electric Company, Letter of December 17, 2024

Response 1A: The comment letter and attachments appear to address general PG&E concerns related to potential future development projects that may result from City approval of the CTSP.

The City of Ceres Building and Public Works Departments are aware of the need to coordinate with PG&E and are routinely involved in referral of proposed projects to, and coordination with PG&E engineering staff. Where required, City referrals seek project-specific review and approval or recommendations from PG&E. Project-specific coordination with PG&E is mandatory where private development activities or City infrastructure improvements are in close proximity to PG&E facilities or may involve encroachment on those facilities. The Draft EIR identifies PG&E as the gas utility provider for the CTSP area. Turlock Irrigation District on the other hand is the electrical provider for the project area.

PG&E attaches information related to its requirements with respect to its gas (Attachment 1) and electrical (Attachment 2) facilities. These requirements are particularly relevant to design and construction safety associated with work adjacent to and across gas transmission facilities and can be expected to be applied by the utility as a part of its review of planned development activity within the project area.



## State Water Resources Control Board

December 19, 2024

Lea Simvoulakis  
City of Ceres  
2220 Magnolia Street  
Ceres, CA 95307

CITY OF CERES (CITY), ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE  
COPPER TRAILS SPECIFIC PLAN AND ANNEXATION PROJECT (PROJECT);  
STATE CLEARINGHOUSE #2023090637

Dear Lea Simvoulakis:

Thank you for the opportunity to review the EIR for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. This Project is within the jurisdiction of the State Water Board, DDW's Stockton District. DDW Stockton District issues domestic water supply permit amendments to public water systems pursuant to Waterworks Standards (Title 22 California Code of Regulations [Cal Code Regs.] chapter 16 et. seq.). A public water system requires a water supply permit amendment when changes are made to a domestic water supply source, storage, or treatment and for the operation of new water system components- as specified in the Cal. Code Regs. § 64556.

The State Water Board, DDW, as a responsible agency under the California Environmental Quality Act (CEQA), has the following comments on the City's EIR:

- The City will need to apply for a water supply permit amendment for approval of a new source (well) and operation of a new storage reservoir (PDF page 57). In the EIR, under subsection 1.3 EIR Requirements and Intended Uses, on PDF page 14, when identifying other potential responsible agencies, please include "the State Water Resources Control Board, Division of Drinking Water, Stockton District." In Table 3-3 Required Permits and Approvals, Copper Trails Specific Plan (PDF pages 60 and 61), please include under "Agency"- "State Water Resources Control Board, Division of Drinking Water, Stockton District" and under "Permit/Approval"- "Approve water supply permit amendment."
- The EIR states that Cere's groundwater supplies are treated at wellheads (PDF page 283). Possible contaminants in the Turlock Subbasin include: arsenic, uranium, manganese, sulfur, total dissolved solids, nitrates, salinity, 1,2,3-trichloropropane, tetrachlorethylene, and dibromochloropropane (PDF page

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

2A

2B

2C

COMMENT NO. 2  
STATE WATER RESOURCES CONTROL BOARD

182). Please discuss the anticipated water quality of the new well at the proposed well site. If treatment may be needed, please discuss the possible types of treatment infrastructure that may be needed and the possible disposal of treatment waste, if applicable.

- The Project is proposing 2,392 new single and multi-residential units and the City currently has 11,881 connections, meeting the "project" and "public water system" thresholds under the Water Code, section 10912. The California Department of Water Resources Guidebook for Implementation of Senate Bill (SB) 610, identifies the SB 610 Water Supply Assessment (WSA) as occurring at a specific plan project level (<https://cawaterlibrary.net/wp-content/uploads/2017/06/guidebook.pdf>, PDF page 15). Please provide the required WSA and summarize the information in the EIR. Otherwise, please further explain why a WSA does not apply.

When the CEQA review process is completed, please forward the following items with the permit application to the State Water Board, DDW Stockton District Office at [DWPDIST10@waterboards.ca.gov](mailto:DWPDIST10@waterboards.ca.gov):

- Copy of the EIR and Mitigation Monitoring and Reporting Plan (MMRP);
- Copy of all comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes certifying the EIR and adopting the MMRP; and
- Copy of the date stamped Notice of Determination filed at the Stanislaus County Clerk's Office and the Governor's Office of Land Use and Climate Innovation, State Clearinghouse.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or [Lori.Schmitz@waterboards.ca.gov](mailto:Lori.Schmitz@waterboards.ca.gov), for questions regarding this comment letter.

Sincerely,

Lori Schmitz  
Environmental Scientist  
Division of Financial Assistance  
Special Project Review Unit  
1001 I Street, 16<sup>th</sup> floor  
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

2C

2D

2E

Lea Simvoulakis

- 3 -

December 19, 2024

Bhupinder Sahota  
District Engineer  
Stockton District

Robert Lapp  
Water Resources Control Engineer  
Stockton District

**COMMENT NO. 2**  
**STATE WATER RESOURCES CONTROL BOARD**

## Responses to State Water Resources Control Board, Letter of December 19, 2024

Response 2A: This initial portion of the SWRCB comment letter identifies the jurisdiction of the SWRCB's Division of Drinking Water (DDW) as a permitting authority for changes and improvements to public water supply systems. The City's potable water system is subject to DDW permit jurisdiction. As noted, improvements to the City's potable water system needed to serve new urban development within the project area, including new water mains, storage, supply wells and treatment systems, may require one or more permit amendments, which will be clarified through coordination with DDW. The City of Ceres understands and expects to abide by all relevant drinking water requirements.

Response 2B: See Response 2A regarding compliance with the applicable SWRCB permit requirements. The recommended changes to the Draft EIR regarding DDW jurisdiction are incorporated in the EIR via FEIR Chapter 4.0 Errata.

Response 2C: The City understands and appreciates that a new groundwater well in the project area may contain contaminants such as those listed by the SWRCB. A new municipal well will be subject to DDW and County permitting and well production would be required to meet drinking water standards. If required, well development would involve installation of treatment equipment as dictated by applicable regulations and testing. Disposal of treatment waste, if any, will be determined based on future test data; water treatment waste will be transported to a disposal facility appropriately licensed to receive waste materials

Response 2D: The potential need for an SB 610 Water Supply Assessment (WSA) was specifically considered during the preparation of the Draft EIR, as documented on page 17-6. This analysis concluded that a WSA was not specifically required for a specific plan project, although SB 610 or SB 221 requirements may apply to subsequent development projects.

The SWRCB Guidebook identifies the Urban Water Management Plan as a key water supply planning document that can be used by a water supplier to fulfill the specific requirements of the two WSA statutes. Page 17-6 the Draft EIR noted that the City had adopted its 2020 UWMP, which describes the City's water system, water use, water supply sources and the reliability of the City's water service for normal, dry, and five-year drought conditions for the next 20 years. The UWMP planning area encompasses the City's Sphere of Influence, which includes both the CTSP and Pocket Areas.



Response 2E: Neither the City nor CTSP landowners and developers have specific short-term plans to modify the City's water supply system; no new development pursuant to the CTSP will occur until after the specific plan is adopted by the City and the associated annexation is approved by the City and Stanislaus County LAFCo. Prior to development, applicants will need to prepare and submit improvement plans including water, wastewater and storm water disposal facilities to the City and other regulatory agencies. See also responses to Draft EIR comments submitted by LAFCo (Commenter No. 4). The improvement-specific materials requested by the commenter will be submitted to the DDW by the City in conjunction with future applications for amendment of the City's water supply permit.



## State Water Resources Control Board

December 19, 2024

Lea Simvoulakis  
City of Ceres  
2220 Magnolia Street  
Ceres, CA 95307

CITY OF CERES (CITY), ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE  
COPPER TRAILS SPECIFIC PLAN AND ANNEXATION PROJECT (PROJECT);  
STATE CLEARINGHOUSE #2023090637

Dear Lea Simvoulakis:

Thank you for the opportunity to review the EIR for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. This Project is within the jurisdiction of the State Water Board, DDW's Stockton District. DDW Stockton District issues domestic water supply permit amendments to public water systems pursuant to Waterworks Standards (Title 22 California Code of Regulations [Cal Code Regs.] chapter 16 et. seq.). A public water system requires a water supply permit amendment when changes are made to a domestic water supply source, storage, or treatment and for the operation of new water system components- as specified in the Cal. Code Regs. § 64556.

The State Water Board, DDW, as a responsible agency under the California Environmental Quality Act (CEQA), has the following comments on the City's EIR:

- The City will need to apply for a water supply permit amendment for approval of a new source (well) and operation of a new storage reservoir (PDF page 57). In the EIR, under subsection 1.3 EIR Requirements and Intended Uses, on PDF page 14, when identifying other potential responsible agencies, please include "the State Water Resources Control Board, Division of Drinking Water, Stockton District." In Table 3-3 Required Permits and Approvals, Copper Trails Specific Plan (PDF pages 60 and 61), please include under "Agency"- "State Water Resources Control Board, Division of Drinking Water, Stockton District" and under "Permit/Approval"- "Approve water supply permit amendment."
- The EIR states that Cere's groundwater supplies are treated at wellheads (PDF page 283). Possible contaminants in the Turlock Subbasin include: arsenic, uranium, manganese, sulfur, total dissolved solids, nitrates, salinity, 1,2,3-trichloropropane, tetrachlorethylene, and dibromochloropropane (PDF page

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

2A

2B

2C

COMMENT NO. 2  
STATE WATER RESOURCES CONTROL BOARD

182). Please discuss the anticipated water quality of the new well at the proposed well site. If treatment may be needed, please discuss the possible types of treatment infrastructure that may be needed and the possible disposal of treatment waste, if applicable.

- The Project is proposing 2,392 new single and multi-residential units and the City currently has 11,881 connections, meeting the "project" and "public water system" thresholds under the Water Code, section 10912. The California Department of Water Resources Guidebook for Implementation of Senate Bill (SB) 610, identifies the SB 610 Water Supply Assessment (WSA) as occurring at a specific plan project level (<https://cawaterlibrary.net/wp-content/uploads/2017/06/guidebook.pdf>, PDF page 15). Please provide the required WSA and summarize the information in the EIR. Otherwise, please further explain why a WSA does not apply.

When the CEQA review process is completed, please forward the following items with the permit application to the State Water Board, DDW Stockton District Office at [DWPDIST10@waterboards.ca.gov](mailto:DWPDIST10@waterboards.ca.gov):

- Copy of the EIR and Mitigation Monitoring and Reporting Plan (MMRP);
- Copy of all comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes certifying the EIR and adopting the MMRP; and
- Copy of the date stamped Notice of Determination filed at the Stanislaus County Clerk's Office and the Governor's Office of Land Use and Climate Innovation, State Clearinghouse.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or [Lori.Schmitz@waterboards.ca.gov](mailto:Lori.Schmitz@waterboards.ca.gov), for questions regarding this comment letter.

Sincerely,

Lori Schmitz  
Environmental Scientist  
Division of Financial Assistance  
Special Project Review Unit  
1001 I Street, 16<sup>th</sup> floor  
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

2C

2D

2E

Lea Simvoulakis

- 3 -

December 19, 2024

Bhupinder Sahota  
District Engineer  
Stockton District

Robert Lapp  
Water Resources Control Engineer  
Stockton District

**COMMENT NO. 2**  
**STATE WATER RESOURCES CONTROL BOARD**



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, CA 93710  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



December 26, 2024

Lea Simvoulakis, Community Development Director  
City of Ceres  
2220 Magnolia Street  
Ceres, California 95307  
(209) 538-5778  
[lea.simvoulakis@ci.ceres.ca.us](mailto:lea.simvoulakis@ci.ceres.ca.us)

Subject: **Copper Trails Specific Plan & Annexation Project (Project)**  
**Draft Environmental Impact Report (DEIR)**  
**SCH: 2023090637**

Dear Lea Simvoulakis:

The California Department of Fish and Wildlife (CDFW) received a DEIR from the City of Ceres for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

#### **CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802). Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Lea Simvoulakis  
Community Development Director  
December 26, 2024  
Page 2

agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

3B

**Unlisted Species:** Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or Federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T, as specified in the CEQA Guidelines section 15380, CDFW recommends it be fully considered in the environmental analysis for the Project.

3A  
(Cont'd)

**Nesting Birds:** CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession, or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

3B  
(Cont'd)

#### PROJECT DESCRIPTION SUMMARY

**Proponent:** City of Ceres

**Objective:** The Project establishes the plan for annexation, and eventual development of approximately 260.3 acres of low, medium, medium high, and high-density residential units within the Project site. The total dwelling units that would be potentially developed is 2,392. Approximately 107.4 acres is proposed for Regional Commercial development, which is estimated at 1,169,586 square feet of floor area. The Project also proposes approximately 42.3 acres of parks and open space, including street landscapes, and 3.4 acres for new public uses that would be in addition to the 74.1 acres already occupied by the Central Valley High School and Hidahl Elementary School, both operated by the Ceres Unified School District. The Project would utilize and improve existing roads, add new roads and streets, and provide for development of new bicycle and pedestrian trails and open space linkages to provide access to and between the residential neighborhoods, commercial areas, schools, and parks of the developed Project site.

3C

Lea Simvoulakis  
Community Development Director  
December 26, 2024  
Page 3

**Location:** The Project is located in unincorporated Stanislaus County south of and adjacent to the City of Ceres.

#### COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City of Ceres in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the DEIR prepared for the Project.

CDFW submitted a Notice of Preparation (NOP) comment letter to the City of Ceres for the Project on October 30, 2023, with recommended mitigation measures for special-status species that could potentially be impacted by the Project. Currently, the DEIR acknowledges that the Project site is within the geographic range of special-status species and proposes specific mitigation measures to reduce impacts to less than significant. CDFW has concerns about the ability of some the proposed mitigation measures to reduce impacts to less than significant and avoid unauthorized take for the State threatened Swainson's hawk (*Buteo swainsoni*); the State and federally threatened California tiger salamander Central California Distinct Population Segment (DPS) (*Ambystoma californiense* pop. 1); the State candidate western burrowing owl (*Athene cunicularia hypugaea*) and Crotch's bumble bee (*Bombus crotchii*); and the State species of special concern western spadefoot (*Spea hammondi*).

##### Swainson's Hawk

The DEIR notes that the Project could potentially impact (Impact BIO-1) Swainson's hawk (SWHA) and mitigation measure (MM) BIO-1 is provided to mitigate for potential impacts. MM BIO-1 provides for a pre-construction survey and if nests are detected during breeding season, a ½-mile buffer shall be established around active nests until the breeding season has ended or a qualified biologist has determined the birds have fledged the nest. CDFW concurs with this measure and recommends that in the event an active SWHA nest is detected, and a ½-mile no-disturbance buffer is not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

##### California Tiger Salamander

The Project site is within the range of California tiger salamander (CTS) and based on aerial imagery and the information provided in DEIR, suitable habitat appears present within certain portions of the Project site such as near Central Avenue and East

3C

3D

3E

3F

Lea Simvoulakis  
Community Development Director  
December 26, 2024  
Page 4

Redwood Road. It does not appear that the DEIR evaluated CTS, and no mitigation measures were proposed to mitigate for potential Project-related impacts to the species. As such, CDFW recommends the following:

**Recommended Mitigation Measure 1: Focused CTS Protocol-level Surveys**

CDFW recommends that a qualified biologist conduct protocol-level surveys in accordance with the USFWS "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (USFWS 2003) at the appropriate time of year to determine the existence and extent of CTS breeding and refugia habitat within the Project site. The protocol-level surveys for CTS require more than one survey season and are dependent upon sufficient rainfall to complete. As a result, consultation with CDFW and the USFWS is recommended well in advance of beginning the surveys and prior to any planned vegetation- or ground-disturbing activities. CDFW advises that the protocol-level survey also include a 100-foot buffer around the Project site in all areas that could support CTS. Please be advised that protocol-level survey results are viable for two years after the results are reviewed by CDFW.

**Recommended Mitigation Measure 2: CTS Avoidance Buffer**

If CTS protocol-level surveys as described in Recommended Mitigation Measure 1 are not conducted, CDFW advises that a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows in suitable upland refugia habitat within 1.3 miles of potential CTS breeding pools. Further, CDFW recommends potential or known breeding habitat within and/or adjacent to the Project site be delineated with a minimum 250-foot no-disturbance buffer. Both upland burrow and wetland breeding no-disturbance buffers are intended to minimize impacts to CTS habitat and avoid take of CTS individuals.

**Recommended Mitigation Measure 3: CTS Take Authorization**

If through surveys it is determined that CTS are occupying or have the potential to occupy the Project site, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA. As stated above, in the absence of protocol surveys, the applicant can assume presence of CTS within the Project site and obtain an ITP from CDFW.

**Western Burrowing Owl**

The Project site is within the known geographic range of western burrowing owl (BUOW), and the DEIR notes that the species is unlikely to occur, although it does not appear that focused BUOW surveys were conducted. CDFW does not concur that

3F

3G



Lea Simvoulakis  
Community Development Director  
December 26, 2024  
Page 5

BUOW are unlikely to occur within the agricultural and grassland habitats found throughout the Project site, particularly within or adjacent to the agricultural canals located throughout the area. CDFW would like to note that the California Fish and Game Commission (FGC) approved BUOW as a candidate for potential listing as a protected species under CESA on October 10, 2024, and published these findings in the California Regulatory Notice Register (Notice Register) on October 25, 2024. As such, BUOW is now considered a candidate under CESA and receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085).

As BUOW have the potential to be present within the Project site or Project vicinity, it does not appear that focused BUOW surveys were conducted, and no mitigation measures were proposed to mitigate for potential Project-related impacts to the species, CDFW recommends the following:

**Recommended Mitigation Measure 4: BUOW Preconstruction Surveys**

CDFW recommends that surveys, following CDFW's "Staff Report on Burrowing Owl Mitigation" (CDFG 2012) be conducted within areas of suitable habitat the survey season immediately prior to construction.

**Recommended Mitigation Measure 5: BUOW Avoidance Buffer**

Should a BUOW or known BUOW den (active or inactive) be detected, either during preconstruction surveys or construction activities, CDFW recommends that no-disturbance buffers, as outlined in the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012), be implemented prior to and during any ground-disturbing activities. CDFW also recommends that these buffers be implemented for both wintering and breeding BUOW.

**Recommended Mitigation Measure 6: BUOW Take Authorization**

If a BUOW or known BUOW den (active or inactive) is detected, and the no-disturbance buffers outlined in the 2012 Staff Report on Burrowing Mitigation are not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

**Crotch's Bumble bee**

The Project site is within the range of Crotch's bumblebee (CBB) and the DEIR notes that the species is unlikely to occur, although it does not appear that focused CBB surveys were conducted. CDFW does not concur that CBB are unlikely to occur within certain portions of the Project site. CBB are known to inhabit areas of grasslands and scrub that contain requisite habitat elements for nesting, such as small mammal

3G

3H

Lea Simvoulakis  
Community Development Director  
December 26, 2024  
Page 6

burrows and bunch/thatched grasses, and these habitat elements may be present within portions of the Project site, such as along Central Avenue.

As CBB have the potential to be present within the Project site or Project vicinity, it does not appear that focused CBB surveys were conducted, and no mitigation measures were proposed to mitigate for potential Project-related impacts to the species, CDFW recommends the following:

**Recommended Mitigation Measure 7: CBB Habitat Assessment**

CDFW recommends a qualified biologist conduct a habitat assessment to determine if the Project area and the immediate surrounding vicinity contain habitat suitable to support CBB. Potential nesting sites, which include all small mammal burrows, perennial bunch grasses, thatched annual grasses, brush piles, old bird nests, dead trees, and hollow logs would need to be documented as part of the assessment.

**Recommended Mitigation Measure 8: CBB Surveys**

If potentially suitable habitat is identified, CDFW recommends that a qualified biologist conduct focused surveys for CBB, and their requisite habitat features following the methodology outlined in the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023).

**Recommended Mitigation Measure 9: CBB Avoidance**

If CBB is detected, then CDFW recommends that all small mammal burrows and thatched/bunch grasses be avoided by a minimum of 50 feet to avoid take and potentially significant impacts. If ground-disturbing activities will occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement Project activities and avoid take. Any detection of CBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take.

**Recommended Mitigation Measure 10: CBB Take Authorization**

If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

**Western Spadefoot**

The Project site is within the known geographic range of western spadefoot (WESP) and based on aerial imagery and the information provided in DEIR, suitable habitat may be present within certain portions of the Project area such as near Central Avenue and East Redwood Road. It does not appear that the DEIR evaluated WESP, and no

3H

3I

Lea Simvoulakis  
Community Development Director  
December 26, 2024  
Page 7

mitigation measures were proposed to mitigate for potential Project-related impacts to the species. As such, CDFW recommends the following:

**Recommended Mitigation Measure 11: WESP Habitat Assessment.**

CDFW recommends that a qualified biologist conduct a habitat assessment to determine if the Project site and the immediate surrounding vicinity contain habitat suitable to support WESP.

**Recommended Mitigation Measure 12: WESP Surveys**

If suitable habitat is identified, CDFW recommends a qualified biologist conduct focused surveys for western spadefoot and their requisite habitat features immediately prior to construction.

**Recommended Mitigation Measure 13: WESP Avoidance**

If burrows, cracks, loose soil areas or other refugia are found to be used by WESP during focused surveys, avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around these resources. If WESP are observed on the Project site, Project activities in their immediate vicinity cease, allowing individuals to leave the Project site on their own accord. Alternately, a qualified biologist with appropriate authorization can relocate them to a more suitable location out of harm's way.

**Editorial comments and/or suggestions**

**Nesting Birds:** CDFW encourages that Project ground-disturbing activities occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the nesting season (February 1st through September 15th), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code sections as referenced above.

CDFW further recommends that a qualified biologist conduct a pre-construction survey for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected, either directly or indirectly, by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. CDFW recommends that a qualified biologist establish a behavioral baseline of all identified nests. Once Project activities begin, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends

3I

3J

Lea Simvoulakis  
Community Development Director  
December 26, 2024  
Page 8

halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is a compelling biological or ecological reason to do so, such as when the Project site would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

**Lake and Stream Alteration:** CDFW's October 30, 2023, NOP comment letter noted that potential streams such as Turlock Irrigation District's (TID) Lateral and other waterbodies located within the Project site may be subject to notification under Fish and Game Code Section 1602. The DEIR states, "The TID canals are potential jurisdictional Waters of the U.S., as they convey water from a reservoir that would be considered a jurisdictional water (Turlock Lake), and water from the canals is eventually discharged into another jurisdictional water (San Joaquin River)." It follows by stating, "It is expected that future development would not directly affect the TID canals." CDFW would like to note that storm drainage infrastructure installation was identified as a component of the Project serving future development in the Project area. As such, CDFW would like to reiterate that implementation of Project activities that substantially change the bed, bank, and channel of any river, stream, or lake are subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial and may include those that are highly modified such as canals and retention basins.

CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement (LSAA); therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts to lakes or streams, a subsequent CEQA analysis may be necessary for LSAA issuance. For information on notification requirements, please refer to CDFW's website (<https://wildlife.ca.gov/Conservation/LSA>) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593.

3J

3K

Lea Simvoulakis  
Community Development Director  
December 26, 2024  
Page 9

**Cumulative Impacts:** CDFW's October 30, 2023, NOP letter recommended a cumulative analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project. The DEIR has a very limited analysis for cumulative impacts for biological resources in Section 18.3.4 and states, "However, with applicable policies in place as described in the direct impact analysis in the GPEIR, the General Plan's contribution to this potentially significant cumulative impact is less than cumulatively considerable." CDFW would like to note this DEIR serves primarily as a planning level document and should consider the cumulative impacts of reasonably foreseeable projects. As such, CDFW recommends that a more focused cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, and potentially impacted by future tiered projects, even if those impacts are relatively small (i.e. less than significant). CDFW recommends cumulative impacts be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the individual project. An appropriate resource study area identified and utilized for this analysis is advised. CDFW staff are available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

**California Natural Diversity Database:** Please note that the California Natural Diversity Database (CNDDDB) is populated by voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record, or lack of recent occurrence records, in the CNDDDB does not mean that a species is not present. In order to adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted in order to determine whether or not any special-status species are present.

#### ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

3L

3M

3N

Lea Simvoulakis  
Community Development Director  
December 26, 2024  
Page 10


#### **FILING FEES**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

#### **CONCLUSION**

CDFW appreciates the opportunity to comment on the DEIR to assist the City of Ceres in identifying and mitigating Project impacts on biological resources. More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Questions regarding this letter or further coordination should be directed to John Riedel, Environmental Scientist, at (559) 807-1453, or [john.riedel@wildlife.ca.gov](mailto:john.riedel@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
FA83F09FE08945A...

Julie A. Vance  
Regional Manager

cc: State Clearinghouse  
Governor's Office of Planning and Research  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

## Responses to California Department of Fish and Wildlife, Letter of December 26, 2024

- Response 3A: This paragraph does not comment on either the EIR content or its processing but rather identifies the CDFW’s statutory identity as a Trustee Agency for the fish and wildlife resources of the State. This comment provides authority for later comment by the CDFW with respect to certain fish and wildlife species of concern, including species not specifically listed as endangered, rare or threatened; these species are addressed below in Responses 3E through 3K. No response to this comment is required.
- Response 3B: Similar to Comment #3A, this paragraph does not make any specific comment on either the EIR content or its processing but rather identifies the CDFW’s role as a Responsible Agency with responsibility for regulation of potential lake and streambed impacts under Section 1600 of the Fish and Game Code, permit authority over “take” of protected species under Section 2050 et. seq. of the Fish and Game Code and disturbance or “take” of migratory birds. Like Comment 3A, CDFW’s authority is pertinent to certain protected species and migratory birds as addressed in species-specific responses below.
- Response 3C: This paragraph does not comment on the EIR content or its processing but rather summarizes the proposed project as described in Chapter 3.0 Project Description of the Draft EIR. The comment does not distinguish between the proposed specific plan and later project-specific development that would occur pursuant to the adoption of the CTSP and annexation of the CTSP and Pocket Area to the City of Ceres. No response is required.
- Response 3D: These two paragraphs summarize the CDFW’s comments and recommendations with respect to the agency’s species-specific concerns related to the impacts of the project and mitigation measures needed to address those impacts. The species of concern, including Swainson’s hawk, burrowing owl, California tiger salamander, Crotch’s bumblebee and western spadefoot, are addressed specifically in individual responses below.
- Response 3E: Swainson’s hawk. In this comment CDFW concurs with the Draft EIR’s analysis of potential impacts to and recommended mitigation measures for protection of Swainson’s hawk. CDFW provides additional recommendations for reduction of impact on Swainson’s hawk found nesting in the vicinity of a development project, including coordination with CDFW. The City will consider these recommendations in the event that pre-construction surveys for future

development projects encounter Swainson's hawk nesting within the recommended search radius.

Response 3F: California tiger salamander (CTS). CDFW comments that, based on aerial imagery and information from the Draft EIR, suitable CTS habitat appears to be present in the project area. The Draft EIR, however, did not identify CTS as a potentially occurring species in the project area.

Further investigation during preparation of the Final EIR confirms that the project area is not in a known CTS occurrence area or, especially, critical habitat for the CTS. CTS habitat and occurrences are located, together with Critical Habitat for the species, in the low Sierra foothills and coastal foothills along the east and west edges of the Valley floor, respectively. The California Natural Diversity Data Base (CNDDB) does not include any CTS records in the vicinity of the project; the nearest records are approximately 11 miles west and 15 miles east of the project site.

Moore Biological Consultants conducted a reconnaissance level field survey of the project area on January 7, 2025. The field survey assessed a low area just northeast of the intersection of Central Avenue and East Redwood Road that appears wet in some historical aerial photographs. Moore Biological found that the low area to be part of a field being grazed by goats and was dry at the time of the winter survey. A culvert under East Redwood Road could convey water, presumably from the nearby irrigation lateral to the low area. Review of aerial photographs confirm this periodically flooded area does not, however, have a suitable hydrologic regime to support CTS breeding. No potentially suitable breeding habitat for CTS was observed elsewhere in the project area.

Consequently, the City disagrees that the project has the potential to result in significant, or any, adverse effect on the CTS. As the project does not involve potential for CTS impacts, the City will not incorporate CDFW's recommended mitigation measures into the Final EIR. In the event that CTS occurrence is later considered a substantial potential in the CTSP or other project areas, based on substantial evidence, the City will then consider CDFW's recommendations in more detail.

Response 3G: Western Burrowing Owl. CDFW comments that suitable burrowing owl habitat may be present in the project area contrary to the EIR's conclusion of Table 7-1 that no burrowing owl habitat occurs in the area and that the owl is unlikely to occur. Further investigation during preparation of the Final EIR confirmed that the project area is not



within a known occurrence area; the only burrowing owl record in the CNDDDB within 10 miles of the project site is a 1994 record over nine miles away in a part of Riverbank that is now a residential subdivision.

During its January 2025 survey, Moore Biological Consultants noted poor quality habitat for burrowing owl throughout most of project site. Orchards, vineyards, irrigated cropland, and developed areas do not provide suitable habitat for burrowing owl. Moore also noted very few ground squirrels or their burrows occurring within the project area.

Burrowing owls are unlikely to occur in the site as they have become very limited in distribution over the past several years. Despite a very low potential to occur, but considering their listing status, the City concurs pre-construction surveys for burrowing owl are appropriate. The CDFW recommended mitigation measures have been added to the EIR via Final EIR Chapter 4.0 Errata and are shown in the MMRP for the project.

Response 3H: Crotch's Bumble Bee. In this comment CDFW notes the project site is within the range of Crotch's bumble bee (CBB), that CBB has potential to occur in the project area and recommends a habitat assessment, followed by focused surveys for CBB if habitat is present. If CBB is detected during surveys, CDFW provides recommendations for avoidance and identifies the need for an Incidental Take Permit if avoidance is infeasible.

During its January 2025 survey, Moore Biological found only poor quality habitat for CBB in the project area and concluded that the potential to occur is very low, both due to location of the site and lack of high-quality habitat. However, as CBB is a Candidate species for listing, the City will incorporate CDFW's recommended CBB mitigation measures. The mitigation measures are added to the EIR via Final EIR Chapter 4.0 Errata and shown in the MMRP for the project.

Response 3I: Western Spadefoot. CDFW comments that based on aerial imagery and information from the Draft EIR, suitable habitat for western spadefoot appears to be present in the project area. Further investigation during preparation of the Final EIR confirms that the project area is not in a known occurrence area for the species. Similar to CTS, western spadefoot habitat and occurrences are located in the low Sierra foothills and coastal foothills along the east and west edges of the Valley floor, respectively. The CNDDDB does not include any western spadefoot records in the vicinity of the project; the nearest records are approximately 12 miles west and 16 miles east of the project site.

Similar to CTS, Moore Biological Consultants concluded the periodically flooded low area northeast of the intersection of Central Avenue and East Redwood Road does not have a suitable hydrologic regime to support western spadefoot. Additionally, Moore Biological Consultants did not observe potentially suitable breeding habitat for western spadefoot in the project area during the January 2025 survey.

Consequently, the City disagrees that the project has the potential to result in significant, or any, adverse effect on the western spadefoot. As the project does not involve potential for western spadefoot impacts, the City will not incorporate the CDFW recommendations into the Final EIR. In the event that western spadefoot occurrence is later considered a substantial potential in the CTSP or other project areas, based on substantial evidence, the City will then consider CDFW's recommendations in more detail.

Response 3J: Migratory Birds. In this comment CDFW suggests that ground-disturbing activities occur outside the avian nesting season, which CDFW describes as February 1 to September 15, and that project applicants are responsible for ensuring compliance with the Migratory Bird Treaty Act (MBTA) and the sections of Fish and Game Code of California (FGCC) that protect nesting birds. CDFW provides recommendations on survey methodologies and buffers from active nests and recommends notifying CDFW in advance of implementing a variance to the recommended buffers.

The City understands trees, shrubs and grasslands in and near the project site may provide suitable nesting habitat for a variety of birds, and its obligation to comply with MBTA and FGCC. The City appreciates the CDFW's recommendations on survey methodologies and buffers but will not incorporate these recommendations into the Final EIR verbatim. A migratory bird pre-construction survey measure is already included in the DEIR, and this measure will be revised to encompass ground-disturbing activities between February 1 and September 15, the broader nesting season recognized by CDFW.

Response 3K: Lake and Streambed Alteration. CDFW comments that Turlock Irrigation District's Lateral and other waterbodies located in the project area may be subject to notification pursuant to FGCC Section 1602. CDFW acknowledges the DEIR states that the project will not directly affect TID canals but notes storm drain infrastructure as part of the project may affect these waterways. CDFW then reiterates that notification to CDFW would be warranted if project activities do substantially change the bed, bank, and channel of any river, lake, or stream.

Moore Biological did not observe any streams or lakes in the project area that would be subject to CDFW jurisdiction under FGCC Section 1600 to 1616 during the January 7, 2025 survey.

The City understands its responsibility to comply with FGCC if water resources subject to Section 1600 requirements are subject to potential disturbance, but this determination will need to occur on a project-by-project basis. In the event that development project activities, including potential work in TID laterals, rise to the threshold of notification pursuant to FGCC Section 1602, the City will consider CDFW's recommendations.

January 27, 2025

Sent by U.S. mail and via email to Lea.Simoulakis@ci.ceres.ca.us

Lea Simoulakis  
City of Ceres Community Development Dept  
2200 Magnolia Street  
Ceres, CA 95307

**SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE COPPER TRAILS  
SPECIFIC PLAN**

Dear Ms. Simoulakis:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the Copper Trails Specific Plan. As Lead Agency, the City of Ceres is responsible for considering the effects, both individual and collective, of all activities involved in the project (Public Resources Code §21000 et seq). LAFCO, as a Responsible Agency, will utilize the CEQA documents prepared by the City when considering the proposed annexation of the Specific Plan area.

LAFCO previously provided a comment letter dated October 17, 2023 on the Notice of Preparation (NOP) for this project and has reviewed the DEIR in accordance with State and locally-adopted policies to discourage sprawl, preserve open space and agricultural lands, encourage the efficient provision of services, and encourage the orderly development of local agencies (Government Code §§56001, 56301). The following comments are provided for the City's consideration regarding the DEIR.

Agricultural Resources

The DEIR describes LAFCO's adopted Agricultural Preservation Policy that requires cities to prepare a Plan for Agricultural Preservation for an annexation proposal that includes a detailed analysis of direct and indirect impacts to agricultural resources, a vacant land inventory and absorption study evaluating lands within the existing boundaries of the jurisdiction that could be developed for the same or similar uses, existing and proposed densities, consistency with regional planning efforts, and the method or strategy proposed to minimize the loss of agricultural land. The Policy also includes findings that the Commission will make relative to the timing and scale of proposals.

The DEIR recognizes that the Cortese-Knox-Hertzberg Act (specifically Government Code §56064) uses a broader definition of "prime agricultural land" but states that "this land would be the subject of further analysis in the annexation application to LAFCO" (DEIR pg. 5-3). Deferral of this analysis is problematic, as it could impact how the proposed Mitigation Measure AG-1 is interpreted.

LAFCO's Agricultural Preservation Policy (Policy) defines "agricultural lands" as including "prime agricultural land," defined under Government Code §56064, as well as lands defined by the

4A

4B

4C

4D

California Department of Conservation's Farmland Mapping and Monitoring Program as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, consistent with Appendix G of the CEQA Guidelines and collectively referred to as "Important Farmland." The DEIR also acknowledges in the Geology and Soils chapter that lands considered Farmland of Statewide Importance would meet the LAFCO definition for prime farmland based on their class I or class II ratings.

4E

Based on the above, LAFCO's Policy expects that a proposed method or strategy to minimize impacts to agricultural lands satisfy both definitions. The Policy also states that the method or strategy used should be consistent with the CEQA prepared for the project. Thus, Mitigation Measure AG-1 should be amended to reflect its applicability to the entire 319.5 acres of Important Farmland in the area, including those identified as Prime (309 acres) and Farmland of Statewide Importance (10.5 acres) to satisfy the Policy's intent.

4F

Page 5-5 of the DEIR states that since adoption of the LAFCO Agricultural Preservation Policy, the City has not prepared a Plan for Agricultural Preservation. This is incorrect. The City previously prepared and submitted a Plan for Agricultural Preservation for the Whitmore Ranch Reorganization. On page 5-7, the DEIR states that it intends to use the same mitigation measure as Whitmore Ranch. In addition to the clarification regarding amount of farmland to be mitigated, it is also recommended that the phrase "as adopted by Stanislaus LAFCO" be removed from the language of Mitigation Measure AG-1. As currently written, this implies that the City's Plan for Agricultural Preservation is adopted by LAFCO. This is not the case. Rather, the Commission expects that prior to an application being submitted to LAFCO that the City adopts an ordinance, resolution, or condition requiring the mitigation to occur. It is the City's responsibility to ensure a mechanism is in place to implement and enforce the mitigation. The City's Plan for Agricultural Preservation will then be submitted to LAFCO as part of the annexation application to demonstrate that the appropriate determinations can be made by the Commission, consistent with LAFCO's Policy.

4G

#### Williamson Act Lands

Pages 3-7 and 5-4 of the DEIR identify three properties with Williamson Act contracts within the proposed annexation area. Assessor parcel information indicates that there are five properties with five separate Williamson Act contracts within the proposed annexation area. While the DEIR discusses the Williamson Act cancellation and non-renewal process, it does not accurately reflect the process for qualifying contracts to terminate upon annexation to the City (Government Code §51243.5(e)).

Revisions should be made to the DEIR to identify all Williamson Act contracts in the affected area, as well as those that may qualify for termination upon annexation, pursuant to Government Code §51243.5(e). Pursuant to Government Code §56738, the City must identify whether it intends to succeed to qualifying contracts that meet the criteria for termination during its adoption of a resolution of application to LAFCO. If the City intends to not succeed to qualifying contracts that were protested and upheld by LAFCO, the City must then record the appropriate documentation to terminate the contracts at the same time that LAFCO records the Certificate of Completion for the annexation (Government Code §51243.5(h)).

4H

#### Vacant Land Inventory

State law and Commission policies encourage the development of vacant or underutilized land within an agency's existing boundaries *prior* to annexation of additional land. The DEIR

4I

summarizes these policies in Chapter 13, as well as the City's similar General Plan policies that prioritize infill development. The DEIR's analysis of consistency with these policies states, "the City of Ceres is extensively developed within its current City limits" and "there is no vacant land available with the City that could accommodate the development proposed in the CTSP" (DEIR pg. 13-10). This statement overlooks the West Landing Specific Plan, a 961-acre area annexed to the City of Ceres in 2012; the majority of which remains undeveloped. As part of the City's Plan for Agricultural Preservation and its application to LAFCO, the City must prepare a vacant land inventory and analysis to demonstrate the City's need for additional acreage.

4I

Similarly, the City must demonstrate that the timeframe for development in the annexation area is imminent for all or a substantial portion of the area. The City's Draft Housing Element, prepared for the 2023-2031 period, does not identify the Copper Trails Specific Plan area as necessary inventory to meet the City's Regional Housing Needs Assessment (RHNA). The Housing Element shows a 107% surplus of available land inventory to meet its RHNA by relying on undeveloped areas already within the City's limits (including the Whitmore Ranch Specific Plan annexed in 2019 and the West Landing Specific Plan annexed in 2012).

#### Logical Boundaries

Commission Policy 19 requires annexations to include the entire right-of-way of canals or laterals adjacent to the proposal. In LAFCO's response letter to the NOP dated October 17, 2023, it was recommended that the canal right-of-way westerly of the annexation site (south of the City's wastewater treatment plant) to create a consistent jurisdictional boundary along the south side of the existing City limits.

4J

#### Disadvantaged Communities

Page 13-7 of the DEIR includes an overview of State law related to disadvantaged unincorporated communities (DUCs) and a determination that no DUCs exist within the proposal area. The section cites a 2015 report prepared for the Stanislaus County Planning and Community Development Department (later misattributed to Stanislaus LAFCO in the same paragraph and in the reference section of the DEIR). It should be noted that the 2015 report prepared for Stanislaus County only identified DUCs located outside city spheres of influence in accordance with the requirements of Government Code §65302.10). The report is therefore not a reliable source for determining the existence of potential DUCs in the proposed annexation area, currently within the City of Ceres' Sphere of Influence. The determination should be verified with current Census data.

4K

#### Utilities

Pursuant to LAFCO policies, the proposal must show that the City has the necessary public services available to serve the development upon annexation. This analysis, also known as a "Plan for Services," is outlined in Government Code §56653 and must include detailed evidence of current service levels, sufficient sewer capacity, sufficient quantities and quality of water, adequate levels of fire and police protection, plans for associated infrastructure and roads improvements, as well as information on financing mechanisms for these services.

4L

Chapter 7 of the Copper Trails Specific Plan document has multiple references to a "Preliminary Master Plan" for utilities with detailed information that was prepared as an appendix to the Copper Trails EIR. The DEIR does not include a Preliminary Master Plan document for utilities as one of its appendices. Please confirm whether this document has been prepared.

4M



Chapter 17 of the DEIR presents limited information regarding the City's wastewater infrastructure needed to accommodate the proposed development, any currently planned improvements, or plans for financing said improvements. According to the DEIR, the Copper Trails Specific Plan is "expected to substantially increase demand on the City's wastewater treatment plant" with an estimated wastewater flow of over 1.5 million gallons per day (mgd). The WWTP currently treats approximately 2.5 mgd of wastewater per day, which is its capacity limit under the City's permit from the Central Valley Regional Quality Control Board. Up to 2.0 mgd can be sent to the City of Turlock's WWTP based on agreement. Missing from this analysis is a discussion of the City's potential commitment to other approved projects or infill opportunities in its current City limits that would exceed the remaining 0.5 mgd capacity.

4M

Page 12-1 of the DEIR states, "the City currently relies on groundwater for its water supply." This statement is outdated based on the City's recent surface water project (referenced later in Chapter 17).

4N

Page 17-6 of the DEIR appears to defer the preparation of a Water Supply Assessment (WSA) for the project. Both Senate Bill 211 and its companion bill SB610 require preparation of a WSA for approval of a project subject to CEQA that also meets the Water Code §10912 definition. CEQA determinations are then based on the WSA as a technical report. The project meets the thresholds under Water Code §10912 as a project and a WSA should be prepared.

4O

#### Fire Protection Services

Pages 15-2 and 15-6 of the DEIR state that the Cities of Ceres and Modesto are currently discussing the future allocation of fire responsibilities among the agencies, including consideration of fire protection issues and concerns associated with the Copper Trails Specific Plan. The section also notes that the City's current contract for fire protection services is set to expire in 2026. This section should also include a discussion of the proposed detachment from the Ceres Fire Protection District and Keyes Fire Protection District, along with proposed mitigation to eliminate impacts to the Districts' abilities to serve their remaining territory following detachment of the territory and loss of respective revenues. The section should also acknowledge that following annexation, the City of Ceres will be the responsible agency for fire services and contemplate how these services would be provided with or without a continued contract.

4P

Thank you for consideration of these comments. If you have any questions, please contact our office at (209) 525-7660.

Sincerely,



Sara Lytle-Pinhey  
Executive Officer

4L

cc: LAFCO Commissioners  
Shaun Wahid, LAFCO Counsel

4M

## Responses to Stanislaus LAFCo comment letter of January 27, 2025

---

- Response 4A: The Stanislaus LAFCo correctly identifies itself as a CEQA Responsible Agency, which will be obligated to utilize the City's CEQA EIR when considering the proposed annexation. No further response is necessary.
- Response 4B: The Stanislaus LAFCo's comments on the City's NOP were received, considered during the preparation and included in Draft EIR Appendix A. A summary of these comments was provided in Chapter 1.0 of the Draft EIR. The commenter's more specific environmental concerns are addressed in following portions of the comment letter and in the following responses.
- Response 4C: LAFCo concerns related to agriculture and agricultural preservation, including the requirement for preparation of a Plan For Agricultural Preservation, were discussed in detail in Chapter 5.0 of the Draft EIR. The city is aware of the need to submit a standalone plan for agricultural preservation to LAFCo with its application to annex the CTSP area and the Pocket Area. This submittal will occur following the City's certification of the EIR, decision to approve the specific plan and initiate the annexation process.
- Response 4D: The draft EIR makes no distinction between the State Department of Conservation and the LAFCo definition of important farmland; the EIR reports that the project would result in the conversion of 319.5 acres of both Prime Agricultural Land and Farmland of Statewide Importance. This encompasses all of the lands within the CTSP area that are defined under LAFCo policy as needing preservation. Mitigation Measure AG-1, which is worded ambiguously, applies to "Prime Farmland." Chapter 4.0 Errata of this Final EIR modifies the language of the mitigation to apply to the more inclusive term "Farmland" as used in CEQA.
- Response 4E: As noted in response for D, mitigation measure AG-1 has been modified to apply to the more inclusive term "Farmland," which includes both Prime Farmland and Farmland of Statewide Importance.
- Response 4F: See previous Responses 4D and 4E.
- Response 4G: The City understands that the Plan for Agricultural Preservation would be adopted by the City and submitted to LAFCo. The modified mitigation measure AG-1 has been modified to delete the reference to LAFCo approval.



Response 4H: The City appreciates LAFCo clarifying the process for cancellation of Williamson Act contracts. The referenced Draft EIR discussion has been modified to reference the processing requirements of the Government Code.

Response 4I: This comment makes note of an EIR statement regarding vacant lands in the City. The West Landing Specific Plan does contain substantial vacant land, but these lands are oriented to new housing development. The Copper Trails project is oriented rather to economic and job development and supportive expansion of population and housing. The City understands the referenced LAFCo policies and will submit supplemental information on land use, vacancy, pressure for development within the CTSP area and information related to agricultural use. Prior to consideration of the project, an economic and fiscal impact study for the project will be submitted and reviewed.

Response 4J: Following certification and approval of the Specific Plan, the City will prepare and submit to LAFCo an application for annexation of the project area. The referenced concern will be addressed by the proposed annexation map. Whether or not the project would provide a consistent jurisdictional boundary considered by LAFCo to be adequate or of administrative benefit is not a matter of environmental concern that needs to be addressed in the EIR. No further response is needed

Response 4K: There is no known recent source of mapping or designation of existing DUCs other than the cited reference, which has been corrected in the Final EIR. There is no known purpose for identifying potential DUCs as they are not subject to special protections or requirements, particularly as it concerns potential for identifying significant environmental effects under CEQA.

The proposed annexation as well as most of the City of Ceres and western Stanislaus County is located within a Disadvantaged Community for the purposes of SB 535, which is a mechanism for directing investment of proceeds from the state's Cap-and-Trade Program, which are aimed at improving public health, quality of life and economic opportunity in California's most burdened communities, and at the same time, reducing pollution that causes climate change.

The current CalEnviroScreen (4.0) map shows the Pocket Area as it is mapped as being within the 80% - 90% range, while the entirety of the CTSP area and surroundings to the south (Census Tract: 6099003002) is mapped as being within the 70% - 80% range. While the CalEnviroScreen mapping may indicate that the two areas are disproportionately burdened by multiple sources of pollution with

respect to other census tracts in California and therefore “disadvantaged.” This is not the same as being a DUC.

The DUC is of no importance with respect to environmental impact analysis under CEQA. As discussed in the EIR’s air quality, the project would not include any major sources of new pollution that could impact either the CTSP or the Pocket Area or otherwise make worse any of the socio-economic factors that indicate that the areas are disadvantaged.

Response 4L: The City is aware of and will be required to comply with the Plan for Services requirement of GC 56653. This is a routine annexation requirement, and a Plan for Services will be submitted to LAFCo when the City submits its annexation application. Most of the information that is needed in the Plan for Services is already provided in the EIR. Please refer to Chapters 15.0 Public Services and 17.0 Utilities of the Draft EIR; LAFCo makes no comment on the EIR content information.

Financing mechanisms for expansion of public services to serve the annexation are the subject of detailed research and analysis in the Fiscal Impact Study for the project being prepared by EPA. This information will be incorporated into the City’s annexation application and submitted for LAFCo consideration.

Response 4M: A Utilities Master Plan has been prepared for the proposed Specific Plan and annexation. The Specific Plan’s portion of improvements needed to serve new development is addressed in the 17.0 Utilities chapter of the EIR. A copy of the Specific Plan is available for review on the City’s website. The City and the project applicant reviewed and discussed wastewater treatment capacity that would be available to the project as well as other planned development in the City, and based on this effort, the City believes that adequate capacity is available.

Response 4N: In November 2023, treated surface water was introduced into the Ceres potable water distribution system. This water is obtained from the Tuolumne River, treated at the new Stanislaus Regional Water Agency treatment plant, delivered by pipeline to the City reservoir and then delivered to Ceres customers through the City’s existing water distribution system. Information on the same subject was provided on page 17-1 of Draft EIR.

Response 4O: In the City’s response to the SWRCB on the same subject, it noted that the potential need for an SB 610 Water Supply Assessment (WSA) was specifically considered during the preparation of the Draft EIR, as documented on page 17-6. This analysis concluded that a WSA was

not specifically required for a specific plan project, although SB 610 or SB 221 requirements may apply to subsequent projects. The City's position on this subject remains the same.

The SWRCB Guidebook identifies the Urban Water Management Plan as a key water supply planning document that can be used by a water supplier to fulfill the specific requirements of the two WSA statutes. On the same page, the EIR noted that the City had adopted its 2020 UWMP, which describes the City's water system, water use, water supply sources and the reliability of the City's water service for normal, dry, and five-year drought conditions for the next 20 years. The UWMP planning area encompasses the City's Sphere of Influence, which includes both the CTSP and Pocket Areas.

Response 4P: The City and the parties with responsibilities and interests in fire protection in the Ceres area are in ongoing discussion and negotiations regarding reorganization of fire protection responsibilities in the Ceres area, including the City's continuing relationship with the City of Modesto for fire protection services beyond the expiration of the existing agreement in 2026. The anticipated changes will include detachment from the Ceres and Keyes Fire Protection districts and operational effects on these entities. These concerns as well as fiscal effects, will be resolved as a part of the larger action before it obtains the required approval of all of the involved entities. This action, including resolution of any fiscal effects between the agencies, will be concluded prior to submittal of the City's annexation application to LAFCo. At that time, the City will be the sole entity with responsibility for fire protection in the annexation area.

COPPER TRAILS MASTER PLAN E. I. R. COMMENTS

In reviewing this 632-page report I was unable to find out what the total population of the Copper Trails area and the Pocket Area is. How many people live in these areas now. How many more Police Officers, Fire personnel and public works employees will be needed if this area is annexed into the City of Ceres before building out is completed years from now. How is there wastewater currently disposed of? Are there any existing sewer lines, and do these lines connect to a disposal site? Is the whole area on septic systems or is some of it already connected to the city system? The Pocket Area too.

5A

The report explains the Cities' current wastewater treatment plant capacities and that wastewater is shipped to Turlock and Modesto. It does not explain that the facility is outdated and needs to be replaced. If wastewater was not shipped to these other cities the facility would not support the residents of Ceres, or this proposed project.

5B

The E I R projects what the proposed project will look like when built out and completed many years down the road but does not explain how the city will be able to afford to provide all the services required as the project moves along. Will the taxes from the current properties support the services needed. Police Officers, Fire Fighters, ambulance services, water, wastewater (the new treatment plant costs) garbage collection, street sweeping and various other services. Some of these utilities' costs will be passed on to the property owners and are self-supporting but some are not. Will the tax base support all that is needed?

5C

The report comments on additional Police Officers needed on build out as being "9" with a ratio of 1.3 per 1 thousand residents. I did not find any comments on all the equipment needed by those 9 Officers, or the costs associated. Again, Will this project area Tax Base with about 9 thousand new residents (½ will be children) support the needed public services.

5D

The report does not indicate if the residents of Copper Trails or the Pocket Area want to be annexed to the city limits and are willing to pay these extra fees and

5E

COMMENT NO. 5  
JOHN AND PATTI WARRSY

taxes to support the services needed. Were they contacted in any manner regarding the issue of annexation to the city?

5E

In looking at the Master Plan Map there are roads North and Southbound thru the project but no roads East and Westbound that are completely thru the project. I would suggest Street "B" continue from Central Avenue thru to Blaker Road or Redwood Road continue thru to Blaker Road. Both would be the best for Traffic flow and the response of Emergency Vehicles. Being able to pass through the CT project area without 90degree turns would be preferred. Controlling the speed of Traffic can be accomplished by traffic calming methods developed by Engineering and Public Works.

5F

What are the conditions of the roads that currently exist within the CT project, and the Pocket Area? What will the cost be to bring them up to present-day standards? The County should do this prior to annexation, or the project proponents should be required to do so. Going forward will be the responsibility of the city. Bringing things up to standard should not be.

5G

Also, are there any City Council District boundary lines that have been drawn up or proposed based on the population (and other considerations) of the CTMP and Pocket Area? When the annexation is approved and is in place all these new city residents will have to be represented by someone on the City Council.

5H

I believe all these questions should be answered and provided to the citizens of Ceres, the residents of the CT area and the Pocket Area before the City adopts the EIR and approves the CTMP.

5I

I am aware that LAFCO must approve the project

COMMENT NO. 5  
JOHN AND PATTI WARRSY

## RESPONSES TO JOHN AND PATTY WARREN, UNDATED

Response 5A: This comment poses a number of questions to which answers are provided below.

The current population of the CTSP area and Pocket Area are estimated as follows, based on a count of homes and a fixed per unit population.

CTSP, estimated 70 homes x 3.5 persons/unit

Pocket Area, estimated 235 homes x 3.5 persons/unit

The EIR addresses future needs for police and fire personnel based on planned buildout. A fiscal study of the project is being prepared for consideration in conjunction with the project.

Existing wastewater disposal is to onsite septic tank and leach field systems. These systems will need to be abandoned as wastewater pipelines are extended into new development areas; wastewater will be collected and flow to the City's existing wastewater treatment and disposal facility. No part of the annexation area is connected to the City system.

Response 5B: The capacity of the City's wastewater system is based on the existing capacity of City facilities together with the City's agreements with other wastewater treatment providers and the existing agreements between the cities. The City has determined during the review of the CTSP and annexation project that adequate capacity is or will be available to accept wastewater flows from planned growth.

Response 5C: A detailed analysis of the service obligations and revenue from the project is being prepared in a fiscal study for the project; the fiscal study and will be considered by the Planning Commission and City Council in their discussions of the project.

Response 5D: This information will be provided in the fiscal study referenced in Response 5C.

Response 5E: According to the California Government Code and Stanislaus County LAFCo, residents of the annexation area will be given an opportunity to formally vote on whether the annexation should or should not be approved.

Response 5F: This comment provides the commenter's opinion as how the proposed circulation plan for the CTSP area could be improved. This comment will be considered by City Public Works and Community

Development staff as well as by the Planning Commission and City Council.

Response 5G: The condition of existing roads and the costs to provide improvements have been subjected to engineering analysis in materials that are under review by the City. Proposed standards for new or improved roads are shown in the Specific Plan. The road improvement costs vs. revenue generated by the project is being considered in the fiscal analysis discussed in Response 5C.

Response 5H: A plan for redistricting the City will be drawn up and considered by the City Council in conjunction with the annexation process.

Response 5I: The City's draft responses to these comments as shown above will be made available to commenting agencies and the public prior to public meetings at which the proposed project will be discussed.

**STANISLAUS COUNTY  
CEQA REFERRAL RESPONSE FORM**

**TO:** Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**FROM:** Stanislaus County Department of Environmental Resources - Hazardous Materials Division

**SUBJECT: NOTICE OF AVAILABILITY OF THE COPPER TRAILS DRAFT  
ENVIRONMENTAL IMPACT REPORT**

Based on this agency's particular field(s) of expertise, it is our position the above described project:

☐ Will not have a significant effect on the environment.  
☐ May have a significant effect on the environment.  
☒ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

---

---

Response prepared by:

Ninos Shamoon	Hazardous Materials Specialist	1/27/25
Name	Title	Date

6A

COMMENT NO. 6  
STANISLAUS COUNTY ERC



## STANISLAUS COUNTY PLANNING AND COMMUNITY DEVELOPMENT

---

Response 6A: This comment consists of a single page form indicating the Planning and Community Development Department has no comment on the EIR. No response is necessary.



January 27, 2025

Lea Simvoulakis  
City of Ceres  
Community Development Department  
2220 Magnolia Street  
Ceres, CA 95307

**Project: Draft Environmental Impact Report for the Copper Trails Specific Plan and Annexation Project**

**District CEQA Reference No: 20241475**

Dear Ms. Simvoulakis:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the City of Ceres (City) for the project mentioned above. Per the DEIR, the project consists of the annexation of 680.7 acres for the development of up to 2,392 dwelling units and approximately 1,169,586 square feet of non-residential space (i.e. community commercial or Industrial uses) (Project). The Project is located south and west of the existing Ceres incorporated area, bounded by state route 99 and Mitchell Road on the east, Service Road on the north, Blaker Road on the west, and TID Lower Lateral 2 on the south, in the Ceres, CA.

The District offers the following comments at this time regarding the Project:

**1) Land Use Planning**

Nearly all development projects within the San Joaquin Valley Air Basin, from Specific Plans to individual 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 in the Valley. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project design elements that reduce vehicle miles traveled (VMT) have proven to be beneficial for air quality. The District recommends that the DEIR incorporate strategies that reduce VMTs and require the cleanest available heavy duty trucks, vehicles, and off-road equipment, including zero and near-zero technologies. VMTs can be reduced through encouragement of

Samir Sheikh  
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

[www.valleyair.org](http://www.valleyair.org)

[www.healthyliving.com](http://www.healthyliving.com)

Printed on recycled paper.

7A

COMMENT NO. 7  
SAN JOAQUIN VALLEY AIR POLLUTION CONTROL  
DISTRICT

mix-use development, walkable communities, etc. Additional design element options can be found at:  
<https://www2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

7A

In addition, since the Project includes the development of non-residential space (i.e. community commercial or industrial uses) the District recommends that the DEIR incorporate strategies that will advance implementation of the best practices listed in Tables 5 and 6 of California Air Resource Board's (CARB's) Freight Handbook Concept Paper, to the extent feasible. This document compiles best practices designed to address air pollution impacts as "practices" which may apply to the siting, design, construction, and operation of freight facilities to minimize health impacts on nearby communities. The concept paper is available at:  
[https://www2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook\\_1.pdf](https://www2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf)

7B

## 2) **Health Risk Screening/Assessment**

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects that may be approved under implementation of the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

7C

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

### Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:

<https://ww2.valleyair.org/permitting/ceqa/>.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: [hramodeler@valleyair.org](mailto:hramodeler@valleyair.org)
- Calling (559) 230-5900

*Recommended Measure:* Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

7C

### 3) **Ambient Air Quality Analysis**

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects that may be approved under implementation of the Project with emissions that exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website:  
<https://www2.valleyair.org/permitting/ceqa/>.

### 4) **Voluntary Emission Reduction Agreement**

The District recommends the DEIR include a feasibility discussion on implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure for future development projects that may be approved under implementation of the Project that are determined to exceed the District's CEQA significance thresholds.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of agricultural equipment with the latest generation technologies.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the

7D

7E

project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

7E

**5) Industrial/Warehouse Emission Reduction Strategies**

The District recommends the City incorporate emission reduction strategies that can reduce potential harmful health impacts for future industrial uses, such as those listed below:

- Require cleanest available heavy-duty trucks and off-road equipment (see comment 7)
- Require HHD truck routing patterns that limit exposure of residential communities and sensitive receptors to emissions (see comment 6)
- Require minimization of heavy-duty truck idling (see comment 8)
- Require solid screen buffering trees, solid decorative walls, and/or other natural ground landscaping techniques are implemented along the property line of adjacent sensitive receptors
- Orient loading docks away from sensitive receptors unless physically impossible
- Require loading docks a minimum of 300 feet away from the property line of sensitive receptor unless dock is exclusively used for electric trucks
- Incorporate signage and "pavement markings" to clearly identify on-site circulation patterns to minimize unnecessary on-site vehicle travel
- Require truck entries be located on streets of a higher commercial classification
- Require projects be designed to provide the necessary infrastructure to support use of zero-emissions on-road vehicles and off-road equipment (see comment 10)
- Require all building roofs are solar-ready
- Require all portions of roof tops that are not covered with solar panels are constructed to have light colored roofing material with a solar reflective index of greater than 78
- Ensure rooftop solar panels are installed and operated to supply 100% of the power needed to operate all non-refrigerated portions of the development project
- Require power sources at loading docks for all refrigerated trucks have "plugin" capacity, which will eliminate prolonged idling while loading and unloading goods
- Incorporate bicycle racks and electric bike plug-ins
- Require the use of low volatile organic compounds (VOC) architectural and

7F

- industrial maintenance coatings
- Designate an area during construction to charge electric powered construction vehicles and equipment, if temporary power is available
- Prohibit the use of non-emergency diesel-powered generators during construction
- Inform the project proponent of the incentive programs (e.g., Carl Moyer Program and Voucher Incentive Program) offered to reduce air emissions from the Project
- Ensure all landscaping be drought tolerant

7F

#### **6) Truck Routing**

Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors. Since the Project will include non-residential development (i.e. community commercial, industrial uses), the Project has the potential to generate HHD truck trips.

The District recommends the City evaluate HHD truck routing patterns for future development projects, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.

7G

#### **7) Cleanest Available Heavy-Duty Trucks**

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NO<sub>x</sub> emissions in the San Joaquin Valley. Accordingly, to meet federal air quality attainment standards, the District's ozone and particulate matter attainment plans rely on a significant and rapid transition of HHD fleets to zero or near-zero emissions technologies.

Since the Project will include non-residential development (i.e. community commercial, industrial uses), the Project has the potential to generate HHD truck trips. For future development projects, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions:

- *Recommended Measure:* Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero technologies.

7H

- **Recommended Measure:** All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.

**8) Reduce Idling of Heavy-Duty Trucks**

The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts.

The District recommends the DEIR include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors. In addition, the District recommends the City consider the feasibility of implementing a more stringent 3-minute idling restriction and requiring appropriate signage and enforcement of idling restrictions.

7I

**9) Electric On-Site Off-Road and On-Road Equipment**

Since the Project will include Industrial uses, future development projects may have the potential to result in increased use of off-road equipment (e.g., forklifts) and on-road equipment (e.g., mobile yard trucks with the ability to move materials). The District recommends that the DEIR include requirements for project proponents to utilize electric or zero emission off-road and on-road equipment.

7J

**10) Electric Infrastructure**

The District recommends that the City require all nonresidential buildings be designed to provide electric infrastructure to support the use of on-road zero emissions vehicles, such as HHD trucks associated with a warehouse or commercial projects.

7K

**11) On-Site Solar Deployment**

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects that may be approved under implementation of the Project.

7L



#### **12) Under-fired Charbroilers**

Future development projects have the potential to include restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

Since the cooking of meat can release carcinogenic PM<sub>2.5</sub> species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM<sub>2.5</sub> standards. Therefore, the District recommends that the DEIR include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or [technology@valleyair.org](mailto:technology@valleyair.org) for more information, or visit: <https://ww2.valleyair.org/grants/restaurant-charbroiler-technology-partnership/>

#### **13) Vegetative Barriers and Urban Greening**

For future development projects within the Project area, and at strategic locations throughout the Project area in general, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help

7M

7N

improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

**14)Clean Lawn and Garden Equipment in the Community**

Since the Project consists of residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends project proponents consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at:  
<https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/>  
and <https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/>.

70

**15)District's Bikeway Incentive Program**

Incorporating design elements (e.g., installing bikeways) within the Project that enhance walkability and connectivity can result in an overall reduction of vehicles miles traveled (VMT) and improve air quality within the area. The Project is expected to result in an overall reduction in VMT by installing bikeways, and may be eligible for funding through the District's Bikeway Incentive Program. The Bikeway Incentive Program provides funding for eligible Class 1 (Bicycle Path Construction), Class II (Bicycle Lane Striping), or Class III (Bicycle Route) projects. These incentives are designed to support the construction of new bikeway projects to promote clean air through the development of a widespread, interconnected network of bike paths, lanes, or routes and improving the general safety conditions for commuter bicyclists. Only municipalities, government agencies, or public educational institutions are eligible to apply. More information on the grant program can be found at:  
<https://ww2.valleyair.org/grants/bike-paths/>

7P

Guidelines and Project Eligibility for the grant program can be found at:  
<https://ww2.valleyair.org/media/drpijuw1/bikeway-program-guidelines-62515.pdf>

**16)Nuisance Odors**

While offensive odors rarely cause any physical harm, they can be unpleasant, leading to considerable distress among the public and often resulting in citizen complaints.

The City should consider all available pertinent information to determine if future development projects could have a significant impact related to nuisance odors. Nuisance odors may be assessed qualitatively taking into consideration the

7Q

proposed business or industry type and its potential to create odors, as well as proximity to off-site receptors that potentially would be exposed to objectionable odors. The intensity of an odor source's operations and its proximity to receptors influences the potential significance of malodorous emissions. Any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact.

According to the District Guidance for Assessing and Mitigating air Quality Impacts (GAMAQI), a significant odor impact is defined as more than one confirmed complaint per year averaged over a three-year period, or three unconfirmed complaints per year averaged over a three-year period. An unconfirmed complaint means that either the odor or air contaminant release could not be detected, or the source of the odor could not be determined.

As the future development projects that will fall within the project area do not yet exist, the City should and stipulate odor mitigation measures in the DEIR as conditions of approval for those business and industry types. An example would be for a project proponent whose project is determined to have a potentially significant odor impact to draft and implement an odor management plan as a mitigation measure in the DEIR.

7Q

#### **17) District Rules and Regulations**

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://www2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.

7R

**17a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources**

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, project proponents shall obtain an ATC permit from the District for equipment/activities subject to District permitting requirements.

*Recommended Mitigation Measure:* For projects subject to permitting by the San Joaquin Valley Air Pollution Control District, demonstration of compliance with District Rule 2201 (obtain ATC permit from the District) shall be provided to the City before issuance of the first building permit.

For further information or assistance, project proponents may contact the District's SBA Office at (209) 557-6446.

**17b) District Rule 9510 - Indirect Source Review (ISR)**

Future development projects within the project area may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

7S

7T

COMMENT NO. 7  
SAN JOAQUIN VALLEY AIR POLLUTION CONTROL  
DISTRICT

**Table 1: ISR Applicability Thresholds**

<b>Development Type</b>	<b>Discretionary Approval Threshold</b>	<b>Ministerial Approval / Allowed Use / By Right Thresholds</b>
Residential	50 dwelling units	250 dwelling units
Commercial	2,000 square feet	10,000 square feet
Light Industrial	25,000 square feet	125,000 square feet
Heavy Industrial	100,000 square feet	500,000 square feet
Medical Office	20,000 square feet	100,000 square feet
General Office	39,000 square feet	195,000 square feet
Educational Office	9,000 square feet	45,000 square feet
Government	10,000 square feet	50,000 square feet
Recreational	20,000 square feet	100,000 square feet
Other	9,000 square feet	45,000 square feet

District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM.

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

Information about how to comply with District Rule 9510 can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview>

The AIA application form can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/>

7T

COMMENT NO. 7  
SAN JOAQUIN VALLEY AIR POLLUTION CONTROL  
DISTRICT

District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at [ISR@valleyair.org](mailto:ISR@valleyair.org).

**17c) District Rule 9410 (Employer Based Trip Reduction)**

Future development projects may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about District Rule 9410 can be found online at:  
<https://ww2.valleyair.org/compliance/rule-9410-employer-based-trip-reduction/>.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at [etrip@valleyair.org](mailto:etrip@valleyair.org)

**17d) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)**

In the event an existing building will be renovated, partially demolished or removed, future development projects may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at:  
<https://ww2.valleyair.org/compliance/demolition-renovation/>

**17e) District Rule 4601 (Architectural Coatings)**

Future development projects may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:  
<https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

7U

7V

7W

#### **17f) District Regulation VIII (Fugitive PM10 Prohibitions)**

Project proponents may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at: <https://ww2.valleyair.org/dustcontrol>

#### **17g) District Rule 4901 - Wood Burning Fireplaces and Heaters**

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at: <https://ww2.valleyair.org/compliance/residential-wood-smoke-reduction-program/>

#### **17h) Other District Rules and Regulations**

Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

7X

7Y

7Z

If you have any questions or require further information, please contact Harout Sagherian by e-mail at [Harout.Sagherian@valleyair.org](mailto:Harout.Sagherian@valleyair.org) or by phone at (559) 230-5860.

Sincerely,

Tom Jordan  
Director of Policy and Government Affairs

A handwritten signature in blue ink, appearing to read "Mark Montelongo".

Mark Montelongo  
Program Manager

COMMENT NO. 7  
SAN JOAQUIN VALLEY AIR POLLUTION CONTROL  
DISTRICT



## RESPONSES SAN JOAQUIN VALLEY APCD

---

- Response 7A: The potential VMT impacts of the project were addressed in detail in the draft EIR, under the heading TRANS-3. This discussion included listing of specific plan features which would tend to reduce VMT, including alternative transportation modes and other methods such as Commute Reduction Programs, Ridesharing Programs, End of Trip Bicycle Facilities, and Employer-Sponsored Vanpools. The CTSP includes features that would promote pedestrian and bicycle transportation use. As noted in subsequent comments, the project is not, however expected to result in substantial use of heavy-duty trucks as the proposed land uses permitted by the CTSP are limited to residential, retail and service commercial land use designations.
- Response 7B: This comment, related to analysis of freight facilities, is not applicable to the proposed project. Such land uses are not permitted in the CTSP. See also responses to Comments 7F through 7K.
- Response 7C: This comment concerns potential generation of, and exposure of sensitive receptors to, hazardous air emissions or toxic air contaminants (TACs). In the event that such uses are proposed within the project area, for example automobile fueling facilities, addressed in the Draft EIR Chapter 6.0 Air Quality analysis, the APCD recommendations would be applicable; no such facilities are proposed at this time. The remainder of the comment discusses procedures for in evaluating potential health risks associated with TAC emitting facilities. These requirements, and any potential risks associated with proposed projects, should be considered in future CEQA review for those projects
- Response 7D: This recommendation applies to potential future development projects that may result in emissions of 100 pounds per day or more of any pollutant. Such projects would be ordinarily larger in scale and would be subject to conditions of City approval requiring conformance with APCD regulations.
- Response 7E: As suggested by the title, a VERA is a voluntary contractual agreement between the SJVAPCD and a project developer. If a VERA is warranted and considered feasible, both of which are determinations that must be made on a project-by-project basis, a project proponent can agree to mitigate project-specific emissions by providing funds for the District's incentive programs that achieve emission reductions via indirect means such as by electrification of stationary internal combustion engines (such as agricultural irrigation pumps) and

replacing old vehicles with new and more efficient vehicles among other things.

The size and potential air emissions associated with future development projects are, however, undetermined at this point in time. In the event that a future development project involves significant air emissions that cannot be mitigated, the City can suggest the applicant to enter into a VERA; the explanation and technical information provided by the APCD would be helpful in this event. An alternative, if necessary, would be for the project to purchase offsets for pollutant amounts that exceed the APCD significance thresholds.

- Response 7F: This comment applies to projects that involve industrial and warehousing land uses. There are no such uses proposed in either the CTSP or proposed zoning for the Pocket Area.
- Response 7G: This comment applies to projects that involve industrial and warehousing land uses and heavy truck traffic. There are no such uses proposed in either the CTSP or proposed zoning for the Pocket Area.
- Response 7H: This comment applies to projects that involve industrial and warehousing land uses and heavy truck traffic. There are no such uses proposed in either the CTSP or proposed zoning for the Pocket Area.
- Response 7I: This comment applies to projects that involve industrial and warehousing land uses and heavy truck traffic. There are no such uses proposed in either the CTSP or proposed zoning for the Pocket Area.
- Response 7J: This comment applies to projects that involve industrial and warehousing land uses and off-road equipment. There are no such uses proposed in either the CTSP or proposed zoning for the Pocket Area.
- Response 7K: This comment applies to future projects that may involve industrial and commercial land uses that include substantial use of HHD trucks. There are no such uses proposed in either the CTSP or proposed zoning for the Pocket Area. CTSP commercial areas are anticipated to include retail and service uses not likely involving substantial potential for any intensive use of HHD trucks.
- Response 7L: This is a recommendation that the City consider incorporating solar power as an emissions reduction strategy for future development projects. The City appreciates the recommendation and has adopted the latest CalGreen energy conservation requirements including provisions for solar power installations.

- Response 7M: Therefore, the District recommends that the DEIR include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.
- Response 7N: The City will consider this recommendation in its review of public street improvements and associated landscaping as well as in its review of SR 99/Service Road interchange improvement plans.
- Response 7O: This information is incorporated in the Copper Trails Final EIR and will be made available to project applicants seeking City approvals pursuant to the specific plan.
- Response 7P: The CTSP includes provisions that will facilitate installation of bicycle and pedestrian alternatives to vehicle traffic. The incentives described by the APCD will be available and made known to project applicants seeking city approval of development projects pursuant to the CTSP.
- Response 7Q: The CTSP provides for low density to high density residential development as well as retail and service commercial land uses. The specific plan does not address, and future projects are not expected to include land uses that would be the source of objectionable odors. In the event that such uses are proposed within the project area, the city can be expected to request information related to odor emissions for consideration under CEQA, and to provide that information to the APCD for consideration as a part of the City's interagency referral; if a project would involve significant odor concerns, the City would attach conditions of approval to any such projects.
- Response 7R: The City is familiar with the range of APCD rules and regulations pertinent to land development, including projects that may involve point sources of pollution, as well as fugitive dust and other non-point emission sources. APCD rules and regulations were discussed in Chapter 6.0 Air Quality of the Draft EIR including their applicability to projects that may be submitted for City approval following approval of the CTSP and annexation of the project area. Several of these rules and regulations were addressed in the Draft EIR and are addressed in the following comments and responses, including Regulation VIII, Rule 4101, Rule 4601, Rule 4641, Rule 9410 Employer Based Trip Reduction and Rule 9510 Indirect Source Rule.
- Response 7S: Projects that may be subject to Rules 2210 and 2201, that is projects involving stationary source emissions and toxic emissions, such as commercial fueling facilities, were discussed in the discussion of Impact AIR-4 regarding potential exposure of sensitive receptors to toxic pollutants.

- Response 7T: As noted in Response 7R, the districts Rule 9510 was discussed in detail in the Draft EIR and would be applicable to development projects within the project area that meet the threshold criteria for rule compliance as listed by the APCD. A mitigation measure has been added to the EIR via FEIR Chapter 4.0 Errata requiring the submittal of an AIA application to the APCD in conjunction with projects that would be subject to Rule 9510.
- Response 7U: Rule 9410 was discussed in the Draft EIR. Compliance with this and the following rules listed in the EIR would, as appropriate, be required by the City's Conditions of Approval requiring compliance with the applicable SJVAPCD Rules and Regulations.
- Response 7V: See Response 7U.
- Response 7W: See Response 7U.
- Response 7X: See Response 7U.
- Response 7Y: See Response 7U. Compliance with Regulation VIII is specifically addressed in Draft EIR Chapter 6.0 discussion of Construction Air Quality effects and compliance is required as an EIR mitigation measure.
- Response 7Z: See Response 7U.



**CHIEF EXECUTIVE OFFICE**

Jody L. Hayes  
CHIEF EXECUTIVE OFFICER

Patrice M. Dietrich  
ASSISTANT EXECUTIVE OFFICER/  
CHIEF OPERATIONS OFFICER

Tina M. Rocha  
ASSISTANT EXECUTIVE OFFICER

Ruben Imperial  
ASSISTANT EXECUTIVE OFFICER

January 27, 2025

Sent Via Email to: [Lea.Simvoulakis@ci.ceres.ca.us](mailto:Lea.Simvoulakis@ci.ceres.ca.us)

Lea C. Simvoulakis  
2220 Magnolia Street  
Ceres, CA 95307

**SUBJECT: ENVIRONMENTAL REFERRAL – CITY OF CERES – COPPER TRAILS SPECIFIC PLAN AND ANNEXATION PROJECT – NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)**

Ms. Simvoulakis:

Please accept this letter as the formal response from Stanislaus County to the above-referenced project. Staff has reviewed the Draft Environmental Impact Report (DEIR) and the comments below represent Stanislaus County's response.

**Agricultural Resources**

The DEIR states project impacts related to conflicts between agricultural and urban land uses would be less than significant and references the installation of a 50-foot-wide landscape buffer; however, there are several areas with the capacity to be people-intensive located adjacent to the southern boundary of the Copper Trails Specific Plan (CTSP) area. While an agricultural buffer is proposed, the DEIR does not provide detailed information on how the buffer will be applied in order to be effective, specifically:

- The DEIR does not clarify what type of landscaping is proposed;
- The DEIR identifies a 50-foot landscape buffer between the lateral and adjacent residential lots to the north but does not specify if the proposed eight-foot-wide multi-use path located along the southern boundary of the CTSP area is located within the 50-foot buffer; and
- The DEIR does not provide information on any proposed fencing utilized as part of the buffer.

**Hazards and Hazardous Materials**

The DEIR concludes that potential impacts of the project on airport operations are less than significant with the application of a mitigation measure which proposes to require that the project to be referred to the Stanislaus County Airport Land Use Commission (ALUC) for review with compatibility of the Airport Land Use Compatibility Plan (ALUCP):

- Please note that County Planning acts as the ALUC Secretary and in accordance with ALUCP Policy 1.5, adoption of a Specific Plan is subject to a compatibility review by the ALUC Secretary, which has a fee associated with it. A portion of the project site is located

**WE BUILD COMMUNITY**

1010 10TH STREET, STE. 6800, MODESTO, CA 95354  
PO BOX 3404, MODESTO, CA 95353  
PHONE: 209-525-6333, FAX: 209-558-4423  
[WWW.STANCOUNTY.COM](http://WWW.STANCOUNTY.COM)

8A

8B

COMMENT NO. 8  
STANISLAUS COUNTY CEO

**COPPER TRAILS SPECIFIC PLAN AND ANNEXATION PROJECT – NOTICE OF  
AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT**  
January 27, 2025  
Page 2

within the areas of the Airport Influence Area for the Modesto City-County Airport subject to requirements for FAA Height Notification and Real Estate Disclosures.

**Transportation and Circulation**

- Central Avenue from Service Road to the Central Valley High School entrance signal is a 4-lane roadway facility which transitions to a 2-lane facility south of the intersection. The project identifies Central Avenue in the project area as a planned 4-lane facility with a raised island median, with a total cross-section width of 108 feet. The project does not identify its plans to transition to the existing undivided 2-lane roadway which continues to the south, including modifications to the 2-lane structure over the Turlock Irrigation District (TID) Lower Lateral #2.

The existing roadway crossing at the TID Canal is approximately 60 feet wide from headwall to headwall and the project should account for its direct impacts and fair-share improvements to the widening of Central Ave south of the project's limits, such that the existing roadway transitions safely into the new widened roadway.

Additionally, the transition area will have an impact to the existing County controlled intersection at Central Avenue and Gondring Road, located approximately 200 feet south of the southern limit of the project and 220 feet south of the intersection with E. Redwood Road. The project should identify the impacts and improvements required at the intersection of Gondring Road and Central Avenue.

- The project should modify its southern boundary to align with the southern boundary of the TID Lower Lateral #2 such that the City of Ceres, as the lead agency, would have primary jurisdiction over the TID canal crossing on Central Avenue.

**Utilities and Energy**

- The DEIR does not evaluate potential future water demands for the pocket area.

Please also note the DEIR fails to acknowledge the Notice of Preparation comment letter sent by the Stanislaus County Environmental Committee on October 27, 2023. A copy of that letter is included as an attachment. Thank you for your time and consideration.

Sincerely,



Tina M. Rocha  
Assistant Executive Officer

TMR:pc

Attachment: October 27, 2023, Comment Letter

CC: ERC Members

8C

8D

8E

8F

COMMENT NO. 8  
STANISLAUS COUNTY CEO



**CHIEF EXECUTIVE OFFICE**

Jody L. Hayes  
CHIEF EXECUTIVE OFFICER

Patrice M. Dietrich  
ASSISTANT EXECUTIVE OFFICER/  
CHIEF OPERATIONS OFFICER

Tina M. Rocha  
ASSISTANT EXECUTIVE OFFICER

Ruben Imperial  
ASSISTANT EXECUTIVE OFFICER

October 27, 2023

Sent Via Email to: [Christopher.hoem@ci.ceres.ca.us](mailto:Christopher.hoem@ci.ceres.ca.us)  
Christopher Hoem, AICP  
Community Development Director City of Ceres  
2200 Magnolia Street  
Ceres, CA 95307

**SUBJECT: ENVIRONMENTAL REFERRAL – NOTICE OF PREPARATION OF A  
DRAFT ENVIRONMENTAL IMPACT REPORT FOR COPPER TRAILS  
SPECIFIC PLAN AND ANNEXATION**

Mr. Hoem:

Please accept this letter as the formal response from Stanislaus County to the above-referenced project. Staff has reviewed the subject project and the comments below represent Stanislaus County's response to the City of Ceres Notice of Preparation of a Draft Environmental Impact Report (EIR) for the Copper Trails Specific Plan and Annexation.

**Agricultural Resources**

The project area is located adjacent to land identified as Agriculture in the County's General Plan and zoned General Agriculture (A-2). Please include in the project's environmental document how the City of Ceres plans to ensure the future development will not impact the existing agriculture use through the use of agricultural buffers or other methods. If any existing schools outside of the boundaries of the project area are intended to serve the new development, the environmental document should reflect how impacts to agricultural resources will be minimized.

**Mandatory Findings of Significance**

The environmental document should study the project's effects on the environment in connection with past projects, current projects, and potential future projects to gain a complete understanding of the cumulative effects.

**WE BUILD COMMUNITY**

1010 10TH STREET, STE. 6800, MODESTO, CA 95354  
PO BOX 3404, MODESTO, CA 95353  
PHONE: 209-525-6333, FAX: 209-558-4423  
[WWW.STANCOUNTY.COM](http://WWW.STANCOUNTY.COM)

**COMMENT NO. 8  
STANISLAUS COUNTY CEO**

**Hydrology**

The West Turlock Subbasin Groundwater Sustainability Agency (GSA) is responsible for ensuring proposed developments within the Turlock Subbasin comply with the Turlock Subbasin Groundwater Sustainability Plan (GSP) as required by the Sustainable Groundwater Management Act. The proposed development project shall be referred to the GSA for review and comment.

**Transportation/Circulation**

The proposed project area's southern boundary should be adjusted to include the full width of the Turlock Irrigation District's (TID) canal right-of-way and should be adjusted to also include the TID right-of-way to the east to Morgan Road for uniformity.

Traffic operations and safety should be analyzed at the following locations to ensure they meet County General Plan requirements: Faith Home at Service intersection; Central at Grayson intersection; Central at Keyes intersection; and the Crows Landing Road corridor.

Traffic operations and safety should be analyzed on Central Avenue as the rural roadway transitions into the proposed project's area from the south, including, but not limited to, the roadway geometrics (cross-section, roadway taper, and horizontal/vertical profile) and that access to Central Avenue from Gondring Road is not impacted.

Stanislaus County appreciates the opportunity to comment on this project, looks forward to further discussion to ensure a proper environmental analysis is conducted and requests to be included in any future publications or referrals for the EIR and Specific Plan.

Regards,



Tina M. Rocha  
Assistant Executive Officer

Cc: Doug Dunford, Interim Ceres City Manager  
Jody Hayes, Chief Executive Officer  
Thomas Boze, County Counsel  
Angela Freitas, Director, Planning and Community Development  
David Leamon, Director, Public Works Department  
Robert Kostlivy, Director, Department of Environmental Resources  
Linda Pinfeld, Agricultural Commissioner

WE BUILD COMMUNITY

1010 10TH STREET, STE. 6800, MODESTO, CA 95354  
PO BOX 3404, MODESTO, CA 95353  
PHONE: 209-525-6333, FAX: 209-558-4423  
WWW.STANCOUNTY.COM

COMMENT NO. 8  
STANISLAUS COUNTY CEO



## RESPONSES TO COMMENT FROM STANISLAUS COUNTY C.E.O.

---

- Response 8A: NEEDS CLARIFICATION FROM SPECIFIC PLAN AUTHORS
- Response 8B: The comment reinforces and adds to the airport safety discussion included in Chapter 11.0 of the EIR. No further response is necessary.
- Response 8C: The EIR's information regarding planned roadways is drawn from the Transportation section of the Specific Plan. The various roadway improvements, including the widening of Central Avenue south of the High School, the Central Avenue crossing of the TID canal, the available right-of-way and the transition to the two-lane section of Central Avenue through the unincorporated area south of the CTSP area and other design details will require and be worked out during interagency coordination, design and plan review and approvals involving the City, County and applicants, pursuant to the CTSP and other applicable City and County design requirements.
- The comment highlights some of the County's issues and concerns that will need to be addressed in the improvement plan approval process. The referenced concerns are hereby included in the Final EIR. In their level of detail, the comments exceed the specificity of the CTSP roadway improvement plans, the EIR and the transportation impact analysis. These concerns will, however, be considered by the City and applicants in further processing of the CTSP, tentative maps and improvement plans. No further response is necessary.
- Response 8D: This comment concerns City/County jurisdictional boundaries that would result from the CTSP annexation. The Stanislaus LAFCo (Comment #4) raises a related concern related to including the remainder of the TID canal in the annexation area. This is not an issue that would involve specific environmental impact but will require communication and coordination between the agencies, including TID, during the annexation process. No further response is required.
- Response 8E: The vast majority of the Pocket Area is already developed, with approximately 25 scattered acres left vacant. Chapter 17.0 of the Draft EIR indicated that "Most of the developed portion of the Pocket Area is served by the City's water system; the remaining portion either is served by individual groundwater wells or has no water service. In view of the City's current surface water and groundwater supply, the potential water demand associated with any new development that may occur in the Pocket Area is not believed to be substantial.

Response 8F: The County's NOP comment letter was inadvertently overlooked and not listed in the Draft EIR. The County's concerns were, however, addressed in the Draft EIR as follows:

Agricultural Resources. Chapter 5.0 of the Draft EIR was devoted to issues associated with agricultural resources and minimizing agricultural land conversion impacts of development.

Mandatory Findings. Chapter 18.0 of the Draft EIR presented a subject-by-subject analysis of the potential cumulative effects of the project in each of the environmental subject areas addressed in Chapters 4.0 – 17.0 of the EIR.

Hydrology. Chapter 12.0 Hydrology and Water Quality of the Draft EIR included detailed discussion of groundwater resources in the Turlock Subbasin and the Sustainable Groundwater Management Act.

Transportation/Circulation. The concerns are the same as identified as comment 8C and addressed in Response 8C, above.



Harold M. Freiman  
Attorney at Law

E-mail: hfreiman@lozanosmith.com

August 29, 2025

**By U.S. Mail & E-Mail: ann.montgomery@ci.ceres.ca.us**

Ann Montgomery  
Planning Administrative Secretary  
City of Ceres  
Planning Division  
2220 Magnolia Street  
Ceres, CA 95307

Re: Response of Ceres Unified School District to Draft Environmental Impact Report for the Copper Trails Specific Plan and Annexation Project

Dear Ms. Montgomery:

On behalf of the Ceres Unified School District ("District"), we hereby submit comments regarding the Draft Environmental Impact Report ("Draft EIR") prepared for the proposed Copper Trails Specific Plan and Annexation Project ("Specific Plan" or "Project"). It is intended that these comments be included as part of the formal administrative record for the Project. As set forth in this letter, the Draft EIR does not comply with the California Environmental Quality Act ("CEQA," Pub. Resources Code, §§ 21000, et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15000, et seq.) for both technical and substantive reasons. Specifically, the District was not adequately consulted in the process of drafting the EIR as required by CEQA (Pub. Resources Code, § 21153, subd. (a)). Moreover, the Draft EIR, based on an improper interpretation of statutes added and amended by Senate Bill (SB) 50, does not include sufficient information to evaluate potential environmental impacts both on schools, and related to schools. **Through this letter, the District again wishes to emphasize that this Project, in combination with the numerous other projects currently pending before the City, has the potential to have a profound negative effect on the District's students, their families, and residents who will reside in and near the Project**

As another public agency serving the population of Ceres, the District prefers to cooperate with the City regarding the proposed Project so as to help ensure that it will meet this goal and benefit the entire community, without undue and unmitigated impacts. It remains the District's hope that collaboration between the District and both the City and the Project developers can occur to address the significant concerns addressed below.

Nevertheless, the District submits its comments and concerns regarding the impacts that substantial development in the City is having and will continue to have on the District. It

*Limited Liability Partnership*

*2001 North Main Street, Suite 500 Walnut Creek, California 94596 Tel 925-953-1620 Fax 925-953-1625*

9A

9B

COMMENT NO. 9  
CERES UNIFIED SCHOOL DISTRICT

remains our hope that coordination can occur regarding school related impacts before it is too late to do anything meaningful about those issues.

With the foregoing in mind, the District requests that the City revise the Draft EIR to address the serious deficiencies identified in this letter, develop appropriate mitigation measures for impacts that are identified as significant, and then recirculate the revised Draft EIR as required by CEQA. (CEQA Guidelines § 15088.5.) In that process, the District requests that the City and Developer coordinate with and meaningfully engage the District.

**I. The City failed to meaningfully meet and confer with the District**

The environmental review process is guided by the CEQA framework that emphasizes the need for interagency communication and public input. Public Resource Code section 21153, subdivision (a), mandates that:

Prior to completing an environmental impact report, every local lead agency shall consult with, and obtain comments from, each responsible agency, trustee agency, any public agency that has jurisdiction by law with respect to the project, and any city or county that borders on a city or county within which the project is located unless otherwise designated annually by agreement between the local lead agency and the city or county, and may consult with any person who has special expertise with respect to any environmental impact involved.

This statutorily required meet and confer process is necessary to ensure that local agencies are coordinated when it comes to future development of the City.

The District's jurisdiction encompasses the Project area and the existing school sites - Central Valley High School, Hidahl Elementary School, and Hanline Elementary School ("School Sites") - within the Specific Plan Area. Further, school housing of the students generated by the Project will be the responsibility of the District. Despite the obvious and significant interest that the District has in this environmental review process, neither the City nor the Applicant has made any meaningful attempts to engage, confer, or consult with the District regarding this Project. The lack of meaningful outreach to a public agency with clear interest and jurisdiction with respect to the project represents a major oversight in the environmental review process.

**II. The Draft EIR does not meet its purpose as an informational document because it fails to provide an adequate description of the environmental setting related to schools.**

One of CEQA's basic purposes is to inform government decision-makers and the public about the potential significant environmental effects of proposed projects and to disclose to the public the reasons for approval of a project that may have significant environmental effects. (CEQA Guidelines § 15002, subds. (a)(1) and (a)(4).) In line with this goal, the preparer of an EIR must make a genuine effort to obtain and disseminate information necessary to the understanding of impacts of project implementation. (See, CEQA Guidelines § 15151; *Sierra Club v. State Board of Forestry* (1994) 7 Cal.App.4th 1215, 1236.)

9B

9C

9D

An EIR must describe existing environmental conditions in the vicinity of the proposed project from both a local and regional perspective, which is referred to as the “environmental setting.” (CEQA Guidelines § 15125.) This description of existing environmental conditions serves as the “baseline” for measuring the qualitative and quantitative changes to the environment that will result from the project and for determining whether those environmental effects are significant. (*Id.*; see also, CEQA Guidelines § 15126.2, subd. (a); *Neighbors for Smart Rail v. Exposition Metro Line Constr. Auth.* (2013) 57 Cal. 4th 439, 447.)

District facilities are a critical part of the Project location’s environment and should be considered throughout the Draft EIR impact categories. However, the Draft EIR fails to present adequate information needed to assess the Project’s environmental impacts on the District and District students. Each of the environmental setting sections preceding the impact analysis contain only a cursory mention of the School Sites or other District schools if at all. Specifically, the Draft EIR fails accurately and fully to address the current and projected future enrollment at the School Sites within the CTSP or any other District schools that will be affected by the Project; a description of how the District currently uses its facilities at the School Sites; and the current vehicular and pedestrian paths of travel used by District staff, students, and their families to get to and from these schools, in the context of a neighborhood that has already been severely impacted by traffic. Moreover, the Draft EIR makes no mention of current remaining capacity at any of the schools. Without consideration of these factors, it is impossible for the lead agency and public to assess whether there are any impacts posed by the Project on the District’s students, families, and staff, and whether those impacts are significant.

For example, the Draft EIR assumes that the Hanline Elementary School site is anticipated to transition to elementary school use “as demand requires.” (DEIR at 535.) While originally designed as an elementary school, the Hanline Elementary School site currently functions as a multi-program educational site that supports several key District initiatives including Central Valley High School (CVHS) overflow classrooms; the Leaps and Bounds Program, which is the District’s adult transition program for individuals with special needs; the Alternative to Suspension (“A2S”) Program which serves students who are referred in lieu of suspension; and the Ceres Adult School which offers daytime classes in General Education Development (“GED”) and High School Equivalency Test (“HiSET”) preparation, the English as a Second Language (“ESL”) Program, citizenship and independent study.

As noted above, the Hanline Elementary School supports several specialized programs that would face significant challenges if required to relocate or undergo a change in use due to an influx of new students. Programs such as Leaps and Bounds and AS2 rely heavily on Hanline’s unique physical layout, flexible space, and campus accessibility to meet the distinct needs of their students. Relocating these programs would likely result in the loss of purpose-built or adapted spaces essential to their operation and cause changes in traffic flows. Finding comparable facilities elsewhere would be difficult and could diminish both the quality and scope of services offered, particularly for students with special needs or those requiring structured behavioral and academic interventions.

Transitioning to new locations may also interrupt instruction, services, and student routines. Such disruptions are especially destabilizing for students with Individualized Education Programs (IEPs), intensive support needs, or those participating in restorative discipline programs like A2S. Programs intentionally designed to operate in non-traditional, separate settings may be compromised if forced onto standard school campuses, undermining their

9D

effectiveness and purpose. Transportation and access challenges further complicate relocation. The A2S program currently coordinates with CVHS transportation routes and moving it could result in increased absenteeism and reduced access for students who rely on CVHS-aligned bus schedules. Similarly, adult learners enrolled in Ceres Adult School may struggle to reach new locations, especially if relocated to sites lacking public transit options or adequate parking.

In addition, programs like Leaps and Bounds benefit from quiet, structured environments separate from the general student population. Relocating to a busier or less secure campus could compromise student safety, independence training, and privacy, particularly for young adults with disabilities transitioning to life and work beyond school. Operationally, moving multiple programs may require modifications to existing campuses, additional supervision and security protocols, and increased burdens on maintenance, transportation, and administrative teams. Staff may face heavier workloads and challenges adapting curriculum or routines to new, less suitable environments, which could negatively impact service delivery and staff morale.

Finally, programs like A2S and Leaps and Bounds have cultivated a strong culture and identity tied to their current space. Relocation risks undermining student buy-in, lowering morale and engagement, and reducing program effectiveness especially for vulnerable or high-risk youth. These cumulative impacts underscore the importance of preserving Hanline's current use and ensuring that any proposed changes are carefully evaluated in consultation with the District and program stakeholders.

The current uses of the Hanline facility are neither detailed nor acknowledged in the Draft EIR, even though the Draft EIR provides that the Project will result in a change in use. The EIR cannot adequately analyze the associated impacts without first establishing and describing the baseline conditions of the facility. The Draft simply implies that the site will be used as an elementary school, without considering the full range of impacts that come with displacing existing programs. These impacts cannot be properly assessed without a clear description of the current uses, which the Draft EIR fails to provide.

**III. The Draft EIR does not meet its purposes as an informational document because it fails to provide an adequate analysis of environmental impacts on and related to schools.**

The Draft EIR states that the proposed Project would have a significant impact on the environment related to public services such as schools if it would:

Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or generate a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for [Schools].  
(DEIR at 15-6.)

The Draft EIR projects that the new students generated by the Project exceed the current capacity available at District schools but provides no details whatsoever as to how those students will be housed or where new facilities will be located. Without an understanding of where new facilities will be built and where existing facilities will have to be expanded, the Draft EIR cannot possibly attempt to provide an adequate analysis of the Project's impact on schools.

9D

9E

In describing the current state of the District's schools, the Draft EIR states that the District's enrollment was 4,546 high school students grades 9 through 12, 2,120 junior high school students grades 7 through 8, and 7,873 students elementary school students grades K through 6. (DEIR at 15-8.) As noted above, the Draft EIR makes no mention of the remaining capacity, just that "[i]n its School Facility Needs Analysis, the CUSD determined there is excess capacity at the K-6 and 7-8 grade levels to house students generated from new development..." (*Id.*)

However, the Draft EIR goes on to explain that the Project will generate a need for new or altered school facilities:

Development and occupation of the residential portions of the CTSP will lead to the generation of additional student populations over time. Potential future student generation would amount to approximately 1,291 K-6 students, 340 middle school students, and 581 high school students, based on the residential development potential of 1,050 residential units, and student generation factors used by CUSD, as presented in Table 15-1. (*Id.*)

The Draft EIR notes that, "buildout of the CTSP would contribute to the projected need for school expansion or new schools within CUSD. . . the project would, over time, generate the need for two elementary schools to accommodate elementary students. . . new facilities would be required to accommodate the anticipated number of high school students" (*Id.*) It also notes that new facilities would be required to accommodate the anticipated number of high school students. Despite this, the Draft EIR gives no consideration as to where the new students will be accommodated, which schools would need to expand their facilities or where the entirely new facilities will be located.

This data appears to be based on a School Facility Needs Analysis from 2019. As this large project will take years to construct, the Draft EIR relies on current enrollment statistics and does not account for or analyze potential future changes in enrollment trends in the attendance area.

The Draft EIR then goes on to claim that "[w]ith payment of development impact fees to CUSD, project impacts on schools are considered less than significant." (DEIR at 15-9.) Through this short and conclusory analysis, the Draft EIR failed to appropriately analyze the Project's potential impacts under the above-cited Public Services CEQA threshold.

In order to support a determination that environmental impacts are insignificant the lead agency must include in the EIR the reasons that the applicable environmental effects were determined to be insignificant. (Pub. Res. Code § 21100, subd. (c); CEQA Guidelines § 15128.) An unsubstantiated conclusion that an impact is not significant, without supporting information or explanatory analysis, is insufficient; the reasoning supporting the determination of insignificance must be disclosed. (See, *City of Maywood v. Los Angeles Unified Sch. Dist.* (2012) 208 Cal.App.4th 362, 393; *San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1994) 27 Cal.App.4th 713 [findings that project will not pose biological impacts to wetlands must be supported by facts and evidence showing that the lead agency investigated the presence and extent of wetlands on the property, which analysis must be disclosed to the public].)

The approach utilized in the Draft EIR oversimplifies and understates the various ways in which large residential and commercial development projects, like the Project, can impact a school district's need for new or physically altered facilities in order to maintain performance

9E

objectives. These documents fail to analyze all potential impacts under this standard, including but not limited to: (1) whether the influx of students would require “physically altered” school facilities unrelated to the accommodation of additional enrollment; (2) whether other impacts of the proposed Project, such as increased traffic, noise, or air pollutants in the neighborhood surrounding the Project area, could impact the District’s need for new or physically altered school facilities; and (3) whether other impacts of the proposed Project could otherwise interfere with the District’s ability to accomplish its own performance objectives.

Finally, the Draft EIR fails adequately to analyze cumulative public services impacts on the District due to extensive new development within District boundaries. EIRs must discuss cumulative impacts of a project when the project’s effects on the environment, viewed in conjunction with impacts of other past, present, or reasonably foreseeable future projects, is cumulatively considerable. (CEQA Guidelines § 15130(a); see, *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 720, finding that piecemeal approval of several projects with related impacts could lead to severe environmental harm.) The purpose of the cumulative impacts analysis is to avoid considering projects in a vacuum, because failure to consider cumulative harm may risk environmental disaster. (*Whitman v. Board of Supervisors* (1979) 88 Cal.App.3d 397, 408.)

The District anticipates that the combined impact of the Project and all other residential development and commercial development projects in District boundaries and the Project neighborhood will significantly impact the District’s ability to provide its public service in accordance with established performance objectives, and that the Project’s incremental effect is cumulatively considerable. (CEQA Guidelines § 15130, subd. (a).) It is further anticipated that the Project, when viewed in conjunction with numerous other projects, will cause the District to need new or physically altered school facilities. At this point, given the extent of pending and approved development, the need for new or altered facilities has likely become unavoidable.

The Draft EIR was required to provide sufficient information for the public and lead agency to assess these impacts and potential mitigation measures. The environmental documents do not provide this information.

**A. The Draft EIR contains an inadequate discussion of all other “school-related” impacts.**

In addition to impacts on the District’s facilities under the Public Services CEQA threshold of significance noted above, the Draft EIR fails adequately to analyze probable Project impacts “related to” schools, as required by CEQA and case law interpreting CEQA. In disregarding these impacts, the Draft EIR and Initial Study attempt to rely on Government Code section 65996, enacted by SB 50. However, reliance on SB 50 and Government Code section 65996 as the remedy for all school impacts caused by the Project on the District demonstrates a misunderstanding regarding the law and developer fees.

The Draft EIR’s stated objectives include “Fiscal Responsibility” with the stated goal of creating a development plan that “can be implemented in a fiscally responsible manner, with neutral or positive fiscal impacts to the City and with identified revenue sources for the long-term maintenance of park facilities, open space areas, trails, landscape corridors, public services, and infrastructure.” (DEIR at 3-3.) However, there is no estimate of the cost of the Project to the

9E

9F



District. Without an estimate of the cost to the District, it is impossible to claim that the impact fees collected by the District would offset those costs.

Developer fees generally are fees that may be levied or imposed in connection with or made conditions of any legislative or adjudicative act by a local agency involving planning, use, or development of real property. (Ed. Code § 17620.) “Level 1” developer fees are levied against residential and commercial or industrial developments on a per square foot basis. If a school district is able to establish a sufficient “nexus” between the expected impacts of residential and commercial development and the district’s needs for facilities funding, then the district may currently charge up to \$5.17 per square foot of residential development, and up to \$0.84 per square foot of commercial development, which statutory amounts may be increased every two years based on the statewide cost index for class B construction.

The Draft EIR indicates that while the District qualifies to impose Level II development impact fees on new construction, it has chosen to continue levying Level I fees. The District wishes to clarify that this decision is due to the fact that the calculated Level II fee, which is based solely on factors spelled out in statute, would result in a lower fee than the existing Level I rate. The District is thus collecting the highest statutory fee for which it is eligible.

From a practical standpoint, the amount of developer fees received by school districts typically fall woefully short of alleviating the impacts caused by development. This is due largely to the facts that: (1) statutory developer fee amounts fail to acknowledge the differences in costs of school construction from one district to another; (2) the developer fee amounts fail to contemplate the special facilities needs of those districts experiencing rapid growth, such as the need for portable classrooms; and (3) the adjustment formula for developer fees is based on a “construction cost index” and does not include indexing related to the increases in land costs, resulting in the actual costs of facilities (i.e., land and improvements) increasing at a greater rate than the adjustment.

The inadequacy of developer fees as a source of funding for school facilities has forced school districts to rely increasingly on other sources of funding, primarily including local bond funds and State bond funds administered under the State’s School Facilities Program (SFP). However, these sources of funds can be equally unreliable. Local bond funds are difficult to generate, as local bonds are subject to school district bonding capacity limitations and voter approval. State funds are also unreliable and take considerable time to obtain. Either way, the funding formula was never intended to require the State and local taxpayers to shoulder a disproportionate portion of the cost of school facilities.

SB 50 declares that the payment of the developer fees authorized by Education Code section 17620 constitutes “full and complete mitigation of the impacts of any legislative or adjudicative act on the provision of adequate school facilities.” (Gov. Code § 65995(h); see also, Gov. Code § 65996(a).) However, California courts have since acknowledged that payment of developer fees does not constitute full and complete mitigation for school-related impacts other than impacts “on school facilities” caused by overcrowding. (*Chawanakee Unified Sch. Dist. v. Cty. of Madera* (2011) 196 Cal.App.4th 1016 (“*Chawanakee*”).) *Chawanakee* addressed the extent to which the lead agency (Madera County) was required to consider school-related impacts in an EIR for new development. The court determined that SB 50 does not excuse a lead agency from conducting environmental review of school impacts other than an impact “on school facilities.” The court required that the County set aside the certification of the EIR and approvals of the

project and take action necessary to bring the EIR into compliance with CEQA. (*Id.* at 1029.) In so holding, the court explained as follows:

[A]n impact on traffic, even if that traffic is near a school facility and related to getting students to and from the facility, is not an impact ‘on school facilities’ for purposes of Government Code section 65996, subdivision (a). From both a chronological and a molecular view of adverse physical change, the additional students traveling to existing schools will impact the roadways and traffic before they set foot on the school grounds. From a funding perspective, the capped school facilities fee will not be used by a school district to improve intersections affected by the traffic. Thus, it makes little sense to say that the impact on traffic is fully mitigated by the payment of the fee. In summary ... the impact on traffic is not an impact on school facilities and, as a result, the impact on traffic must be considered in the EIR.

(*Id.* at 1028-29.)

Here, for example, the Draft EIR intimates that new school facilities will have to be built at undecided location, suggesting the District “may consider construction of new schools or redistribution of student load among existing schools.” (DEIR at 15-8.) Without even an estimation of where students may need to travel to attend school, it is impossible to estimate the vehicle miles traveled (VMT.) This has not been analyzed or addressed in the EIR as required. (Cal. Code Regs., tit. 14, § 15064.3.)

Contrary to the assertions of the Draft EIR, the payment of fees does not constitute full mitigation for all impacts caused by development, including those related to traffic, noise, biological resources, air quality, pedestrian safety, and all other types of impacts “related to” the District and its educational program. The Draft EIR’s approach is significantly flawed and inconsistent with the requirements of *Chawanakee*, as it failed to analyze the information necessary to determine whether the Project results in significant environmental impacts both on and *related to* schools.

Specific areas where the Draft EIR and Initial Study failed adequately to evaluate school-related impacts are discussed below:

**i. Traffic and Transportation**

Though the Draft EIR acknowledges that the Project will exacerbate existing traffic conditions and generally analyzes the traffic impacts anticipated by the Project, its analysis is inadequate, particularly as related to schools. The following issues require the City to revise and recirculate the Draft EIR.

The Draft EIR was required to address potential effects related to traffic, including noise, air quality, and any other issues affecting schools. (Pub. Resources Code, §§ 21000, *et seq.*; Cal. Code Regs., tit. 14, §§ 15000, *et seq.*; *Chawanakee*, *supra*, 196 Cal.App.4th 1016.) Additionally, specifically related to traffic, the Draft EIR was required to analyze safety issues related to traffic impacts, such as reduced pedestrian safety, particularly as to students walking or bicycling to and from the School Sites located within the CTSP Area; potentially reduced response times for emergency services and first responders traveling to these schools; and increased potential for accidents due to gridlock during school drop-off and pick up hours.

9F

9G

The requirement to analyze student safety issues is rooted in both the California Constitution and CEQA. Article I, section 28(c), of the California Constitution states that all students and staff of primary, elementary, junior high, and senior high schools have the inalienable right to attend campuses that are “safe, secure, and peaceful.” CEQA is rooted in the premise that “the maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.” (Pub. Res. Code § 21000(a).) Naturally, safety is crucial in the maintenance of a quality environment. “The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.” (Pub. Res. Code § 21000, subd. (d).) The Legislature has made clear in declarations accompanying CEQA’s enactment that public health and safety are of great importance in the statutory scheme. (Pub. Res. Code §§ 21000, subds. (b), (c), (d), (g); 2100, subds. (b), (d) (emphasizing the need to provide for the public’s welfare, health, safety, enjoyment, and living environment.) (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.App.4th 369, 386.)

The Draft EIR concedes that potential environmental concerns associated with the Project include the general impacts of urban expansion on “existing traffic congestion during school arrival and departure hours, development impacts on public services and concerns regarding how the costs of services will be met, and safe routes to schools.” (DEIR at 1-7.) However, it fails to analyze the following issues:

1. The existing and the anticipated vehicular traffic and student pedestrian movement patterns to and from school sites, including movement patterns to and from the School Sites within the CTSP Area and any other school facilities where CTSP Area students would be traveling, and including consideration of bus routes.
2. The impact(s) of increased vehicular movement and volumes caused by the Project, including but not limited to potential conflicts with school pedestrian movement, school transportation, and busing activities to and from those School Sites.
3. The estimated travel demand and trip generation, trip distribution and trip assignment by including consideration of school sites and home-to-school travel.
4. The cumulative impacts on schools and the community in general resulting from increased vehicular movement and volumes expected from additional development already approved or pending.
5. The direct, indirect, and cumulative impacts on the circulation and traffic patterns in the community as a result of traffic generated by the transportation needs of students to and from the Project and schools throughout the District during the Project build-out.
6. The impacts on the routes and safety of students traveling to school by vehicle, bus, walking, and bicycles.

There is, therefore, no way for the lead agency or the public to assess how the Project will pose a traffic impact related to the District’s provision of public services.

9G

The District has identified several traffic and safety concerns related to the Project. The area surrounding the School Sites already experience heavy traffic during student drop-off and pick-up times. Parents often resort to parking in nearby orchards on Central Avenue or along unmarked shoulders due to lack of available and convenient parking. Additionally, it's common to see students exiting vehicles in the middle of the road, creating serious safety hazards for both pedestrians and drivers. The addition of housing and students to this area will create an increase in the number of vehicles during peak school hours, worsening congestion and escalating safety risks.

**The construction of, and traffic generated by, the Project will severely exacerbate the existing inadequacies in the City's roadways noted above, the already impacted traffic in the general area, and the safety issues posed thereby. These impacts will severely inhibit the District's ability to operate its educational programs, including at the School Sites. However, none of these issues were properly analyzed in the Draft EIR.**

The District's concerns are validated by the City's Transportation Impact Analysis and related conclusions. The Analysis identified significant and unavoidable impacts on traffic in the form of vehicle queuing that exceeds the roadway's current capacity. A micro-simulation conducted as part of the Analysis that showed that the Project would have a queueing impact on the SR 99 Southbound Off-Ramp to Service Road under Near-Term Plus Project PM peak hour conditions as the queue is projected to exceed the available storage. (Transportation Impact Analysis at iii.) Further, the Vehicle Miles Traveled (VMT) metrics show that the CTSP VMT exceeds the VMT significance threshold. The Draft concludes that the efficacy of certain mitigation measures "cannot be reliably quantified at this time; as a result, the project would be potentially inconsistent with the objectives of CEQA Guidelines Section 15064(b), and the project's VMT impacts would remain potentially significant and unavoidable." (DEIR at 16-15.) However, there was absolutely no analysis of how these anticipated traffic impacts would affect schools and students, families and staff traveling to and from schools.

The Draft EIR is also required to provide sufficient information regarding any secondary impacts that may result from inadequate parking, such as safety impacts to students traveling to and from school. (See, *Covina Residents for Responsible Development v. City of Covina* (2018) 21 Cal.App.5th 712, 728.) Any secondary impacts on pedestrian and student safety caused by inadequate parking must be analyzed in the Draft EIR.

Finally, the Draft EIR's cumulative traffic impacts analysis is deficient. As noted above, EIRs must discuss cumulative impacts of a project when the project's effects on the environment, viewed in conjunction with impacts of other past, present, or reasonably foreseeable future projects, are cumulatively considerable. (CEQA Guidelines § 15130, subd. (a).) (See, *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 720.) While a lead agency may incorporate information from previously prepared program EIRs into the agency's analysis of a project's cumulative impacts, the lead agency must address all cumulative impacts that were not previously addressed in the program EIR. (Pub. Res. Code § 21083.3, subd. (c); 14 CCR 14183, subd. (b)(3).)

The Project's above-discussed anticipated traffic and safety impacts, combined with the anticipated traffic and safety impacts of the development projects that have recently been approved and are being considered for approval in Ceres are cumulatively considerable. When

9G

9H

considered together, their collective impacts on traffic, safety, and air quality in the neighborhood will be significant. These cumulative impacts on District schools were not adequately discussed in the Draft EIR, and the City proposes no clear measures that could successfully mitigate the impacts.

**i. Greenhouse Gas Emissions (GHG)**

The Draft EIR concedes that the Project would result significant GHG emissions even with application of GHG reduction measures and regulations and that Project impacts are considered significant and unavoidable. (10-12.) The Draft EIR fails to consider the GHG emission impacts on school sites and families, staff and students traveling to and from those sites, nor is there analysis of how the laws and regulations will work to reduce impacts to a level of less than significant. This analysis is again insufficient.

**ii. Air Quality**

The Draft EIR analyzes air quality impacts posed by construction and operation of the Project. The Draft EIR further recognizes that the proposed Project would pose a significant environmental impact if it would expose “sensitive receptors,” including schools, to substantial pollutant concentrations. (Draft EIR at 6-12.) The Draft EIR does not, however, specifically discuss potential construction and operational air quality impacts as they pertain to the School Sites, and students traveling to and from the School Sites or to other schools outside the CTSP Area. Air quality impacts on the District, its students, and staff have the potential to disrupt classes, prevent students from being outside during construction, and prevent students from traveling to and from the School Sites. The Draft EIR is, therefore, required to analyze the following:

1. The direct and indirect air quality impacts of the Project on sensitive receptors, such as the District’s School Sites.
2. The cumulative air quality impacts on schools and the community in general resulting from increased vehicular movement and volumes expected from additional development already approved or pending in the area.

The City determined that the impact on sensitive receptors would be less than significant as it relates to criteria pollutants and less than significant as it relates to toxic air contaminants after application of mitigation measures. (Draft EIR at 6-20 to 6-21.) However, in its analysis of air quality impacts on sensitive receptors, the City states that San Joaquin Valley Air Pollution Control District (SJVAPCD) regulations would be followed, and thresholds would not be exceeded. Thus, the Draft EIR’s assumption that the Project will comply with air quality plans and applicable regulations appears to serve as the only form of analysis related to air quality impacts on the District’s students. There is no specific mention of District schools or students in this section of the Draft EIR. The District reiterates its desire for a more comprehensive analysis of air quality impacts.

As the Air Quality impacts discussion does not provide sufficient information needed to analyze air quality impacts on the District’s students and School Sites, the discussion of air quality impacts is lacking, and the Draft EIR is not in compliance with CEQA.

9I

9J

**iii. Noise**

In its analysis, the Draft EIR notes that a school is a noise sensitive land use. (Draft EIR at 14-3.) As such, the Draft EIR appears to acknowledge that noise impacts on the School Sites must be analyzed and does so minimally. The Draft EIR states that a project may have a significant impact on noise if it would result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Ceres Municipal Code Section 9.04.010 states that it is unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary, or unusual noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others. The Noise Element of the Ceres General Plan considers an exterior noise environment of up to 60 dBA “normally acceptable” and one up to 65 dBA is considered “conditionally acceptable” for multifamily residential, along with schools, libraries, churches, hospitals, and nursing homes. (City of Ceres 2018.)

Further, the following increases in traffic noise levels would be considered a significant impact: +5.0 dB or more if ambient noise level without project is less than 60 dB, +3.0 dB or more if ambient noise level without project is 60-65 dB, +1.5 dB or more if ambient noise level without project is greater than 65 dB. (Draft EIR at 14-7.)

The Draft EIR states that the noise level as a result of project traffic noise would be significant, and noise from project operations and project construction noise would be potentially significant. Mitigation measures include the use of “quiet pavement,” “acoustical analysis,” and certain limits on construction equipment use and type. However, the Draft EIR’s analysis of noise impacts generally contains insufficient quantifiable data and analysis that would allow the public and lead agency to understand whether noise and/or vibration generated from either construction or operation of the proposed Project, including in combination with all past, present, and reasonably foreseeable future projects, would cause specific significant impacts on the District’s educational programs at the existing School Sites.

Noise impacts could disrupt classes, prevent students from being able to be outside due to overwhelming outside noise that would affect teachers’ abilities to monitor and direct students because they cannot be heard. These impacts are particularly concerning given the current uses at the affected school sites, which house several specialized programs for students with unique learning needs, including the Leaps and Bounds program and the A2S program previously referenced. These students may be especially sensitive to environmental stressors such as air pollution and noise.

Because the Draft EIR did not include sufficient analysis related to the generation of noise and vibration impacts on the School Sites, the Draft EIR fails to serve its informational purpose.

**iv. Population and Housing**

The District anticipates that this Project will generate a significant increase in new students, and specifically requested that the Draft EIR analyze:

1. Historical, current, and future population projections for the District.

9K

9L

2. The impacts of population growth within the District on the District's ability to provide its educational program.

Population growth or shrinkage is a primary consideration in determining the impact that development may have on a school district, as a booming population can directly impact the District and its provision of educational services, largely because of resulting school overcrowding, while a district with declining enrollment may depend on new development to avoid school closure or program cuts. Overcrowding can constitute a significant impact within the meaning of the CEQA. (See, Cal. Code Regs., tit.14, §§ 15064(e).) This is particularly true where the overcrowding results in unsafe conditions, decreased quality of education, the need for new bus routes, and a need for new school construction. (See, *Chawanakee, supra*, 196 Cal.App.4th 1016.)

The foregoing categories of information are critical for determining the extent of both physical and fiscal impacts on the District caused by increased population growth. As discussed above, California school districts are dependent on developer fees authorized by the provisions of Government Code sections 65995, *et seq.*, and Education Code sections 17620, *et seq.*, for financing new school facilities and maintenance of existing facilities. The developer fees mandated by section 65995 provide the District the bulk of its local share of financing for facilities needs related to development. The adequacy of the statutory development fees to offset the impact of new development on local school districts can be determined only if the types of housing and average square footage can be taken into consideration. For instance, larger homes often generate approximately the same number of students as smaller homes. At the same time, however, a larger home will generate a greater statutory development fee, better providing for facilities to house the student being generated. It is for these reasons that the Government Code now requires a school district to seek – and presumably to receive – such square footage information from local planning departments. (Gov. Code § 65995.5(c)(3).)

While funding considerations present fiscal issues, they translate directly into physical, environmental impacts, in that inadequate funding for new school construction can result in overcrowding of existing facilities. Furthermore, fiscal and social considerations are relevant to an EIR, particularly when they either contribute to or result from physical impacts. (Pub. Res. Code § 21001, subd. (g); Cal. Code Regs., tit.14, §§ 15021, subd. (b), 15131, subds. (a)-(c), 15142 & 15382.)

Phasing of development is also a crucial consideration in determining the extent of impact on schools. Timing of development determines when new students are expected to be generated, and it therefore is an important consideration, particularly when considering the cumulative impact of a project in conjunction with other approved or pending development.

The District requests that the Draft EIR be modified to include or further explore the above categories of information so that the lead agency, District, and the public may adequately understand the direct and indirect impacts of the Project on the District. (CEQA Guidelines § 15126.2, subd. (a) [requires consideration of indirect impacts].)

**IV. SB 50 does not absolve lead agencies of their responsibility to ensure General Plan consistency.**

9L

In *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777, the Court held that project approvals and findings must be consistent with the lead agency's general plan, and that the EIR for such a project must provide sufficient information for the lead agency to make an informed decision regarding such consistency. A project is consistent with the general plan if it will further the objectives and policies of the general plan and not obstruct their attainment. (See *Endangered Habitats League, supra*, 131 Cal.App.4th 777, 782, quoting *Corona-Norco Unified School District v. City of Corona* (1993) 17 Cal.App.4th 985, 994.)

Fostering quality education should be a priority to the City. The City's General Plan includes goals to support "strategies to enable safer access to schools," and "to minimize safety problems by providing adequate off-street parking and areas for student pick-up and drop-off." (General Plan at 6.A.8 and 6.A.9.)

As discussed at length above, substantial evidence in the record establishes a significant possibility that the Project, in conjunction with all other projects being considered or approved in Ceres, by generating thousands of new residents and vehicles to the area within a few years, will have a negative impact on students, education, and educational facilities. These impacts, which were not adequately analyzed in the Draft EIR, will directly impede the fulfillment of the above General Plan policies and goals. As demonstrated in California case law, the mere payment of developer fees will not adequately mitigate all impacts of development related to the District's schools. Thus, approval of the Project without adopting any feasible measures to address the negative impacts on schools would be contrary to the City's General Plan.

**V. The proposed mitigation measures and Project alternatives are inadequate to reduce the impacts related to schools to a less than significant level.**

Based on the deficiencies of the Draft EIR described above, the Draft EIR's conclusion that payment of school impact fees will mitigate school impacts to a less than significant level is inaccurate. Since the Draft EIR is lacking in detailed discussion and analysis of existing and projected Project conditions, taking into account both the impact *on* school facilities and the impacts *related to* schools, the City cannot reach the conclusion that developer fees are adequate to mitigate the Project's school impacts because all impacts have not been evaluated.

Furthermore, the Draft EIR's conclusion that SB 50 limits the City's ability to prescribe other types of school mitigation for the Project is unsupported by law. Rather, under the Government Code, the City has a duty to coordinate with the District to provide effective school site planning. The City should consider Project alternatives and/or alternative mitigation measures, such as those proposed below, to fulfill that duty.

**A. The Legislature Intended Coordinated Planning for School Sites**

Government Code sections 65352 and 65352.2 (all subsequent code sections refer to the Government Code unless otherwise specified) require local cities and counties to coordinate planning of school facilities with school districts. The Legislature confirmed that the parties are meant to coordinate "[o]ptions for the siting of new schools and whether or not the local city or counties existing land use element appropriately reflects the demand for public school facilities, and ensures that new planned development reserves location for public schools in the most appropriate locations."

9M

9N

90



The Legislature recognized that new planned development should take into consideration and even “reserve” where schools would be located to serve the development because schools are as integral a part of planning for new development as is any other public service, such as fire, police, water and sewer. As it relates to the Project, the intent behind sections 65350, *et seq.*, supports the District’s position that the City must analyze whether the District’s current facilities are adequate to accommodate and serve both its existing population and the new development, particularly in light of the Project impacts and cumulative factors addressed in this letter. The City can help the District provide adequate facilities resulting from any impacts of the Project, which are not addressed by developer fees, by requiring alternative mitigation measures to assure that there are adequate school facilities available to accommodate the District’s needs, that the impacts related to schools are sufficiently mitigated, and that impacts of the future school construction that will need to take place to accommodate students from the Project are addressed.

90

**B. Alternative Mitigation Measures**

District demands consideration of the following alternative mitigation measures to address impacts related to schools, each of which begin to address the actual school related impacts discussed above.

**i. Land Dedication**

One possible mitigation method, which was not addressed in the Draft EIR, would be for the City to consider adopting findings requiring any developer building as part of the development allowed by the Project to dedicate land and/or funding pursuant to Government Code sections 65970, *et seq.*, which permit the City to require a developer to dedicate land to a school district.

Section 65974 specifically states that “for the purpose of establishing an interim method of providing classroom facilities where overcrowded conditions exist, . . . a city, county, or city and county may, by ordinance, require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for classroom and related facilities for elementary or high schools as a condition to the approval of a residential development.” Nothing in SB 50/Government Code section 65996 precludes this approach. Land dedication is a permissible mitigation measure under Government Code section 65995, *et seq.* Section 65995(a) specifically states that “[e]xcept for a fee, charge, dedication, or other requirement authorized under Section 17620 of the Education Code, or pursuant to Chapter 4.7 (commencing with Section 65970), a fee, charge, dedication or other requirement for the construction or reconstruction of school facilities may not be levied. . . .” (Emphasis added.) Section 65995 expressly excludes Chapter 4.7, inclusive of section 65974, from this limitation, thus permitting a city to address conditions of overcrowding in school facilities or inadequately sized school sites by requiring, for example, the dedication of land.

9P

A land dedication requirement would be good public planning benefiting all residents of the community, including future residents of the Project. Under Government Code sections 65352 and 65352.2, the City has a duty to help plan for adequate services to its residents by ensuring that future sites are set aside for schools. Failure to do so leads to inadequate services, future controversies, and the potential need for a school district to exercise its rights under eminent domain, displacing existing residents. Therefore, mitigation for the impacts stemming from the Project that are not considered in the Draft EIR are and should be made available. Additionally, identifying as part of the Project where the future schools will be located – schools that the Draft

EIR admits will be needed – allows for appropriate analysis of topics such as traffic and pedestrian safety for Project students.

**ii. Phasing**

Another method by which the City should work cooperatively with the District within all legal constraints to ensure adequate school facilities with regard to new development allowed by the Project, and which therefore can serve as an appropriate mitigation measure, is the requirement that all future development be phased. It appears that this Project will be constructed in phases, and future projects within the City should be required to follow suit. Timing development so as to balance the availability of school facilities with new development can significantly aid the District in its attempt to provide for the additional students who will be generated as a result of the Project and development following approval of the Project. Such phasing is not a denial of new development on the basis of insufficient school facilities in contravention to SB 50; it is instead appropriate planning to offset the impacts of new development.

**Conclusion**

It is the District's position that the Draft EIR is incomplete and does not adequately analyze the Project's potential impacts related to schools, or mitigation measures that would lessen these impacts. The safety of students is paramount to the District, and these safety concerns are not adequately addressed in the Draft EIR as currently constituted. Changes must be made to preserve the safety of the students and allow them to enjoy productive time at school, free from excessive traffic, noise, and pollution.

Therefore, the District requests that the Draft EIR be updated and recirculated. (See CEQA Guidelines § 15162(a); *Mountain Lion Coalition v. Fish & Game Com.* (1989) 214 Cal.App.3d 1043; *Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.App.4th 1112, 1130, as modified on denial of reh'g (Feb. 24, 1994).) Further, the District requests that the City and Developer meaningfully involve the District in that process, so as to promote a positive educational environment for existing and incoming residents of Ceres.

Thank you for your consideration of the District's comments.

Sincerely,

LOZANO SMITH



Harold M. Freiman

cc: Dr. Amy Peterson, Superintendent, Ceres Unified School District  
Dr. Kristi Britton, Assistant Superintendent, Business Services, Ceres Unified School District

4937-6017-0588, v. 6

9Q

9R

## RESPONSES TO COMMENT FROM CERES UNIFIED SCHOOL DISTRICT

Response 9A: This comment introduces the commenter's main assertions regarding the EIR and lists subjects to be addressed in more detail later in the comment letter:

Non-compliance with CEQA

District not adequately consulted during the EIR process

EIR does not include sufficient information to analyze impacts on schools and related to schools

Cumulative impacts have potential for profound negative effects on the District student population and residents of the project area

Response 9B: The comment expresses the hope that the District and City can work cooperatively to address issues related to the project and other development within Ceres that is causing school related issues. The City welcomes the opportunity to work with the District on community problems of mutual concern going forward. However, as discussed in Response 9C, the District's concerns are only just now being brought to the attention of the City and do not recognize the City's efforts to conform with the applicable EIR noticing requirements; 24 months have passed since the City brought the project to the District's in the Notice of Preparation, which was published for the benefit of all interested persons and agencies, including the District, in September of 2023.

Response 9C: The comment states without supporting evidence that the City failed to meet and confer with the District during the environmental review process as required by CEQA. The City did specifically request the District's input into the project in the Notice of Preparation but received no indication of interest or concern from the District; see the summary of NOP comments in Chapter 1.0 of the Draft EIR. The City's specific obligations to other local agencies are met by advertising the City's intent to prepare, make available for comment and consider adoption of the EIR by publishing a Notice of Preparation, Notice of Availability of the EIR and provision of its responses to comments submitted by agencies 10 days ahead of EIR certification. The District has been advised of the project using all of these means. The District does not identify any other specific means of communication required by CEQA that the City failed to utilize.

Having the same authority and power as the City or any other California local agency, the District has not made any known effort to engage with the City in joint planning activities in relating to the Copper Trails project. Despite the City's CEQA notifications, the

District has not until now communicated its concerns, eight months after the close of the Draft EIR review period.

Response 9D: Citing general CEQA requirements for inclusion of Environmental Setting information, which is well understood by the City and the EIR preparer, the District criticizes the EIR for failing to provide especially-detailed information on the existing school facilities within the CTSP area, not just location, size, enrollment and capacity, which is the norm for CEQA analysis, but an in-depth description of the specialized programs and related facilities at the Hanline ES facility. This information, now being provided by the District, was not previously identified. See Response 9C.

The comment goes on to suggest that the EIR should account for the environmental setting information in each of the subject areas addressed in the EIR with respect to schools and student populations, such as paths of vehicular and pedestrian travel. This is beyond the scope of the EIR, which was addressed to a specific plan and annexation project and their environmental effects on the specific plan area and surroundings. The specific plan did not encompass any specific development projects and therefore addressed potential environmental effects at a programmatic level appropriate to the generalized definition of proposed land uses described in the specific plan. The level of detail the District indicates that the EIR might have been obligated to address would be more appropriate to the environmental review of subsequent development project applications under consideration by the City.

The District criticizes the EIR for not addressing the potential effects of having to relocate Hanline ES facilities and programs due to “an influx of new students” and how the affected student body would be impacted by having to deal with changed school locations, such as changes to class locations and bus schedules. These potential impacts are speculative; the comment identifies no chain of cause and effect that would lead to overcrowding at Hanline ES and displacement of existing general or special education programs. An EIR is not required to analyze speculative impacts, in this case based on potential student growth of unspecified proportions that may or may not occur during an unspecified timeframe, when the available information indicates that existing District has sufficient capacity to accommodate additional growth for the time being.

A more important point is that it is the District’s responsibility as a California local agency to account for potential growth, opening, closing and expansion of schools and how best to deliver the services, programs and the like that the Board of Education determines is in the

best interests of the students and community. The comment letter implies that the District would be at the mercy of new development and powerless to prepare for community change when in fact it is their obligation to do so.

Response 9E: The comment correctly notes that the project could be expected to result in increases in student generation as new residential and other land uses are accommodated within the specific plan area but the EIR did not identify how and where potential student growth should be accommodated. Neither the City nor the developer has expertise in these matters, and the District has not yet, in response to the Notice of Preparation, or in these comments on the Draft EIR, provided any guidance on this matter from which the City's EIR could draw such conclusions. In light of planned development in Copper Trails and the City of Ceres, and the potential for schools impact foreseen by the District, it should update its School Facility Needs Analysis and share its findings with the City.

The comment objects to the EIR's conclusion that the City's school analysis finds that potential impacts on schools would be less than significant as a result of payment of school impact fees, but neglects to mention the legal authority for this determination, which originates in the California Code:

“As set forth in California Government Code Section 65996(b), the payment of school impact fees is deemed to provide full and complete school facilities mitigation under CEQA.” (EIR p 15-9)

Here and in the first paragraph of the letter, the commenter emphasizes that the CTSP in combination with “numerous other projects” pending before the City have the potential to have a “profound negative effect on the District's students, their families and persons residing in and near the CTSP area.” This statement is unsupported by submitted facts. The commenter provides no listing of the pending projects by name, number or location or describe how the cumulative effects of these projects could lead to such profound effects. The comment goes on to say it will discuss the effects that substantial ongoing development is already having on the City but provides no specific references to cumulative impacts; each time this assertion is repeated, no supporting evidence is provided. The EIR included an analysis of potential cumulative impacts associated with the project in the manner prescribed by CEQA in each of the subject areas addressed in the EIR in a Chapter (18.0) devoted entirely to this subject, including cumulative impacts on public services. The comment did not provide any comment on the EIR's analysis of this subject.

Response 9F: This comment describes the inadequacy of the EIR’s analysis of “school-related” impacts but instead is focused on the fiscal effects of new development on schools, faulting the EIR for not estimating the fiscal effects of the project on schools. Despite the State Legislature’s declaration in Government Code Section 65996(b), that the “payment of school impact fees is deemed to provide full and complete school facilities mitigation under CEQA,” the commenter argues the inadequacy of School Impact Fees. Further response to these comments involve legal arguments, which are beyond the scope of CEQA to address. In fact, fiscal and other economic and social effects are specifically excluded as proper subjects for CEQA analysis:

The legal citations in the comment letter regarding the justification for consideration of fiscal effects on schools refer to a *Chawanakee* case which defines exceptions for the adequacy of impact fee where schools are subject to specific overcrowding conditions.

The evidence included in the EIR suggests that the District facilities are not presently overcrowded. Whether or not overcrowding conditions exist in the future will be the responsibility of the District and apparently has not been made to date. In fact the Ceres Courier reported in March of this year that “enrollment has been steadily declining since the 2019-20 *school* year.

Each of the potential impacts listed by the District as potentially being caused by new development, including traffic, noise, biology, air quality, pedestrian safety are subject that are addressed in the EIR in separate chapters devoted to each subject.

Response 9G: The commenter states that the EIR fails to identify the range of potential school safety concerns such as congestion at student dropoff and pickup times, pedestrian and bicycle routes. This analysis is far beyond the level of detail that is required or that can reasonably be provided in a specific plan EIR for generalized land use plans that do not include specific development proposals. The CTSP’s potential changes in land use, traffic and other environmental subject areas are not addressed at an individual project level. The types of information the District suggests that the EIR contain might appropriately be included in District planning activities that could be undertaken by the District and shared with the City, such as a “Safe Routes to School” engineering study or an evaluation of options for management of dropoff/pickup safety concerns at individual schools. The City acknowledges these as valid District concerns requiring further study,

which could be addressed in conjunction with future development projects as they are processed under the CTSP.

**Response 9H:** The project's GHG and air quality impacts are relatively uniform with respect to the general population, which includes the student population. Students as a group would not be subject to any greater criteria pollutant or hazardous air pollutant risk than any other group of residents. The information included in the EIR would enable the District to discern potential air quality related impacts on the student population just as much as it would be for the general population of the City and CTSP area.

The City is not aware of any noise information in the EIR that would suggest that any of the existing CUSD facilities would be subject to significant noise impacts.

The comment related to population and housing suggests that the EIR provide the District with forecasts of future housing development and increases in student population. Provided that future growth remains within the projections of the Ceres General Plan, there is no potentially significant effect to be documented. Again, this is a subject that is the responsibility of the District rather than the City or its EIR.

**Response 9I:** The greenhouse gas emissions associated with buildout of the CTSP were analyzed for the project as a whole and included all vehicle-related emissions that may be associated with planned residential and commercial development of the specific plan area, including trips originating within the specific plan area and trips oriented to more distant destinations. The California Emissions Estimator Model, CalEEMod, estimates emissions associated with vehicular trips as well as emissions associated with area sources, such as emissions generated from electrical generation, use of garden tools and other sources. Vehicle trips are likewise considered comprehensively, and include the range of home-work, home-shopping and other trips generated by the full range of land uses addressed in the specific plan, including trips to and from schools. Chapter 10.0 of the DEIR was devoted to GHG emissions as well as the multitude of policies and regulations applicable to reducing GHG emissions and global climate change.

**Response 9J:** The comment criticizes the air quality impact analysis of the EIR for lack of specific discussion of potential air quality effects on schools, the CUSD, students and staff, specifically the potential for air quality to disrupt classes and prevent outdoor use during construction. These potential impacts are analyzed in considerable detail in Draft EIR Chapter 6.0 Air Quality, which finds potential impacts to be less than significant; these findings are applicable to the project area as a whole

and the existing and future general population, including students, school and the District. The standards against which potential impacts are evaluated are public health-based and applicable to the general population with thoughtful margins of safety for populations that may have acute sensitivity to high air pollution levels, such as children and seniors.

The DEIR analysis considers potential construction air quality impacts on nearby land uses, which would include schools. The applicable dust and construction emission controls imposed by the SJVAPCD include standard dust controls, including watering, speed controls, track-out prevention and covering of haul loads and storage piles. In addition, the SJVAPCD requires a construction permit that imposes these requirements and provides points of contact for citizen complaints.

It is important that the air quality analysis finds that potential impacts would be less than significant at buildout of the project; that is, the project would not cause exceedance of the various health-based standards adopted by the SJVAPCD, and there is no evidence provided by the commenter that potential impacts on CUSD students or staff would be any more significant than those described for the general population. The predicted less-than-significant impact level is assigned without consideration of the range of in-place air pollution-reducing regulations and other mitigation measures, which, as detailed in Chapter 6.0, would result in substantial reductions in the project's predicted air pollution effects, which would without mitigation already be less-than-significant.

There is no known standard or CEQA requirement that would suggest that the potential air quality impacts of the project on schools, students and staff should be or need to be analyzed separately from potential impacts on the general population. The potential air quality impacts described in the DEIR are clearly applicable to the schools-related populations of concern to the commenter.

Response 9K:

The DEIR included a detailed noise analysis prepared by a qualified acoustical consultant, whose technical study was included in the DEIR as Appendix F. The technical report details the quantitative data and analysis considered in the DEIR, including the applicable significance thresholds. The report and DEIR Chapter 14.0 discuss the potential impacts of project-related traffic, new land uses and related construction on sensitive receptors, including schools. The analysis is sufficient with respect to the general population of the project as well as to school students and staff.



The commenter provides no evidence other than information included in the DEIR that noise generated by the project would result in significant impacts on the District's educational programs or result in overwhelming noise that would affect teachers' ability to monitor and direct students because they cannot be heard.

Response 9L: This comment is related to population within the District and associated school needs, and the project's effects on population growth or shrinkage. The potential population effects of the project were addressed together with land use and housing concerns in EIR Chapter 13.0. The source of population growth information is the Ceres General Plan.

The analysis requested by the District is directly-related to the District's planning function and only indirectly related to the project. The City is willing and available to engage with the District in reaching a better understanding of potential population growth and school needs in Ceres.

Response 9M: As repeated in several of the above responses, the District has not provided the City with any evidence of the inconsistency of the project with the Ceres General Plan, nor has the District provided any evidence that the project will result in a negative impact on students, education and educational facilities.

Response 9N: See previous responses regarding potential impacts on schools. See also the following Response 9O regarding alternative mitigation measures.

Response 9O: This is a misrepresentation of the California Government Code. This code section requires that a school district be notified when a City is preparing or amending the General Plan, which occurred with this application. This code section also requires consultation with the school district if a proposed project could affect school facilities, giving them an opportunity to provide input. This consultation occurred early on in the process of this project as noted in several email exchanges between District Staff and the applicant. Further, the onus to identify and purchase property for a future school is the responsibility of the school district, not the City, as the City does not a developer and does not purchase property or provide property for school construction.

Response 9P: The comment letter makes an effort to assign responsibility to the City and its EIR for the District's duties. The District suggests alternative mitigation that might be applicable if and where a state of school overcrowding has been established; this, however, has not occurred.

Response 9Q: Response Q: There is no prescribed phasing requirement for new residential development under SB 50. There is no realistic scenario where all of the units in the Copper Trails development at once given the multiple property owners in the Plan area. The project applicant does not own all of the properties within the Plan area and has no control over when those parcels will and won't develop. Given the difficulty in determining when property owners are interested in building units and where, there is no logical way for the City to restrict the number of units that can be developed at once. Units can only develop as infrastructure is constructed, and infrastructure can only be constructed as development occurs. As such, there will be natural phasing of this project which is sufficient to address this concern.

Response 9R: The commenter's more specific comments related to traffic, noise and pollution are each addressed in the foregoing responses. Although the DEIR's analyses are not specifically addressed to direct impacts on schools, they are adequately described with respect to the community in general, consistent with the requirements of CEQA and the general nature of the proposed project. See Responses 9G, 9J and 9K.

The commenter raises a number of potential environmental issues and shortfalls of the EIR with reference to general content requirements of CEQA and the CEQA Guidelines. Again, these are general references to EIR contents and requirements, unlike CEQA's more specific requirements, for example, with respect to GHGs, cultural resources and other matters addressed in CEQA Guidelines at a higher level of detail. The commenter's references to CEQA do not set forth any specific EIR guidelines or standards with which the DEIR fails to conform. To the best of the City's knowledge, the EIR was drafted to meet all applicable CEQA requirements.

The commenter requests that the EIR be updated to reflect the many concerns identified in the District's letter and recirculated. The comments do not identify any of the recirculation criteria Listed in CEQA Guidelines 15088.5 nor does the City believe that any of these requirements are triggered by the CTSP EIR.

Significant new information includes, for example, a disclosure that: (1) a new significant environmental impact would result from the project or a new mitigation measure; (2) a substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted; (3) a feasible alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the project's significant impacts but the project's proponents decline to adopt it; or (4) the draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public

review and comment were precluded. CEQA notes that this guideline was “not intend[ed] to promote endless rounds of revision and recirculation of EIR's.” Rather, recirculation is an exception, rather than the general rule.”

New information added to an EIR is not ‘significant’ unless ‘the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement.’

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an otherwise adequate EIR. An agency’s decision not to recirculate the draft EIR is entitled to substantial deference; the petitioner bears the burden of proof to show no substantial evidence supports the agency’s decision.

## 4.0 DRAFT EIR ERRATA

This section of the Final EIR identifies corrections and documents the addition of new or revised information that is added to the Copper Trails EIR after completion of the public review of the DEIR. Changes to the EIR typically reflect the new or updated information that has become available since publication of the EIR or minor technical changes to the project that do not entail a significant impact on the environment. The changes to the DEIR described in this section are changes noted in the Chapter 3.0 Responses to Comments and consisting largely of minor modifications or clarifications and typically do not involve “significant new information,” or involve “new or more severe environmental effects than were discussed in the Draft EIR;” such changes, if present, could require recirculation of the EIR pursuant to CEQA Guidelines Section 15088.5. Revisions to the Draft EIR are shown in underline and/or strikeout as appropriate.

Among other changes to the DEIR noted in Chapters 3.0 and 4.0 of this Final EIR are updates to many of the DEIR figures, especially those describing the Project in DEIR Chapter 3.0. The updated figures reflect relatively minor changes to the CTSP; none of these updates involve any substantial changes to the location and amount of new development that could result from approval of the CTSP, which is the subject of the EIR’s environmental impact analysis. The updated figures, listed below, are shown in FEIR Appendix B.

- 3-1 Proposed Land Use Plan
- 3-2 Transportation Key Map
- 3-3 Street Sections
- 3-4 Transit and Pedestrian Circulation
- 3-5 Proposed Potable Water System
- 3-6 Proposed Sanitary Sewer System
- 3-7 Proposed Non-Potable Water System
- 3-8 Proposed Storm Drainage System

### ERRATA TO DRAFT EIR CHAPTER 1.0 – INTRODUCTION

---

The last paragraph on page 1-4 of the Draft EIR is modified to include reference to the SWRCB Division of Drinking Water, as follows:

Other potential Responsible Agencies may include the State Water Resources Control Board, Division of Drinking Water, Stockton District, California Department of Fish and Wildlife (CDFW), the Central Valley Flood Protection Board (CVFPB), and the Central Valley Regional Water Quality Control Board (RWQCB). These, and perhaps other agencies, may not be directly involved in review and approval of the CTSP but may be involved in permit review for individual development projects if and when the agencies’ regulatory

requirements are triggered. Issues pertaining to these and other agencies are likewise addressed in this EIR.

## ERRATA TO DRAFT EIR CHAPTER 2.0 – SUMMARY

---

In Summary Table 2-1 of the DEIR, the listing of Hazardous Materials impacts from DEIR Chapter 11.0 was in error. In the Summary Table, two impacts were shown as HAZ-2; the second of these is hereby renumbered HAZ-3 and is shown as such in the FEIR Summary Table. The subsequently-listed hazards impacts, which were labeled HAZ-3 through HAZ-8 in the DEIR Summary Table are hereby renumbered as HAZ-4 through HAZ-9 and are shown as such in the FEIR Summary Table.

In Summary Table 2-1 of the DEIR, the listing of two Biological Resource impacts, BIO-4 and BIO-5, had incorrect titles. Impacts BIO-4 and BIO-5 are retitled as follows:

BIO-4 Migration Corridors and Nursery Sites  
BIO-5 Local Policies and Ordinances

and are shown as such in the FEIR Summary Table.

## ERRATA TO DRAFT EIR CHAPTER 3.0 – PROJECT DESCRIPTION

---

The following line item is added to Table 3-3 Required Permits and Approvals on page 3-15 of the Draft EIR:

State Water Resource Control Board, Division. of Drinking Water, Stockton District  
Approve water supply permit amendment that may be required to serve new development within the CTSP area.

## ERRATA TO DRAFT EIR CHAPTER 5.0 – AGRICULTURAL RESOURCES

---

The discussion of Williamson Act contract cancellation is modified to include the following statement:

The process for termination of qualifying contracts upon annexation to the City is defined in the California Government Code at §51243.5(e)

Draft EIR Mitigation Measure AG-1 is revised to delete the word “Prime” before the mention of “Farmland.”

The Draft EIR mitigation measure numbered AG-1 related to Williamson Act concerns is hereby re-numbered as AG-2

The following paragraph on page 5-8 is modified to read as shown below:

As previously discussed, there are five parcels within the project site that are under existing Williamson Act contracts. Planned urban development pursuant to the CTSP would conflict with the purpose of the Williamson Act contracts. Williamson Act contracts in place at the time of annexation would remain until the City determines whether it would succeed to the County’s interest in the contracts or not. Prior to development, existing contracts Williamson Act contracts would either need to expire by non-renewal or would need to be canceled by the City subject to the cancellation process and related requirements as described in Government Code 51242.5, including consistency with immediate cancellation criteria, prior to development. This need would be defined and met during City processing of affected development applications. Potential inconsistency with Williamson Act contracts is considered a potentially significant environmental effect.

## ERRATA TO DRAFT EIR CHAPTER 6.0 – AIR QUALITY

---

The DEIR found Impact AIR-1 to be less than significant, but this conclusion was not shown in the Summary Table 2-1. This error is corrected in the FEIR Summary Table.

The following information should be added prior to the last paragraph describing Impact AIR-2, as follows:

Although the SJVAPCD rules and regulations are adopted and already applicable to new development projects throughout the San Joaquin Valley, the following requirements should be included in Conditions of Approval or Mitigation Measures for future development within the CTSP project area.

New development projects that exceed the significance thresholds defined in the SJVAPCD GAMAQI manual should be required, through Conditions of Approval or Mitigation Measures, to demonstrate conformance with applicable SJVAPCD rules and regulations, notably Rule 9510 the Indirect Source Rule.

The SJVAPCD notes that restaurant projects involving large under-fired broilers should be assessed for the significance of their potential particulate emissions. No such restaurant facilities are proposed by the CTSP.

## ERRATA TO DRAFT EIR CHAPTER 7.0 – BIOLOGICAL RESOURCES

---

In response to comments from California Department of Fish and Wildlife and recognizing the limited potential for occurrence of burrowing owl and Crotch's bumble bee in the project area, the following mitigation measures are hereby modified.

Mitigation Measure BIO-1 is hereby modified to read as follows:

BIO-1: If ground-disturbing activities would take place on sites where suitable nesting habitat may exist, a survey for nesting Swainson's hawks and burrowing owl shall be conducted by a qualified wildlife biologist, following survey methods developed by the Swainson's Hawk Technical Advisory Committee (2000) and CDFW's Staff Report on Burrowing Owl Mitigation (2012) prior to undertaking any ground-disturbing activities. The survey shall include recommended mitigation measures for any potential impacts from the project.

If ground disturbing activities would take place during the nesting season (March 1 through August 31) and Swainson's hawk or burrowing owl nests are found to be present, a no-disturbance buffer consistent with CDFW conservation guidance for these species shall be established around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged.

(BIO-1 addition) A qualified biologist shall conduct a habitat assessment to determine if the project area contains habitat suitable to support Crotch's bumble bee nesting, including identification of potential nesting sites. If the habitat assessment indicates high potential to support bumble bee nesting, the biologist shall recommend appropriate mitigation which shall be required of the project.

Mitigation Measure BIO-3 is hereby revised as follows:

BIO-3: If construction of a development project is to commence during the general avian nesting season (~~March~~ February 1 through September 15~~July 31~~), a pre-construction survey for all species of nesting birds shall be conducted by a qualified biologist. If active nests are found, work in the vicinity of the nests shall be delayed until the young have fledged as determined by the biologist. No survey is required if construction is to occur outside the general avian nesting season.

## ERRATA TO DRAFT EIR CHAPTER 12.0 – HYDROLOGY AND WATER QUALITY

---

The first sentence in the Groundwater section on page 12-1 is modified as follows:

The City relies on its recently-completed surface water supply in conjunction with groundwater wells for its potable water supply. Additional discussion of water supply is provided in Chapter 17.0, Utilities and Energy).

Additional information regarding water supply is added following the paragraph above.

The City of Ceres (City) has historically relied entirely on groundwater from the Turlock Groundwater Subbasin as its primary drinking water source. Serving a population of approximately 48,000 residents, the current water supply is provided by 13 active groundwater wells and two storage tanks. In 2022 the City’s water division pumped more than 2 billion gallons of drinking water annually for its residential and commercial users, which averages 5.9 million gallons of water daily.

Groundwater is a limited resource that will not meet future demands and the State’s Sustainable Groundwater Management Act (SGMA) may mean that cities will have to reduce dependence on groundwater. To build a more resilient water supply, the City of Ceres has diversified its water portfolio by partnering in the Stanislaus Regional Water Authority’s (SRWA) Regional Surface Water Supply Project to build a new water treatment plant and bring a new surface water supply from the Tuolumne River to the City of Ceres. This project was brought online in 2023.

## ERRATA TO DRAFT EIR CHAPTER 16.0 – TRANSPORTATION

---

The second paragraph on page 16-15 related to office VMT impacts is hereby modified as follows:

The potential for office development, and potential magnitude of Office VMT generation, in the CTSP area is relatively small. Office projects are not among the types of development anticipated by the CTSP and therefore are not listed in Table 3-2 of EIR Chapter 3.0 Project Description. In that “office commercial: is an allowable use within Ceres Administrative Professional and Commercial zoning districts, however, office uses could be accommodated within the CTSP area as new development projects are initiated in the area. Further quantification of potential Office VMT would, at this time, be speculative based on the available



information regarding future office development as a result, office VMT is not considered a significant transportation effect of the CTSP project under CEQA.

The final paragraph and conclusions regarding Impact TRANS-3 is modified as follows:

The various examples of other VMT reduction measures that could be assigned to CTSP development are shown in Table 6.15 below. Inclusion of these measures in the CTSP would provide additional potential to reduce the significant VMT impacts of the project. It is not known, however, which of the listed measures would be feasible to implement with future office projects, should they occur, while other VMT reduction measures not listed in Table 6.15 might also be implemented. Given the uncertainty at this time regarding which VMT measures may be implemented with respect to future CTSP development, and their efficacy, it is concluded that VMT reductions cannot be reliably quantified at this time; as a result, the project would be potentially inconsistent with the objectives of CEQA Guidelines Section 15064(b), and the project's VMT impacts would remain potentially significant and unavoidable.

Level of Significance: Potentially significant ~~(Office VMT)~~

Mitigation Measures: ~~No reliable or quantifiable mitigation is available~~

TRANS-1: The City shall require applicants for residential projects to provide a professional report identifying available VMT mitigation measures that could be relied on to increase the project's VMT contribution to 15% below the existing citywide residential VMT and to incorporate such measures into the project conditions of approval. The effectiveness of such measures cannot be determined at this time; therefore the potential impact will remain significant and unavoidable.

Level of Significance: Significant and unavoidable

**APPENDIX A**  
**DRAFT EIR DISTRIBUTION LIST AND LEGAL NOTICES**



Community Development Department  
Planning Division  
2220 Magnolia Street  
Ceres, CA 95307  
209-538-5774  
Fax 209-538-5675

December 12, 2024

To: Responsible Agencies, Trustee Agencies, Interested Parties and Organizations

Subject: Notice of Availability of the Copper Trails Environmental Impact Report

Lead Agency: City of Ceres  
Community Development Department  
2220 Magnolia Street  
Ceres, CA 95307

Applicant: Nav Athwal  
c/o NorthStar Engineering Group, Inc.  
Modesto, CA 95354

The City of Ceres Community Development Department has completed, independently reviewed, and analyzed the Draft Environmental Impact Report (DEIR) SCH #2023090637 for the Copper Trails Specific Plan and Annexation project. The City of Ceres is the Lead Agency for this project under the California Environmental Quality Act (CEQA). The annexation project includes a total of 680.7 acres in 244 existing parcels; the annexation area is comprised of the 534.6-acre Copper Trails Specific Plan (CTSP) area and an adjacent 146.1-acre area lying between the CTSP and the existing City of Ceres boundary. The Draft EIR discusses the range of environmental concerns listed in the latest CEQA Environmental Checklist and identifies potentially significant environmental effects in the following issue areas: Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology, Noise, Transportation and Utilities and Energy.

Copies of the Draft EIR are available for public review on the City's website here:

<https://www.ci.ceres.ca.us/1798/Copper-Trails-Specific-Plan>

The City will accept agency comments on the Draft EIR during a 45-day review period that will begin on December 12, 2024 and end on January 27, 2025. Comments may be submitted by mail 2220 Magnolia Street, Ceres, CA 95307 or by email to [Lea.Simvoulakis@ci.ceres.ca.us](mailto:Lea.Simvoulakis@ci.ceres.ca.us).



**STANISLAUS COUNTY CLERK  
CEQA FILING COVER SHEET**

50-2024-192

**FILED**

November 6, 2024

DONNA LINDER

STANISLAUS COUNTY  
CLERK-RECORDER

By: Matthew Ferri  
Deputy Clerk

Mail to:

Name: City of Ceres-CDD

Address: 2220 Magnolia Street

City, State, Zip Ceres, CA 95307

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

Copper Trails Specific Plan and Annexation project

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)  
☐ Mitigated Negative Declaration (MND) or Negative Declaration (ND)  
☐ Notice of Exemption (NOE)  
☒ Other (Please fill in type): Notice of Availability

FILED IN THE OFFICE OF THE STANISLAUS	
COUNTY CLERK ON	<u>11/6/2024</u>
Posted <u>11/6/2024</u>	Removed <u>12/21/2024</u>
Returned to agency on	<u>                    </u>
DEPUTY	<u>                    </u>

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

**PUBLIC NOTICE OF AVAILABILITY**  
**DRAFT ENVIRONMENTAL IMPACT REPORT**  
(Pursuant to Public Resources Code Sections 21092 and 21092.3 and  
Cal. Code of Regulations Title 14, Section 15087)

The City of Ceres Community Development Department has completed, independently reviewed, and analyzed the Draft Environmental Impact Report (DEIR) SCH #2023090637 for the Copper Trails Specific Plan and Annexation project. The City of Ceres is the Lead Agency for this project under the California Environmental Quality Act (CEQA). The annexation project includes a total of 680.7 acres in 244 existing parcels; the annexation area is comprised of the 534.6-acre Copper Trails Specific Plan (CTSP) area and an adjacent 146.1-acre area lying between the CTSP and the existing City of Ceres boundary. The Draft EIR discusses the range of environmental concerns listed in the latest CEQA Environmental Checklist and identifies potentially significant environmental effects in the following issue areas: Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology, Noise, Transportation and Utilities and Energy.

Copies of the Draft EIR are available for public review at:

City of Ceres Community Development Department  
2220 Magnolia Street  
Ceres, CA 95307

and at the City's website:

<https://www.ci.ceres.ca.us/1798/Copper-Trails-Specific-Plan>

The City will accept public and agency comments on the Draft EIR during a 45-day review period that will begin on November 5, 2024 and end on December 20, 2024. Comments may be submitted by mail to the address shown below or by email to

[Lea.Simvoulakis@ci.ceres.ca.us](mailto:Lea.Simvoulakis@ci.ceres.ca.us)

City of Ceres  
Community Development Department  
2220 Magnolia Street  
Ceres, CA 95307  
Attn: Lea Simvoulakis

**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

<b>SCH # 2023090637</b>
-------------------------

**Project Title:** Copper Trails Specific Plan and Annexation

Lead Agency: City of Ceres

Contact Person: Lea Simvoulakis

Mailing Address: 2220 Magnolia Street

Phone: 209 538 5778

City: Ceres

Zip: 95307

County: Stanislaus

**Project Location:** County: Stanislaus

City/Nearest Community: Ceres

Cross Streets: State Route 99 / Mitchell Road

Zip Code: 95307

Longitude/Latitude (degrees, minutes and seconds): 37 ° 34 ' 33 " N / 120 ° 57 ' 08 " W Total Acres: 608.7

Assessor's Parcel No.: Various

Section: 22/23

Twp.: 4S

Range: 9E

Base: MDBM

Within 2 Miles: State Hwy #: 99

Waterways: TID Irrigation Lateral

Airports: Modesto City-County

Railways: UP

Schools: Central Valley, Hidahl

**Document Type:**CEQA: ☐ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.)

☐ Draft EIS☐ Other:☐ Mit Neg Dec

Other:

☐ FONSI**Local Action Type:**☐ General Plan Update☒ Specific Plan☐ Rezone☒ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☐ Other:**Development Type:**☒ Residential: Units 2393 Acres 260.3☐ Office: Sq.ft. Acres

Employees

☐ Transportation: Type☒ Commercial: Sq.ft. Acres 107.4

Employees

☐ Mining: Mineral☐ Industrial: Sq.ft. Acres

Employees

☐ Power: Type

MW

☐ Educational:☐ Waste Treatment: Type

MGD

☒ Recreational: 42.3 acres for parks and open space☐ Hazardous Waste: Type☐ Water Facilities: Type

MGD

☐ Other:**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☐ Vegetation☒ Agricultural Land☒ Flood Plain/Flooding☒ Schools/Universities☒ Water Quality☒ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☒ Water Supply/Groundwater☐ Archeological/Historical☒ Geologic/Seismic☐ Sewer Capacity☒ Wetland/Riparian☒ Biological Resources☒ Minerals☒ Soil Erosion/Compaction/Grading☐ Growth Inducement☐ Coastal Zone☒ Noise☐ Solid Waste☒ Land Use☒ Drainage/Absorption☒ Population/Housing Balance☒ Toxic/Hazardous☒ Cumulative Effects☐ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☐ Other:**Present Land Use/Zoning/General Plan Designation:**

Various/Stanislaus County

**Project Description:** (please use a separate page if necessary)

Copper Trails Specific Plan (CTSP) approval and annexation would result in the potential development of approximately 260.3 acres of low-, medium-, medium-high-, and high-density residential units within the CTSP area. The total dwelling units that would be potentially developed is 2,392. Approximately 107.4 acres is proposed for Regional Commercial development, which is estimated at 1,169,586 square feet of floor area. The CTSP also proposes approximately 42.3 acres of parks and open space, including street landscapes, and 3.4 acres for new public uses that would be in addition to the 74.1 acres already occupied by the Central Valley High School and Hidahl Elementary School, both operated by the Ceres Unified School District. The CTSP planned circulation system would utilize and improve existing roads and add new roads and streets and provide for development of new bicycle and pedestrian trails and open space linkages to provide access to and between the residential neighborhoods, commercial areas, schools, and parks of the developed CTSP area.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.



## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input checked="" type="checkbox"/> Parks & Recreation, Department of
<input checked="" type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input checked="" type="checkbox"/> Caltrans District # 10	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB # _____
<input checked="" type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input checked="" type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input checked="" type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region # 4	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Native American Heritage Commission	

### Local Public Review Period (to be filled in by lead agency)

Starting Date 11/5/2024 Ending Date 12/20/2024

### Lead Agency (Complete if applicable):

Consulting Firm: <u>BaseCamp Environmental</u>	Applicant: <u>City of Ceres</u>
Address: <u>802 West Lodi Ave</u>	Address: <u>2220 Magnolia Street</u>
City/State/Zip: <u>Lodi Ca 95240</u>	City/State/Zip: <u>Ceres Ca 95307</u>
Contact: <u>Charlie Simpson</u>	Phone: <u>209 538 5778</u>
Phone: <u>209 224 8213</u>	

Signature of Lead Agency Representative: Charlie Simpson Date: 11/5/24

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

**From:** Christine Asiata Christine.Asiata@opr.ca.gov  
**Subject:** SCH Number 2023090637  
**Date:** November 13, 2024 at 7:20 PM  
**To:** Rayanna L Beck rbeck@basecampenv.com

CA

Thank you for using CEQA Submit.

**Public Resources Code (PRC) Section 21091(c)(3) and Guidelines Section 15105(e) allows the State Clearinghouse (SCH) to distribute CEQA documents within three working days after the date of receipt if the submittal is determined by the State Clearinghouse to be complete. Additionally, the State agency review period does not begin until the SCH distributes the CEQA document to State agencies. (Pub. Resources Code, § 21093(c)(2).)**

Your project is published and available for review. Please note the State and Local review 'start' and 'end' dates.

**To view your project and any attachments via CEQAnet, from CEQA Submit:** Click "Navigation" and select "Published Document"

**Additional information is on State Clearinghouse (SCH) website - FAQs:**

<https://lci.ca.gov/sch/faq.html>

**Notice of Closing Letters:** The SCH will not provide a close of review period acknowledgement on your CEQA environmental document. Comments submitted by State agencies are made available on CEQAnet by the SCH during and after the review period.

To view comments on your project via CEQAnet, please visit:

<https://ceganet.opr.ca.gov/Search/Advanced>

- Search for the SCH# using the Advanced Search in [CEQAnet](#)
- Select the correct document.
- Under "Attachments," view attachments labeled "State Comment Letters [Comments from State Reviewing Agency(ies)]"
- If there are no comments from a State agency about your project, it means none have been received.

**To get more information on a specific project, contact the lead agency responsible for it directly.**

**\*\*When Requesting Updates to Published/Posted Document(s)/Project(s):** Please note that the State Clearinghouse (SCH) does not remove attachments from published projects unless there is confidential information that cannot be displayed online.

To make changes to a published document, send requests and any attachments to [state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov). Please also provide a brief memo on lead agency letterhead explaining what changes/corrections have been made.

To view your submission, use the following link.  
<https://cegasubmit.opr.ca.gov/Document/Index/291461/2>

Please contact the SCH with any questions at [state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov) or (916) 445-0613.



Thank you.

*\*\*Note: No reply, response, or information provided constitutes legal advice.*

Christine Asiata Rodriguez

**Confidentiality Notice:** The information contained in this email and any attachments is for the exclusive use of the intended recipient(s) and may contain confidential and privileged information. It is the property of the California Governor's Office of Planning and Research. Unauthorized use, disclosure, or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender immediately by return email and destroy all copies of the original message and any attachments.

# Copper Trails Specific Plan and Annexation

## Summary

**SCH Number**

2023090637

**Lead Agency**

City of Ceres

**Document Title**

Copper Trails Specific Plan and Annexation

**Document Type**

EIR - Draft EIR

**Received**

11/13/2024

**Present Land Use**

Various/Urban/Agricultural/Commercial

**Document Description**

Copper Trails Specific Plan (CTSP) approval and annexation would result in the potential development of approximately 260.3 acres of low-,medium-, medium high-, and high-density residential units within the CTSP area. The total dwelling units that would be potentially developed is2,392. Approximately 107.4 acres is proposed for Regional Commercial development, which is estimated at 1,169,586 square feet of floor area. The CTSP also proposes approximately 42.3 acres of parks and open space, including street landscapes, and 3.4 acres for new public uses that would be in addition to the 74.1 acres already occupied by the Central Valley High School and Hidahl Elementary School, both operated by the Ceres Unified School District. The CTSP planned circulation system would utilize and improve existing roads and add new roads and streets and provide for development of new bicycle and pedestrian trails and open space linkages to provide access to and between the residential neighborhoods, commercial areas, schools, and parks of the developed CTSP area.

---

## Contact Information

**Name**

City of Ceres - Lea Simvoulakis

**Agency Name**

City of Ceres

**Job Title**

Director

Contact Types

Lead/Public Agency / Project Applicant

Address

2220 Magnolia Street  
Ceres, CA 95307

Phone

(209) 538-5778

Email

lea.simvoulakis@ci.ceres.ca.us

Name

Charlie Simpson

Agency Name

BaseCamp Environmental, Inc.

Job Title

Principal

Contact Types

Consulting Firm

Address

802 W Lodi Ave  
Lodi, CA 95240

Phone

(209) 224-8213

Email

csimpson@basecampenv.com

Location

Coordinates

37°34'33"N 120°57'8"W

Cities

Ceres

Counties

Stanislaus

Regions

Citywide

Cross Streets

State Route 99 / Mitchell Road

**Zip**

95307

**Total Acres**

680.7

**Jobs**

1

**Parcel #**

Various

**State Highways**

99

**Railways**

UP

**Airports**

Modesto City-County

**Schools**

Central Valley, Hidahl

**Waterways**

TID Irrigation Lateral

**Township**

4S

**Range**

9E

**Section**

22/23

**Base**

MDBM

---

## Notice of Completion

**State Review Period Start**

11/13/2024

**State Review Period End**

12/27/2024

**State Reviewing Agencies**

California Air Resources Board (ARB), California Department of Conservation (DOC), California Department of Education, California Department of Fish and Wildlife, North Central Region 2 (CDFW), California Department of Housing and Community Development (HCD), California Department of Parks and Recreation, California Department of Pesticide Regulation (DPR), California Department of Resources Recycling and Recovery, California Department of Toxic Substances Control (DTSC), California Department of Transportation, District 10 (DOT), California Department of Transportation, Division of Aeronautics (DOT), California Department of Transportation, Division of Transportation Planning (DOT), California Department of Water Resources (DWR), California Energy Commission, California Fish and Game Commission (CDFGC),

California Governor's Office of Emergency Services (OES), California Highway Patrol (CHP), California Native American Heritage Commission (NAHC), California Natural Resources Agency, California Public Utilities Commission (CPUC), California Regional Water Quality Control Board, Central Valley Sacramento Region 5 (RWQCB), California State Lands Commission (SLC), Central Valley Flood Protection Board, Department of General Services (DGS), Office of Historic Preservation, State Water Resources Control Board, Division of Drinking Water, District 10, State Water Resources Control Board, Division of Water Quality, State Water Resources Control Board, Division of Water Rights, State Water Resources Control Board, Division of Financial Assistance, State Water Resources Control Board, Division of Drinking Water, California Department of Fish and Wildlife, Central Region 4 (CDFW)

State Reviewing Agency Comments

State Water Resources Control Board, Division of Drinking Water, California Department of Fish and Wildlife, Central Region 4 (CDFW)

Development Types

Residential (Units 2392, Acres 260.3), Commercial (Sq. Ft. 4678344, Acres 107.4, Employees 1), Recreational (42.3 acres for parks and open space)

Local Actions

Specific Plan, Annexation

Project Issues

Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cumulative Effects, Drainage/Absorption, Flood Plain/Flooding, Geology/Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Schools/Universities, Transportation, Tribal Cultural Resources, Utilities/Service Systems

Public Review Period Start

11/5/2024

Public Review Period End

12/20/2024

Attachments

Draft Environmental Document [Draft IS, NOI\_NOA\_Public notices, OPR Summary Form, Appx,]

3100 Public Review Draft 11624 copy 2 PDF 52775 K

Copper Trails Draft EIR Notice of Availability PDF 1042 K

Summary Form OCR PDF 1347 K

Notice of Completion [NOC] Transmittal form

NOC Copper Trails PDF 347 K

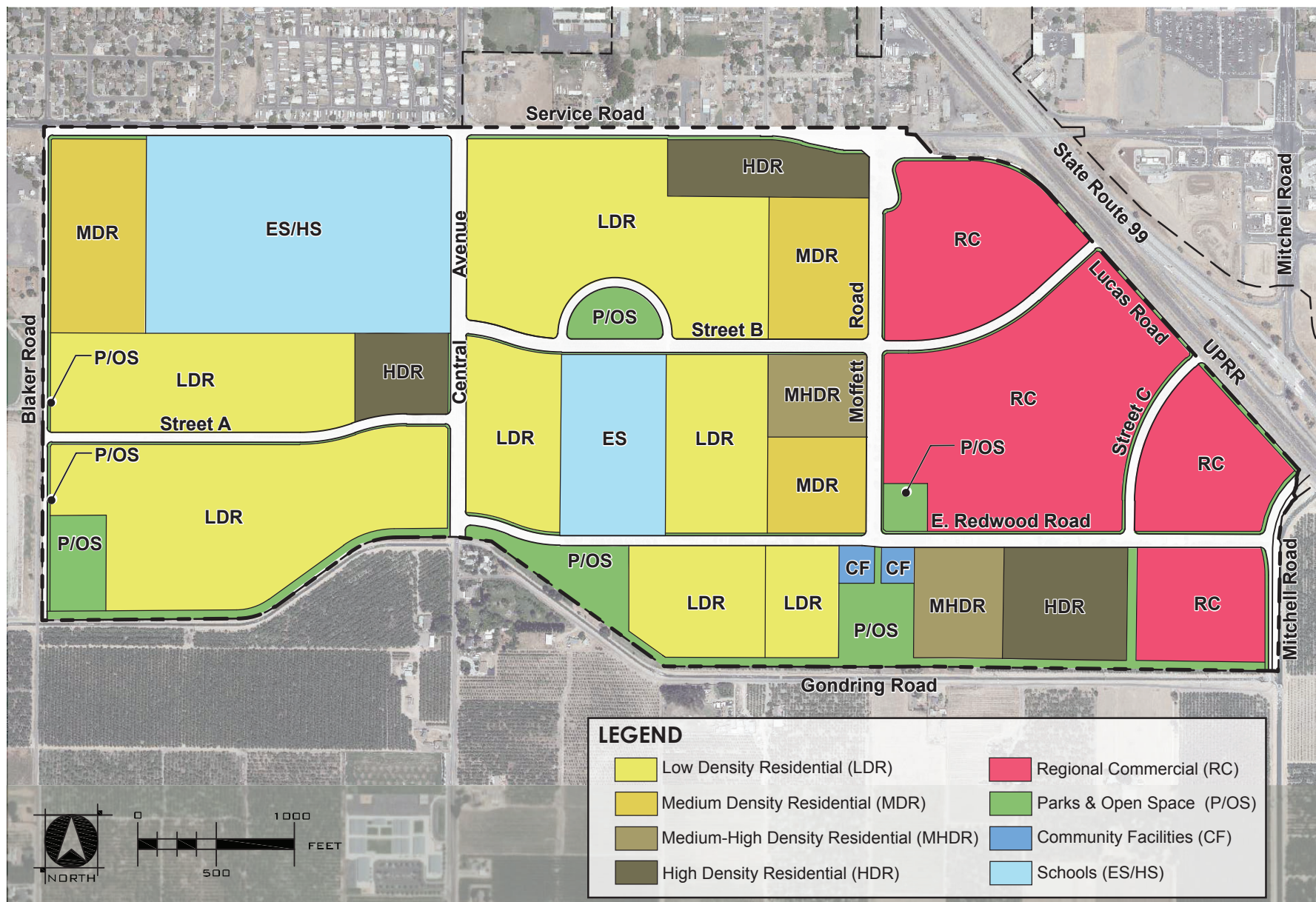
State Comment Letters [Comments from State Reviewing Agency(ies)]

2023090637\_CDFW Comment PDF 228 K

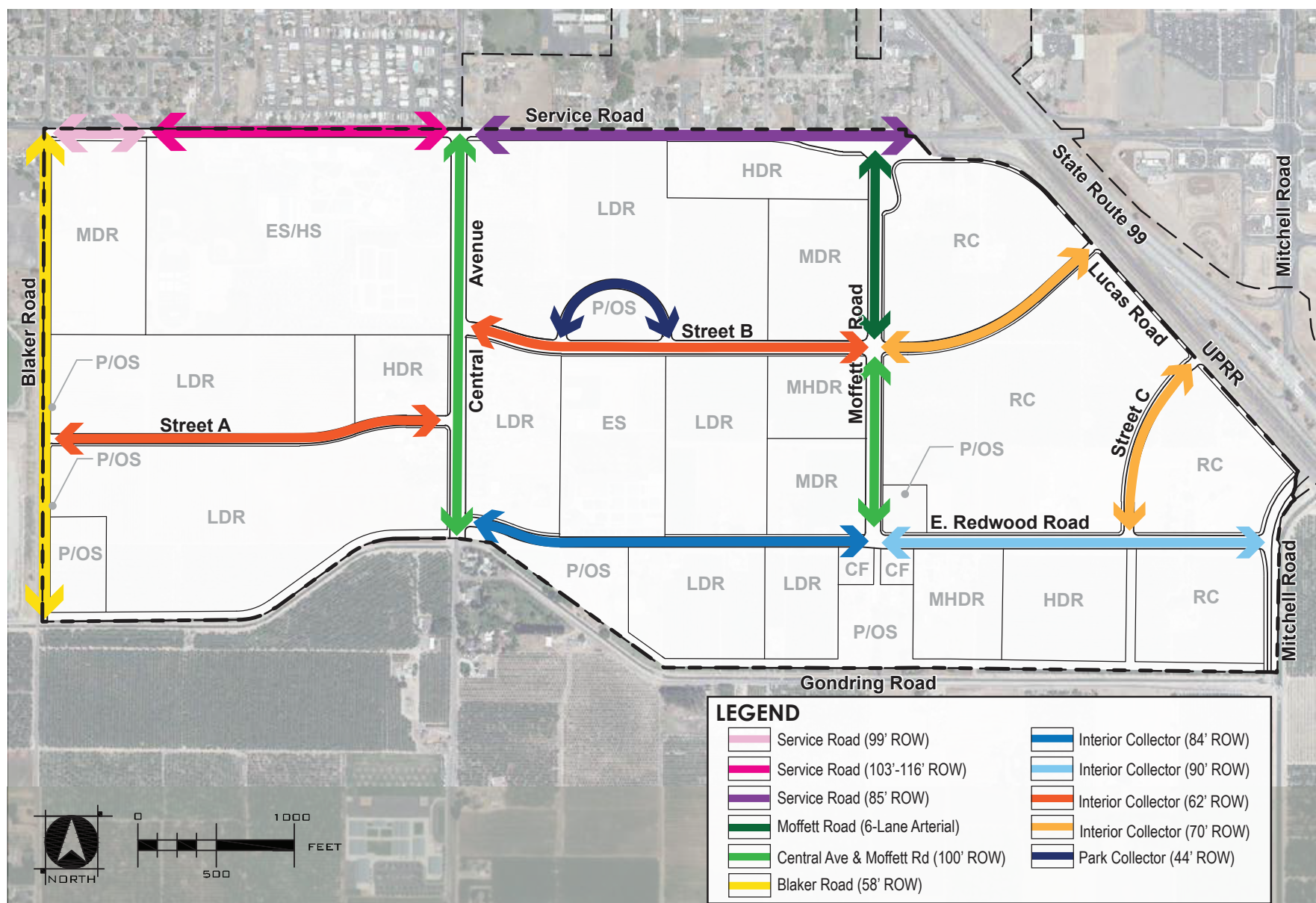
2023090637\_DDW Comment PDF 357 K

**Disclaimer:** The Governor’s Office of Land Use and Climate Innovation (LCI) accepts no responsibility for the content or accessibility of these documents. To obtain an attachment in a different format, please contact the lead agency at the contact information listed above. For more information, please visit [LCI’s Accessibility Site](#).

**APPENDIX B**  
**UPDATED DEIR GRAPHICS**









# COPPER TRAILS SPECIFIC PLAN

## STREET SECTIONS

### FEBRUARY, 2026

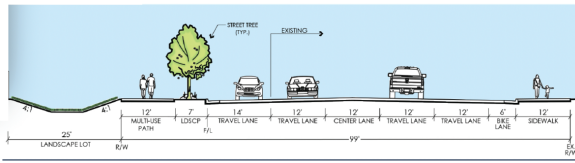


FIGURE 5-2: SERVICE ROAD (WEST OF HIGH SCHOOL SITE)

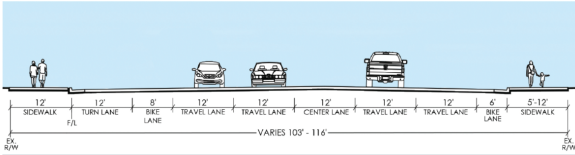


FIGURE 5-3: SERVICE ROAD (ALONG HIGH SCHOOL FRONTAGE)

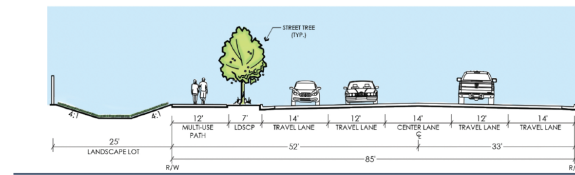


FIGURE 5-4: SERVICE ROAD (EAST OF CENTRAL AVENUE)

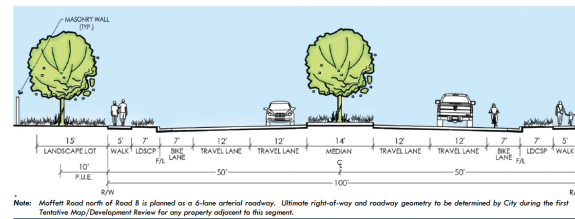


FIGURE 5-5: CENTRAL AVENUE & MOFFETT ROAD

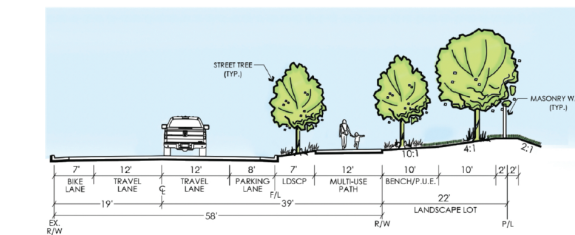


FIGURE 5-6: BLAKER ROAD

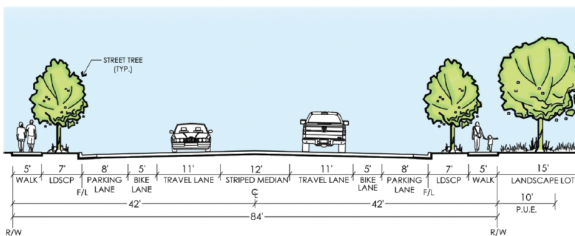


FIGURE 5-7: E. REDWOOD ROAD (WEST OF MOFFETT ROAD)

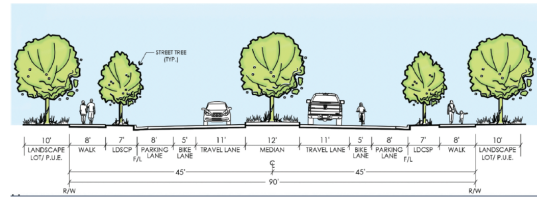


FIGURE 5-8: E. REDWOOD ROAD (EAST OF MOFFETT ROAD)

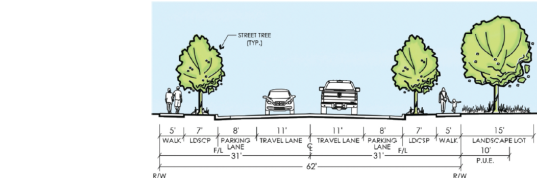


FIGURE 5-9: INTERIOR COLLECTOR ROAD (RESIDENTIAL FRONTAGE)

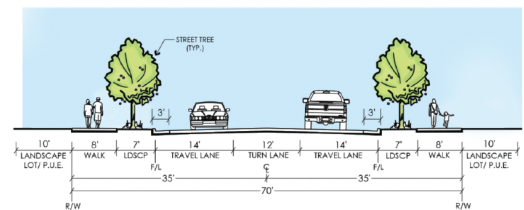


FIGURE 5-10: INTERIOR COLLECTOR ROAD (COMMERCIAL FRONTAGE)

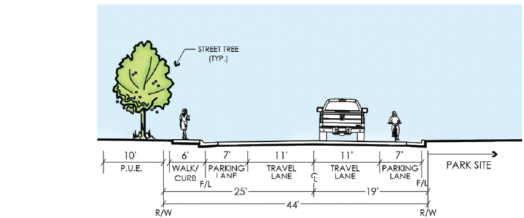


FIGURE 5-11: INTERIOR COLLECTOR ROAD (PARK FRONTAGE)

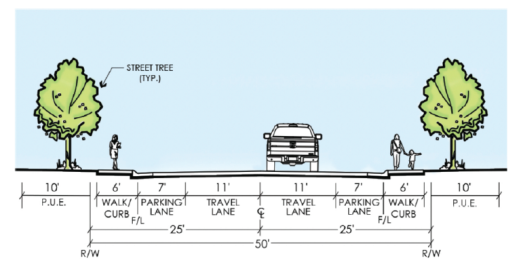
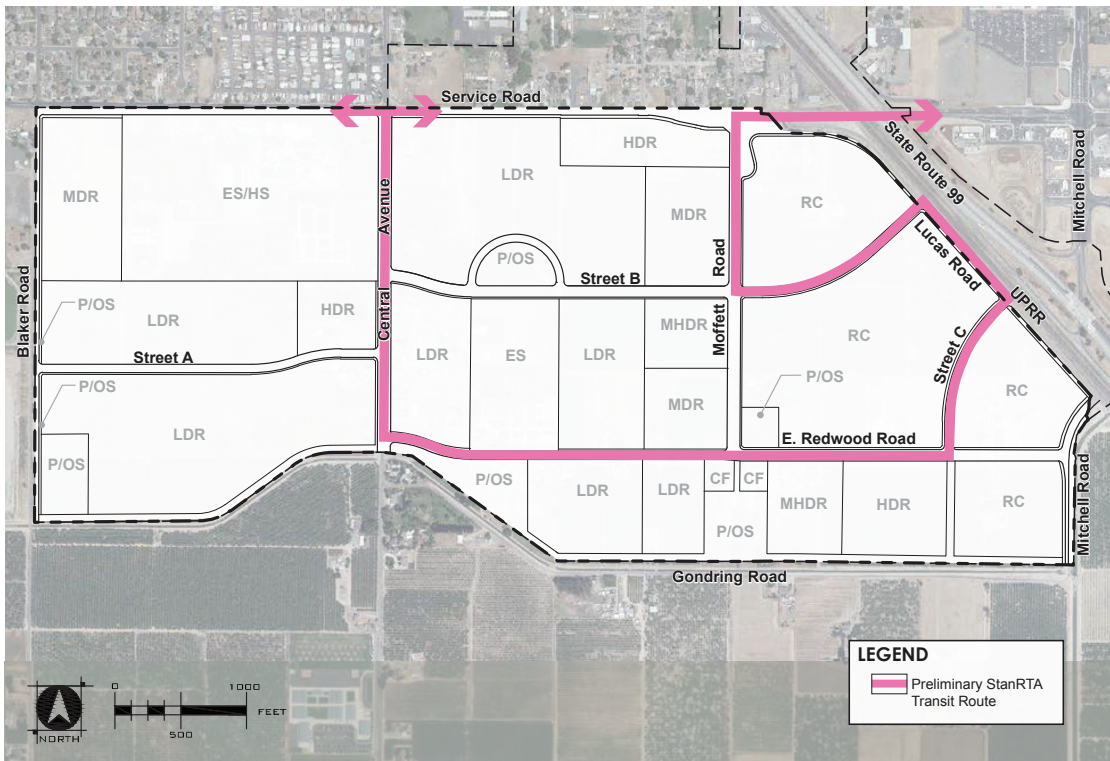
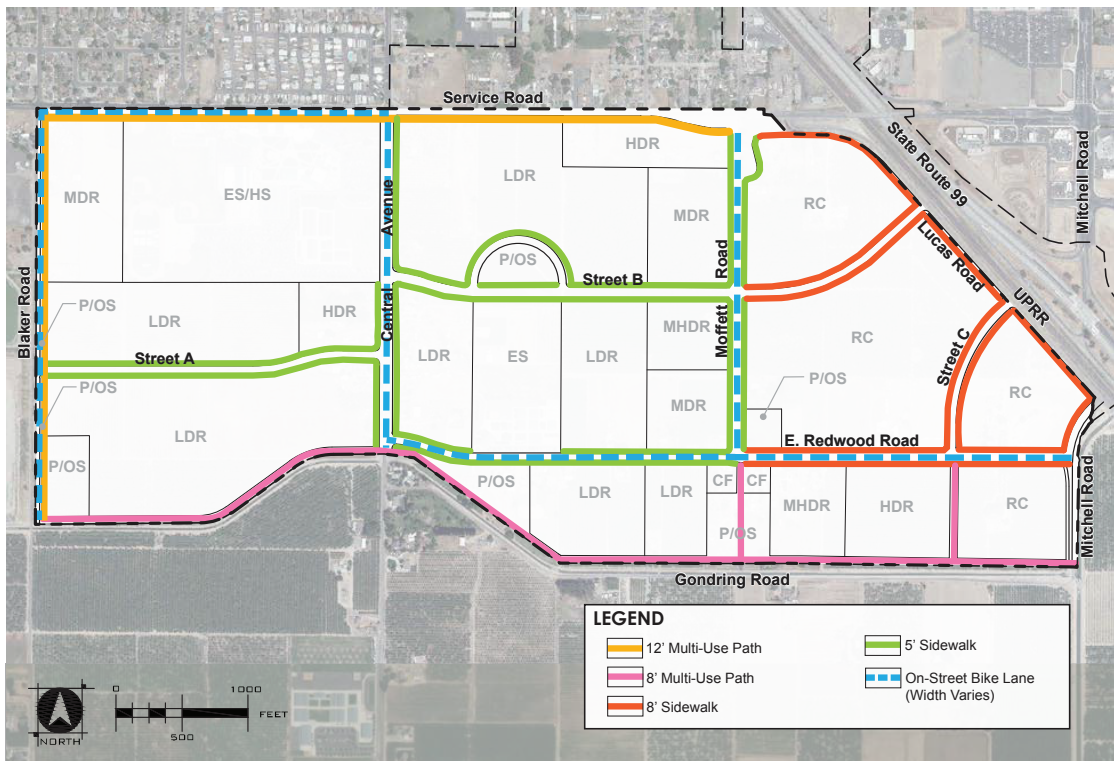


FIGURE 5-12: INTERIOR STREET

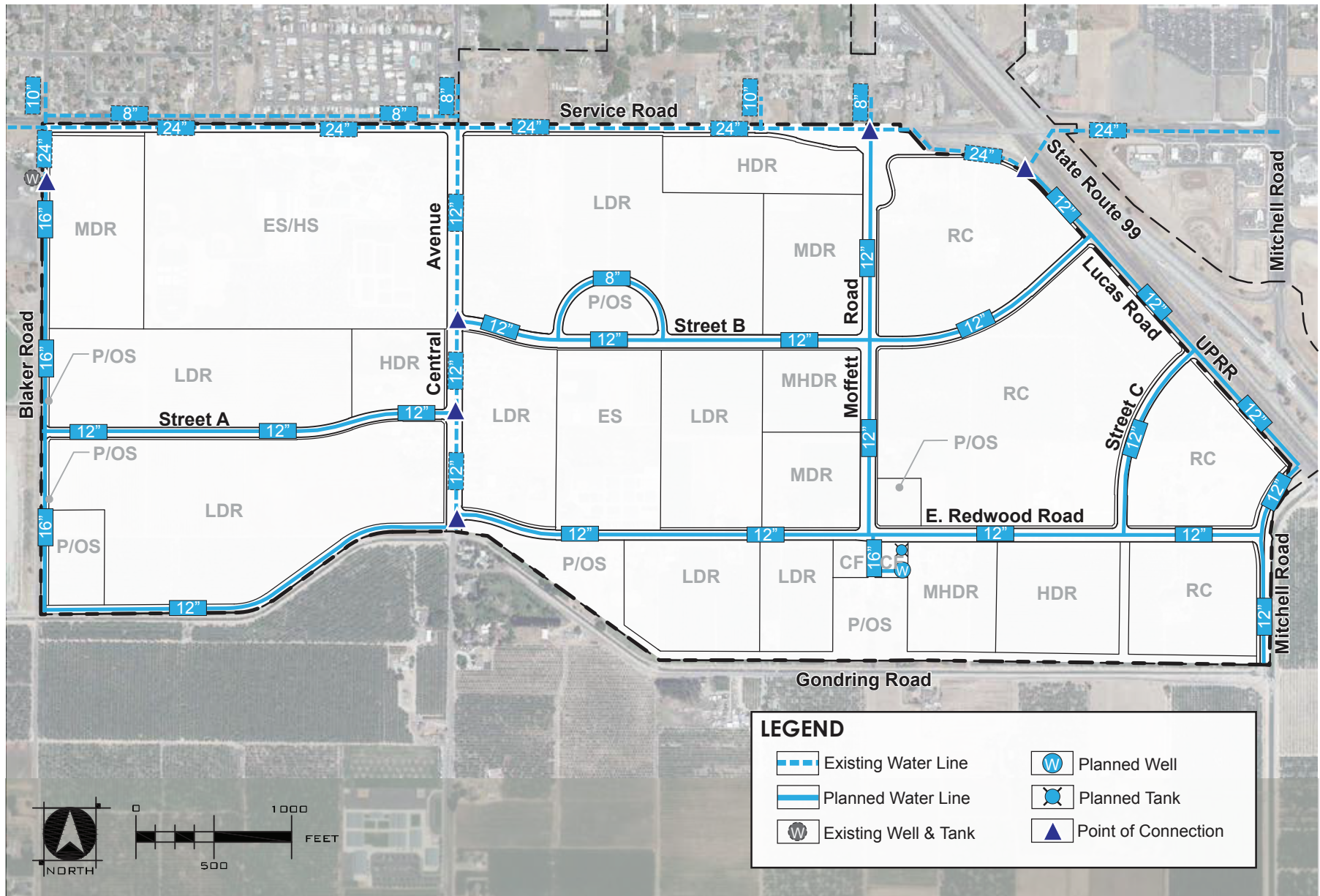


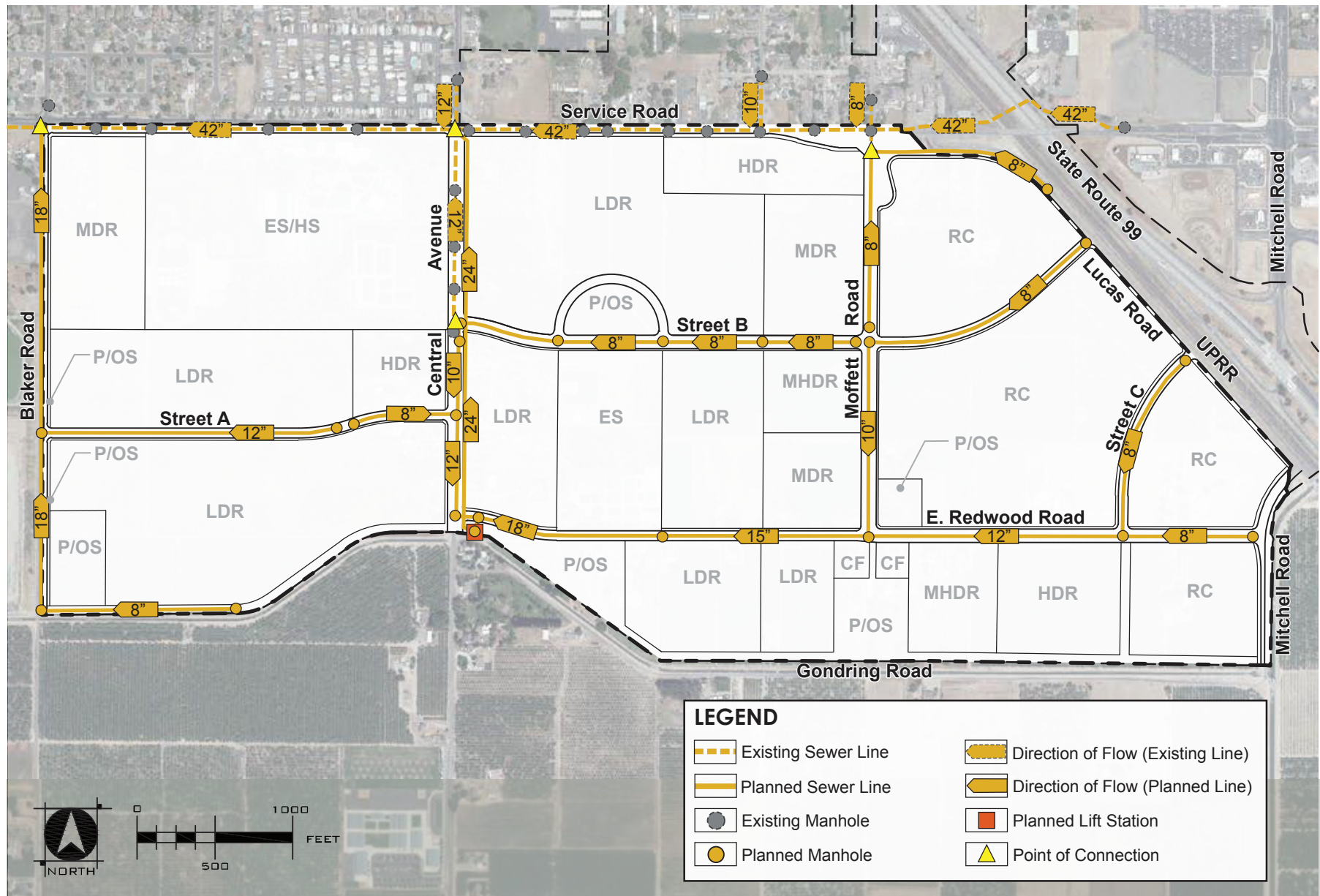
Public Transit



Bike and Pedestrian , Transit









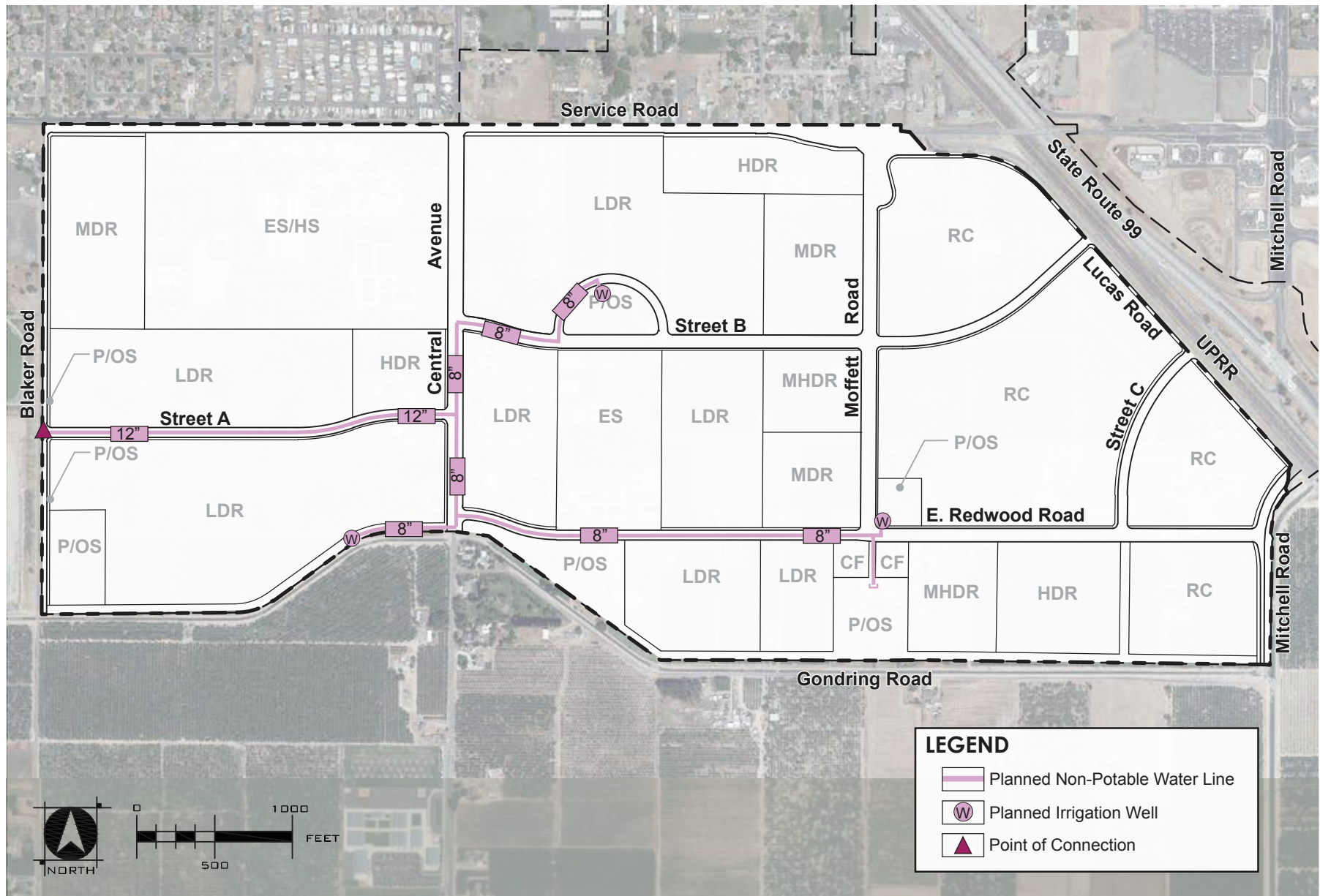




Figure 3-8  
PROPOSED STORM DRAINAGE SYSTEM