

**Appendix A:
Notice of Preparation / Comments**

THIS PAGE INTENTIONALLY LEFT BLANK

A.1 - Notice of Preparation

THIS PAGE INTENTIONALLY LEFT BLANK

NOTICE OF PREPARATION

Date: Friday, December 21, 2018

To: State Clearinghouse
Responsible Agencies
Trustee Agencies
Local and Public Agencies
Interested Parties

From: City of Patterson
Contact: Joel Andrews, City Planner
1 Plaza
Patterson, CA 95363

Subject: Notice of Preparation of an Environmental Impact Report
for the Zacharias Master Plan Project

The City of Patterson (City) will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the proposed Zacharias Master Plan Project (“proposed project”) described herein. The City is interested in your agency’s views as to the appropriate scope and content of the EIR pertaining to your agency’s statutory responsibilities related to the proposed project. Your agency may need to use the EIR prepared by the City when considering permits or other approvals for project implementation actions. The City will need the name of a contact person for your agency. For interested individuals, the City would like to be informed of environmental topic(s) of interest to you regarding the proposed project.

PUBLIC SCOPING MEETING AND COMMENT SUBMITTAL

The City of Patterson welcomes public input during the Notice of Preparation (NOP) review period. The purpose of the scoping process is to solicit public comment regarding the scope and content of the EIR.

Pursuant to CEQA Guidelines section 15082(c), the City of Patterson will conduct a scoping meeting for the purpose of soliciting comments of adjacent cities, responsible agencies, trustee agencies, and interested parties requesting notice as to the appropriate scope and content of the EIR. The scoping meeting will include a presentation of the proposed project and a summary of the environmental issues that are anticipated to be analyzed in the EIR. Following the presentation, interested agencies, organizations, and members of the public will be encouraged to present views concerning what environmental issues should be included in the EIR. The oral and written comments provided during the scoping meeting will assist the City in scoping the EIR’s environmental analysis of the project. The scoping meeting will be open to the public and held at the following location:

Date: Thursday, January 17, 2019
Time: 4 p.m.
Location: Patterson City Hall Council Chambers
1 Plaza
Patterson, California 95363

Written comments on the scope of the proposed project and the associated EIR are welcome. Please submit comments by **5:00 PM Tuesday, January 22, 2019**. Written comments should be sent to Joel Andrews, City Planner, at 1 Plaza, Patterson, California 95363, or via email at jandrews@ci.patterson.ca.us.

Questions concerning the environmental review of the proposed project should be directed to Joel Andrews at (209) 895-8020 or Tricia Stevens at (916) 698-4592; however, please note that comments on the scope of the EIR cannot be accepted over the phone. To be considered during preparation of the EIR, comments must be received in writing by the deadline identified above or provided during the public scoping meeting on January 17, 2019.

- Project Title:** Zacharias Master Plan Project
- Acreege:** 1,295.60 (East of Baldwin Road – 628.60 acres; West of Baldwin Road – 598.30 acres; South of Baldwin Road – 68.70 acres)
- Project Location:** The project site is located just outside the Patterson city limits in unincorporated Stanislaus County, California; refer to Exhibit 1. The main portion of the project site encompasses approximately 1,226.9 acres and is bounded by Rogers Road (west), Zacharias Road (north), State Route 33 and Ward Avenue (east), and existing residential and business park uses (south); refer to Exhibit 2. A small, non-contiguous 68.7-acre portion of the project site is located at the southern terminus of Baldwin Road and is bounded by the Delta-Mendota Canal (west), the City of Patterson Corporation Yard (north), and agricultural uses (east and south).
- Existing Conditions:** The West of Baldwin Road and South of Baldwin Road planning areas contain agricultural land. The East of Baldwin Road planning area contains agricultural land west of the Patterson Irrigation District (PID) Canal and rural residential land on the east side. Irrigation canals are present within the East of Baldwin Road and West of Baldwin Road planning areas.
- General Plan:** The Stanislaus County General Plan designates the West of Baldwin Road and South of Baldwin Road planning areas as “Agriculture.” The Stanislaus County General Plan designates the East of Baldwin Road planning area “Agriculture” west of the PID canal and “Urban Transition” east of the canal. The City of Patterson General Plan designates all three planning areas as “Low Density Residential,” which is a non-binding designation.
- Zoning:** The Stanislaus County Zoning Ordinances zones the West of Baldwin Road and South of Baldwin Road planning areas as “General Agriculture (A-2).” The Stanislaus County Zoning Ordinances zones the East of Baldwin Road planning area “General Agriculture (A-2)” west of the PID canal and “Rural Residential (R-A)” east of the canal.

Project Description

The proposed project consists of the annexation of the project site into the City of Patterson and the development of residential, mixed use, commercial, industrial, school, parks, and open space uses guided by a Master Plan. The project site is broken down into three planning areas – East of Baldwin Road, West of Baldwin Road, and South of Baldwin Road – and the development potential for each one is summarized in Table 1.

Table 1: Zacharias Master Plan Summary

Planning Area	Gross Acres	End Uses	Characteristics
East of Baldwin Road	628.60	Residential, Mixed Use, School, Park, Open Space	3,666 dwelling units; 505,000 square feet mixed use; 14.74 acre school site; 27.09 acres park; 29.17 acres open space.
West of Baldwin Road	598.30	Residential, Commercial, Industrial, and Park	1,420 dwelling units; 350,000 square feet commercial; 6,910,000 square feet industrial; 18.15 acres parks
South of Baldwin Road	68.70	Residential and Park	395 dwelling units; 5.00 acres parks
Total	1,295.60	–	5,481 dwelling units; 505,000 square feet mixed use; 350,000 square feet of commercial uses; 6,910,000 square feet of industrial uses; 14.74 acre school site; 50.24 acres parks; 29.17 acres open space

Source: City of Patterson, 2018.

East of Baldwin Road

The area east of Baldwin Road would support primarily residential uses and be organized around three “lakes.” Residential uses would consist of 3,666 dwelling units at low, medium, and high densities. Mixed use would be designated around the western most-lake. The lakes would provide drainage, recharge and recreational opportunities. A 14.74-acre school site would be located in the center of this planning area. Exhibit 3a depicts the Master Plan for the area east of Baldwin Road.

The area east of the Patterson Irrigation District canal that supports existing rural residential uses is contemplated to support low density residential uses.

West of Baldwin Road

The area west of Baldwin Road would support a mix of residential, commercial, and industrial development. Residential uses consisting of 1,420 dwelling units at low and medium densities would be located in the eastern portion of the planning area along Baldwin Road. A 22.81-acre community commercial area is proposed at the southwest quadrant of the Zacharias Road / Baldwin Road intersection. Industrial uses would front Rogers Road, opposite the Arambel Business Park. Exhibit 3a depicts the Master Plan for the area west of Baldwin Road

South of Baldwin Road

The area south of Baldwin Road would support exclusively residential uses. A park would be located in the center of this planning area. Exhibit 3b depicts the Master Plan for the area south of Baldwin Road

Circulation

For the areas east and west of Baldwin Road, a network of internal roadways would connect to Rogers Road, Zacharias Road, and Baldwin Road. The circulation plan accommodates an alignment of the future South County Corridor along Zacharias Road and limits the number of connections along this roadway.

The circulation plan contemplates Ivy Avenue being extended west to connect to the internal roadway network in order to facilitate a through connection to Ward Avenue. The City of Patterson is also considering a second connection to Ward Avenue north of Ivy Avenue.

For the area south of Baldwin Road, the circulation plan anticipates this roadway being extended south to a future hypothetical extension of Elfers Road. Additionally, the road serving the City of Patterson Corporation Yard would be improved and extended west to provide access to the western portion of this planning area.

Infrastructure and Utilities

The proposed project would install a storm drainage system consisting of bioswales, inlets, and underground piping that would convey runoff to stormwater basins. For the area east of Baldwin Road, runoff would be impounded in the lakes. For the areas west and south of Baldwin Road, runoff would be impounded in stormwater basins.

The City of Patterson would provide potable water service and sewer service the proposed uses. Additionally, property owners would be required to use non-potable groundwater for irrigation purposes. A Water Supply Assessment will be prepared as part of the EIR to evaluate water supply impacts.

Turlock Irrigation District would provide electrical service to the proposed project. Pacific Gas and Electric Company would provide natural gas service to the proposed project.

Required Approvals: ***City of Patterson Discretionary Approvals.*** Implementation of the Zacharias Master Plan Project will require, but is not limited to, the following discretionary approvals by the City of Patterson:

- Certification of the Environmental Impact Report
- Master Plan Adoption
- General Plan Amendment
- Prezone
- Subdivision Maps; Parcel Maps
- Use Permit(s)
- Design Review
- Development Agreement(s)

Additionally, approval of the project would require the following discretionary approvals from Stanislaus County Local Agency Formation Commission:

- Modification of Sphere of Influence

- Annexation / Detachment
- Out of Boundary Service Agreement(s)

EIR Scope:

The City of Patterson has determined that it will prepare an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA).

The following probable environmental effects of the project will be evaluated in the EIR:

- Aesthetics, Light, and Glare
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources / Tribal Cultural Resources
- Geology, Soils, and Seismicity
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation
- Utilities and Service Systems

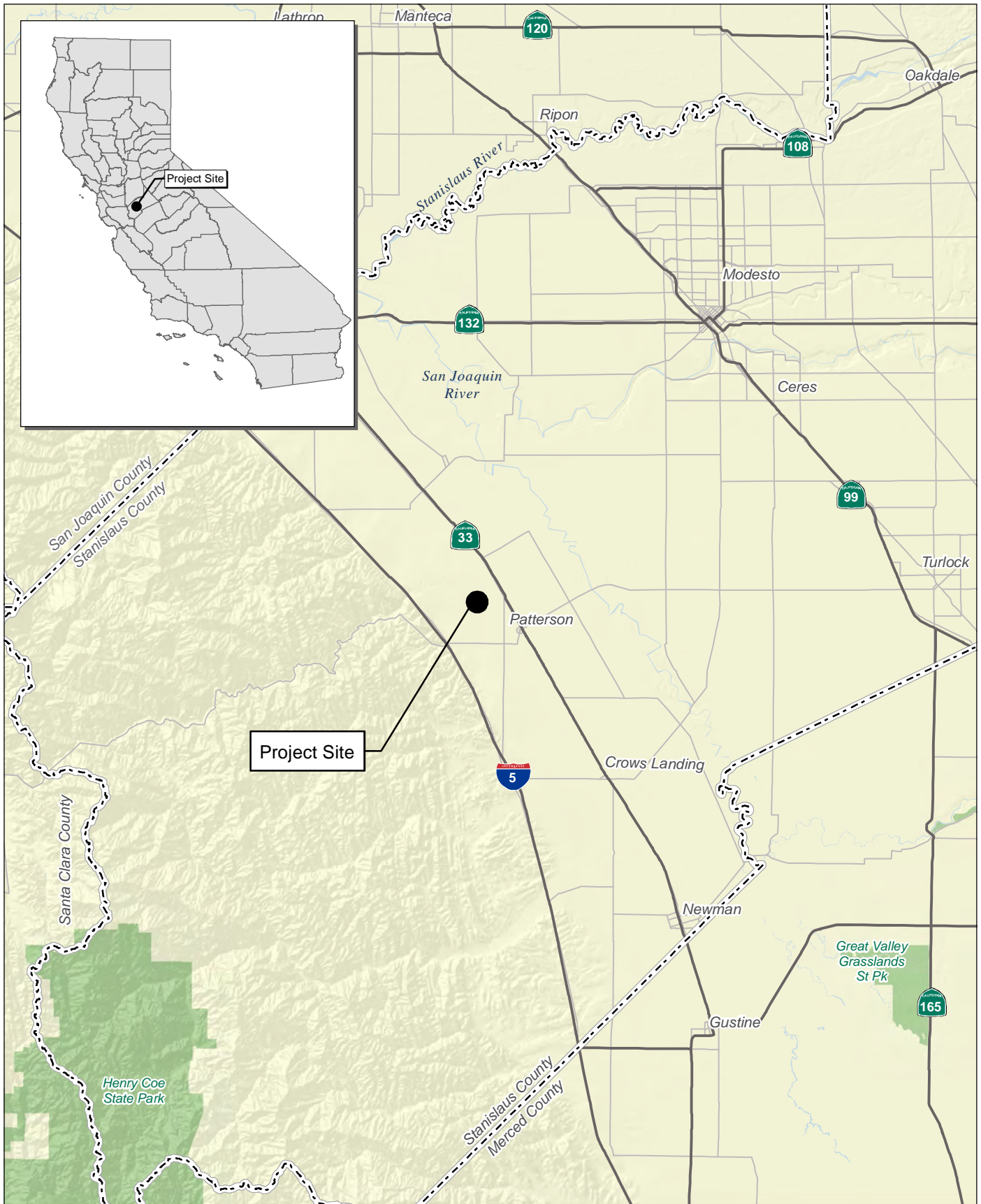
Table 2 provides a breakdown for each ownership group.

Table 2: Zacharias Master Plan Breakdown

Name	Land Use	Gross Acreage	Density	Dwelling Units	Square Footage
Zacharias Ranch	Medium Density Residential	129.34	5.4	700	–
	Community Commercial	22.81	–	–	350,000
	Light Industrial	316.00	–	–	6,910,000
	Park	9.01	–	–	–
	<i>Subtotal</i>	<i>477.16</i>		<i>700</i>	<i>7,260,000</i>
TFP Development	Low Density Residential	80.00	5.0	400	–
	Medium Density Residential	32.00	10.0	320	–
	Park	9.14	–	–	–
	<i>Subtotal</i>	<i>121.14</i>	–	<i>720</i>	–
Lakeside Hills, Keystone Ranch, Ivy Rose Gardens	Low Density Residential	143.70	3.0	431	–
	Medium Density Residential	359.31	6.5	2,432	–
	High Density Residential	35.15	17.3	609	–
	Mixed Use	19.44	10.0	194	505,000
	Park	27.09	–	–	–
	Open Space	29.17	–	–	–
	School (K-6)	14.74	–	–	–
	<i>Subtotal</i>	<i>628.60</i>	–	<i>3,666</i>	–
Baldwin Ranch	Medium Density Residential	63.70	6.2	395	–
	Park	5.00	–	–	–
	<i>Subtotal</i>	<i>68.70</i>	–	<i>395</i>	–
All Development	Low Density Residential	223.70	–	831	–
	Medium Density Residential	584.35	–	3,847	–
	High Density Residential	35.15	–	609	–
	Mixed Use	19.44	–	–	505,000
	Community Commercial	22.81	–	–	350,000
	Light Industrial	316.00	–	–	6,910,000
	Park	29.17	–	–	–
	Open Space	50.24	–	–	–
	School (K-6)	14.74	–	–	–
	Total	1,295.60	–	5,481	7,765,000

Each Medium Density Residential zone driven by different ownership groups and the EIR will analyze different densities proposed by each applicant.

THIS PAGE INTENTIONALLY LEFT BLANK



Source: Census 2000 Data, The CaSIL.

FIRSTCARBON
SOLUTIONS™

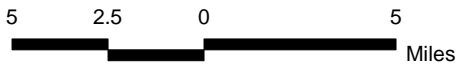
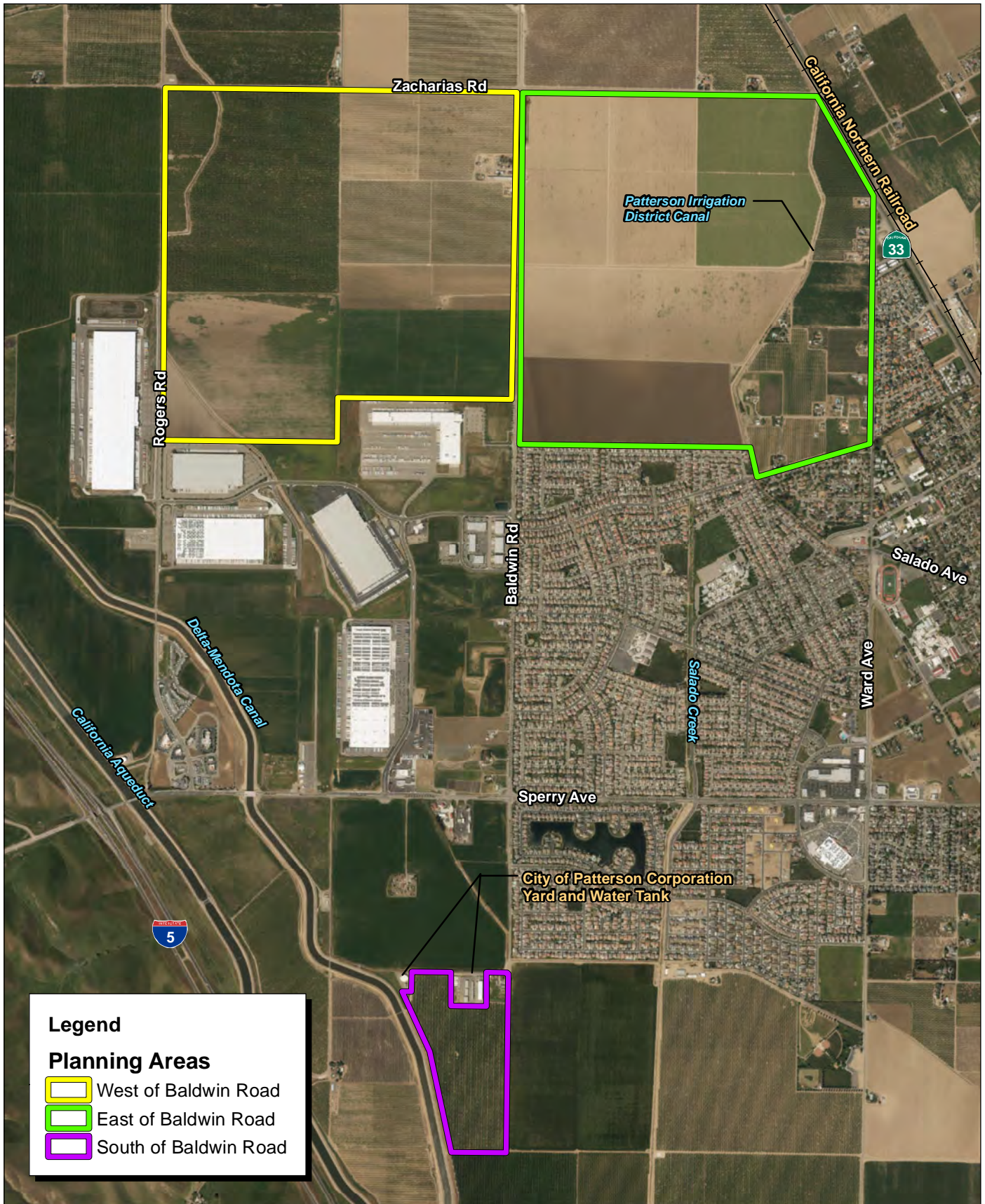


Exhibit 1 Regional Location Map

THIS PAGE INTENTIONALLY LEFT BLANK



Source: ESRI Aerial Imagery.

FIRSTCARBON SOLUTIONS™

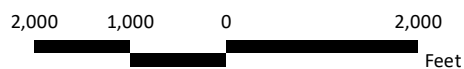
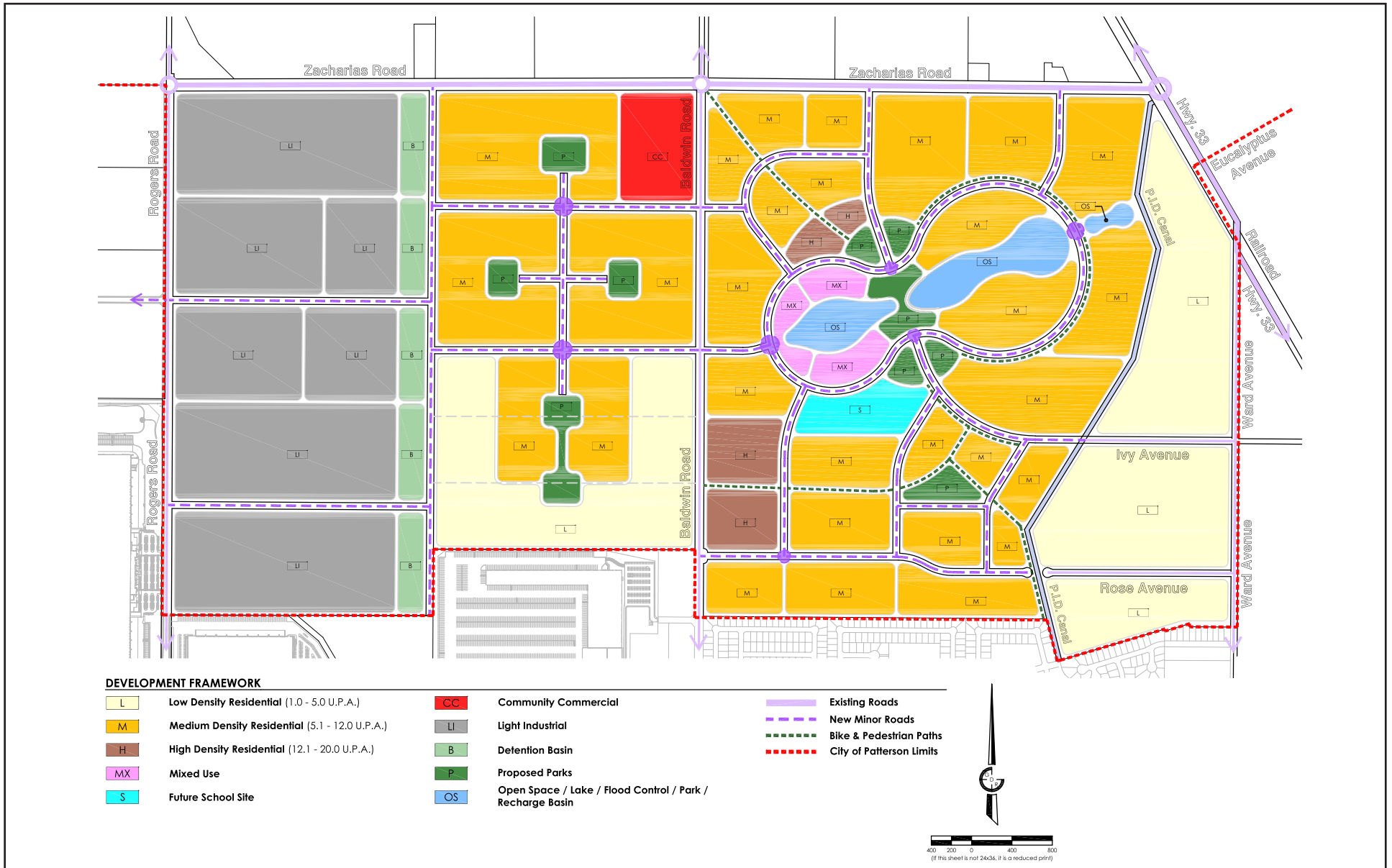


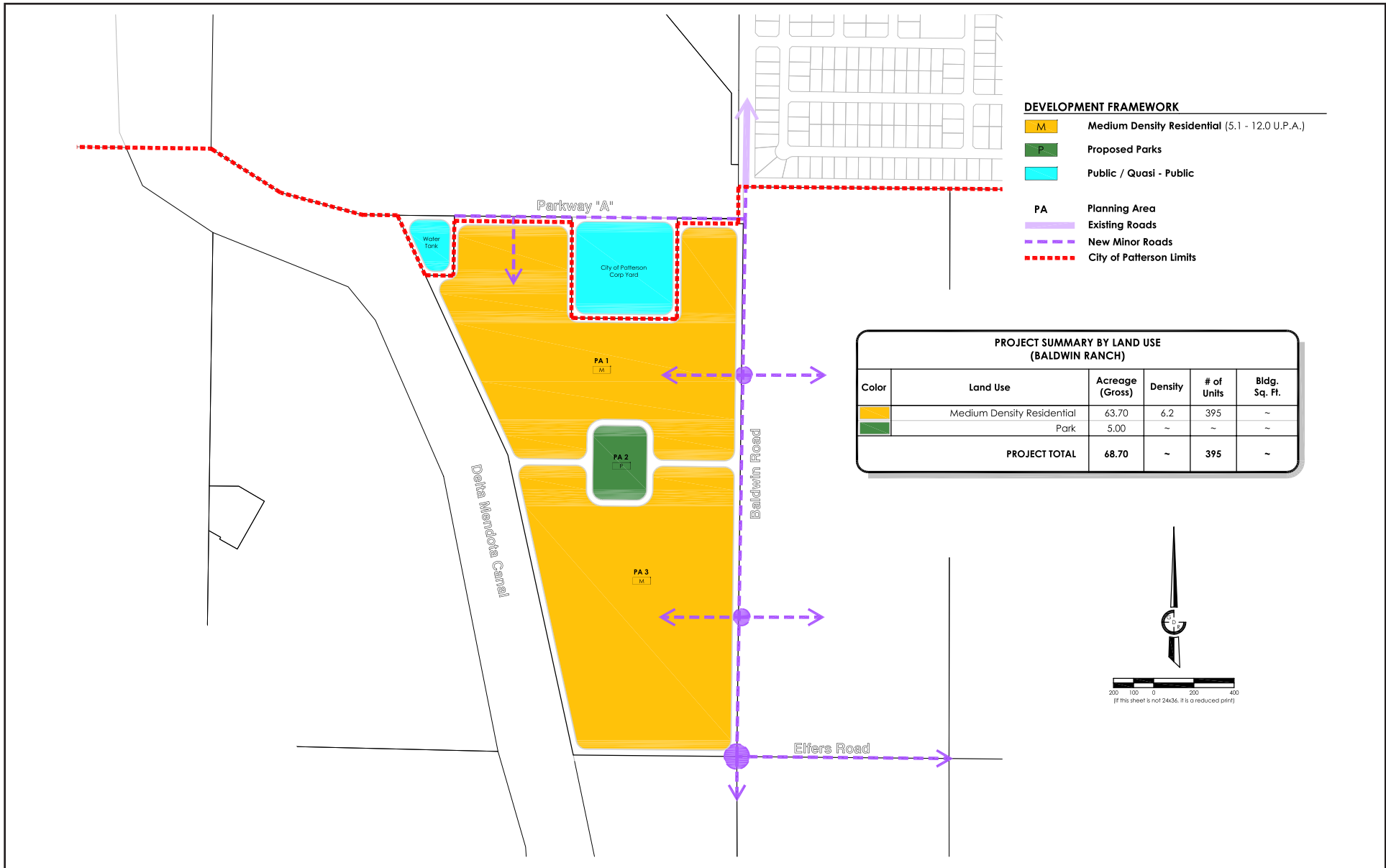
Exhibit 2
Local Vicinity Map
Aerial Base

THIS PAGE INTENTIONALLY LEFT BLANK



Source: GDR Engineering, Inc., December 7, 2018.

THIS PAGE INTENTIONALLY LEFT BLANK



Source: GDR Engineering, Inc., December 7, 2018.

THIS PAGE INTENTIONALLY LEFT BLANK

A.2 - Notice of Preparation Responses

THIS PAGE INTENTIONALLY LEFT BLANK

Sign-in Sheet
Scoping Meeting
Jan. 17, 2019

Name	Organization	email	Phone
Kent Allen	adjac. Landowner	kwallen24@yahoo.com	209 765-0855
PHIL SARASQUETA	SARASQUETA PROPERTIES	phil@sarasqueta@yahoo	208-731-5322
Bobby Pierce	West Stan. Irrig. Dist.	bobby.pierce@weststanislausid.org	894-3891
Ulucce Luchesi	Patterson ID	UlucceorgPattersonid.org	(209) 892-6233
Josh Jantz	GDP Engineering	JOSHJANTZ@GDPENGR.COM	538-3360
Ron West	Planning Comm.	Ronwest.assoc@gmail.com	480-2513
KETH SCHEIDT	KEYSTON CORP.	KSCHEIDT@KSCDENVER.COM	(209) 521-9521
DAVE ROMANO	Newman-Romano	DAVE@NEWMAN-ROMANO.COM	2097650448
Donald Hess			209-535-1165
Jill Grossa	Landowner		209 505-9595
Hank Grossa	landowner	hankgrossa@gmail.com	
Monica DellaMassia	Public	monica.dellamassia@gmail.com	
DAVE APPELGATE	PERNNICKER CORP.	dave@pennick DAVE.APPELGATE@PERNNICKER.COM	
James Fairfield	landowner		
Bob Martin	SLDMWA	bob.martin@sldmwa.org	
KETH FICHTNER	REP FOR PATTERSON FROZEN FDS	KETH.FICHTNER@KINGMILLPROPERTIES.COM	
David Leaman	Stanislaus Co. PW	leaman@stanislauscounty.com	

THIS PAGE INTENTIONALLY LEFT BLANK

A.3 - Comments

THIS PAGE INTENTIONALLY LEFT BLANK

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DISTRICT 10 DIRECTOR
P.O. BOX 2048, STOCKTON, CA 95201
(1976 E. DR. MARTIN LUTHER KING JR. BOULEVARD 95205)
PHONE (209) 948-7943
FAX (209) 948-3895
TTY 711
www.dot.ca.gov



*Making Conservation
a California Way of Life.*

January 18, 2019

10-STA-33 PM-14.88
Zacharias Master Plan Project
Notice of Preparation
SCH# 2018122050

Mr. Joel Andrews
City Planner
City of Patterson
1 Plaza
Patterson, CA 95363

Dear Mr. Andrews:

Thank you for the opportunity to review the above-referenced document, the Zacharias Master Plan Project, State Clearinghouse No. 2018122050. The Department has the following comments:

This project may cause a significant impact to the State Highway System. A traffic impact study (TIS) is necessary to determine this proposed project's near-term and long-term impacts to State facilities – both existing and proposed – and to propose appropriate mitigation measures. The Department recommends that the study be prepared in accordance with the Caltrans Guide for the Preparation of Traffic Impact Studies. The Department is available to discuss assumptions, data requirements, study scenarios, and analysis methodologies prior to beginning the TIS. This will help ensure that a quality TIS is prepared. As part of the TIS submission to the Department, please provide, in an electronic format, the traffic microsimulation software files (both input and output) that will be used to develop the TIS. The Department requires this information to provide a complete review and further comment of the proposed project.

The TIS must include, but is not limited to, the following locations:

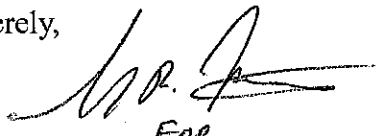
- All intersections between Zacharias Road and Sperry Avenue in the North/South direction along State Route 33 (SR33).
- Sperry Avenue interchange at Interstate 5 (I-5). On and offramps must be studied in both north- and southbound directions.
- All intersections along Sperry Avenue in the East/West direction from I-5 to SR33.

Mr. Andrews
January 18, 2019
Page 2

We suggest that the City continue to coordinate and consult with the Department to identify and address potential cumulative transportation impacts that may occur from developments near this geographical location. Please forward the final Conditions of Approval to the Caltrans District 10-Transportation Planning Division, Attention IGR Coordinator.

If you have any questions, please contact Steven Martinez at (209) 942-6092 (email: steven.r.martinez@dot.ca.gov) or me at (209) 941-1921. We look forward to continuing to work with you in a cooperative manner.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Dumas', with a stylized flourish at the end.

FOR
TOM DUMAS, Chief
Office of Metropolitan Planning



January 18, 2019

VIA EMAIL: JANDREWS@CI.PATTERSON.CA.US

Mr. Joel Andrews, City Planner
City of Patterson
1 Plaza
Patterson, CA 95363

Dear Mr. Andrews:

**NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR
THE ZACHARIAS MASTER PLAN PROJECT, SCH# 2018122052**

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation of an Environmental Impact Report for the Zacharias Master Plan (Project) submitted by the city of Patterson (City). The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description

The proposed project consists of the annexation of the project site into the city of Patterson and the development of residential, mixed use, commercial, industrial, school, parks, and open space uses guided by a Master Plan. The project site is broken down into three planning areas: East of Baldwin Road, West of Baldwin Road, and South of Baldwin Road. The site contains areas under Williamson Act contract and is classified by the Department of Conservation's Farmland Mapping and Monitoring program as Prime, Statewide Important Farmland, and/or Unique Farmland.¹

Department Comments

Although conversion of agricultural land is often an unavoidable impact under CEQA analysis, mitigation measures must be considered. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation under CEQA. Rather, the criterion is feasible mitigation that lessens a project's impacts.

¹ California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, California Important Farmland Finder, <https://maps.conservation.ca.gov/DLRP/CIFF/>, 2018

All mitigation measures that are potentially feasible should be considered. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements. Agricultural conservation easements are an available mitigation tool that the City could consider. As such, the Department advises the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline §15370. The Department highlights easements as a mitigation tool because of their acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because they follow an established rationale similar to that of wildlife habitat mitigation.

Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

Conclusion

The Department recommends the following discussion under the Agricultural Resources section of the Environmental Impact Report:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Compliance with LAFCO Agricultural Preservation Policy and City ordinance #743-Chapter 16.50 Agricultural Mitigation Policy
- Potential contract resolutions for land in an agricultural preserve and/or enrolled in a Williamson Act contract.
- Proposed mitigation measure for all impacted agricultural lands within the proposed project area.

The Department suggests that the applicant file for non-renewal of the current Williamson Act contracts, and wait until the contract's non-renewal status has ended and the contracts have expired before moving forward with the proposed development of the project. However, if the applicant wishes to proceed with the project before that time they may consider contract cancellation. Cancellation of the proposed project site would prevent the proposed use from conflicting with existing law. Please refer to our website for further information regarding contract non-renewal, cancellation, and other contract removal methods.²

² http://www.conservation.ca.gov/dlrp/wa/Pages/removing_contracts.aspx

Thank you for giving us the opportunity to comment on the Notice of Preparation of an Environmental Impact Report for the Zacharias Master Plan. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Environmental Planner at (916) 324-7347 or via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Monique Wilber". The signature is fluid and cursive, with a long horizontal stroke at the end.

Monique Wilber
Conservation Program Support Supervisor

THIS PAGE INTENTIONALLY LEFT BLANK



CHIEF EXECUTIVE OFFICE

Jody L. Hayes
Chief Executive Officer

Patricia Hill Thomas
Chief Operations Officer/
Assistant Executive Officer

Keith D. Boggs
Assistant Executive Officer

Patrice M. Dietrich
Assistant Executive Officer

STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

January 22, 2019

Joel Andrews, City Planner
City of Patterson
Community Development Department – Planning Division
1 Plaza
Patterson, CA 95363

SUBJECT: ENVIRONMENTAL REFERRAL – ENVIRONMENTAL REFERRAL – CITY OF PATTERSON – ZACHARIAS MASTER PLAN PROJECT – NOTICE OF PREPARATION

Mr. Andrews:

Thank you for the opportunity to review the Notice of Preparation of the above-referenced project.

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

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.

Agricultural Resources

The project area is located adjacent to land with an existing zoning for agricultural use. Please include in the project's environmental document how the City plans to ensure the future development will not impact the existing agriculture use through the use of agricultural buffers or other methods. To minimize impacts to agricultural resources, the environmental document should reflect how schools serving the new development will be accommodated within the boundaries of the project area.

ENVIRONMENTAL REFERRAL – ENVIRONMENTAL REFERRAL – CITY OF PATTERSON – ZACHARIAS MASTER PLAN PROJECT – NOTICE OF PREPARATION

January 22, 2019

Page 2

Hydrology and Water Quality

Please include the location and construction characteristics (total depth, screened interval and pump capacity in gallons per minute) of any new proposed well to be used to serve the annexation, and their proposed water demand calculations (including the basis for those numbers).

Recreation

The project's environmental document should study the project's impacts on existing neighborhood and regional parks and recreational facilities.

Transportation/Traffic

As shared in the Public Scoping meeting, the locally calibrated 3-county StanCOG traffic model will be utilized for this project that was developed by the Sperry Road/I-5 Interchange project.

Please be aware that since development of this model, some land uses have changed:

- The Diablo Grande Project located west of I-5 has reduced the number of lots to be built out.
- Several of the Diablo Grande trips on the 2014 model were erroneously loaded onto Del Puerto Canyon links.
- The Crows Landing Industrial Business Park (CLIBP) is approximately 5 miles south of the proposed project. Due to the large area and variety of uses of the proposed project, State Route 33 (SR33) from Fink Road to the City of Patterson and the intersection of Crows Landing Road/Fink Road/SR33 should be included in the study and the project's impacts to these facilities should be evaluated.

Additionally, due to the size of the proposed project and the density of residential units, the intersection of Grayson Road at SR33 should be studied as well. Without sufficient job centers, many of the residential uses will commute for work and the most likely route to commute to the Modesto urbanized area would utilize Grayson Road via State Route 33.

It was also noted that a future connection via Elfers Road to the southern area in the proposal is assumed, but the County does not have any current plans to extend Elfers Road to Baldwin Road, leaving the southern proposed area with a single point of ingress/egress via Baldwin Road.

In summary, please include the following to the proposed study locations for the project:

Intersections:

1. State Route 33 at Crows Landing Road/Fink Road
2. State Route 33 at Marshall Road

**ENVIRONMENTAL REFERRAL – ENVIRONMENTAL REFERRAL – CITY OF
PATTERSON – ZACHARIAS MASTER PLAN PROJECT – NOTICE OF PREPARATION
January 22, 2019**

Page 3

3. Marshall Road at Ward Avenue
4. State Route 33 at Grayson Road

Segments:

1. State Route 33 from Marshall Road to Crows Landing Road/Fink Road
2. State Route 33 from Rogers Road to Grayson Road

These new uses, at build out, will significantly increase the traffic in the region. In order to provide and maintain a transportation system throughout the County for the movement of people and good that also meets land use and safety needs for all modes of transportation, Stanislaus County's Environmental Review Committee suggests a fair share fee to be collected for the development and construction of the Zacharias Interchange with I-5.

The ERC appreciates the opportunity to comment on this project.

Sincerely,



Patrick Cavanah
Sr. Management Consultant
Environmental Review Committee

PC:ss

cc: ERC Members

THIS PAGE INTENTIONALLY LEFT BLANK

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013



January 24, 2019

Joel Andrews
City of Patterson
1 Plaza
Patterson, CA 95363

Re: Zacharias Master Plan
SCH 2018122052 — Notice of Preparation

Dear Mr. Andrews:

The California Public Utilities Commission (Commission/CPUC) has jurisdiction over rail crossings (crossings) in California. CPUC ensures that crossings are safely designed, constructed, and maintained. The Commission's Rail Crossings Engineering Branch (RCEB) is in receipt of the *Notice of Preparation (NOP)* for the proposed Zacharias Master Plan Project (Project). City of Patterson (City) is the lead agency.

The City proposes annexation of the project site in the City of Patterson and development of the Project site guided by the Master Plan. Within the Project site, the planning areas known as East of Baldwin Road and West of Baldwin Road encompass approximately 1227 acres and are bounded by Zacharias Road to the north, Rogers Road to the west, State Route 33 and Ward Avenue to the east, and existing residential and business park uses to the south. These planning areas are proposed to include approximately 5,000 dwelling units; 505,000 square feet of mixed-use space; 350,000 square feet of commercial space; 6,910,000 square feet of industrial space; as well as approximately 62 acres of schools, parks, and open space.

The Project site is adjacent to the Zacharias Road crossing (CPUC No 108BA-105.20, DOT No. 752504B) at the northeast corner. The crossing is currently Stop sign controlled in the eastbound direction. It is equipped with Commission Standard 1-R (crossbuck sign on post) warning devices on both eastbound and westbound approaches. The crossing is located approximately 60 feet from the intersection of Zacharias Road and State Route 33. The California Northern Railroad Company is the primary operating railroad. There are approximately 20 train movements per week through the crossing.

The proposed Project would significantly impact traffic through the Zacharias Road crossing. The Commission recommends that the City conduct a traffic study with attention to the Zacharias Road crossing. Based on the traffic impact studies, the Commission may recommend improvements to the crossing and/or the adjacent intersection. Crossing improvements may include addition of active warning devices, such as Commission Standard 8 (flashing light signal assembly) or Commission Standard 9 (flashing light signal assembly with automatic gate arm) warning devices. If the City plans to signalize the intersection, the Commission would have design recommendations as well. In addition, the Commission recommends that the City examine traffic impact on the State 33 crossing (CPUC No. 108BA-105.70, DOT 752503U) due to the Project.

Construction or modification of public crossings requires authorization from the Commission. RCEB representatives are available to discuss any potential safety impacts or concerns at crossings.

Joel Andrews
SCH 2018122052
January 24, 2019

Please continue to keep RCEB informed of the project's development. More information can be found at: <http://www.cpuc.ca.gov/crossings>.

If you have any questions, please contact Matt Cervantes at (213) 266-4716, or mci@cpuc.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Cervantes". The signature is fluid and cursive, with the first name "Matt" and last name "Cervantes" clearly distinguishable.

Matt Cervantes
Utilities Engineer
Rail Crossings Engineering Branch
Safety and Enforcement Division

CC: State Clearinghouse, state.clearinghouse@opr.ca.gov

January 18, 2019

City of Patterson community development department

Scope and content to be included in EIR

1. The EIR should give careful consideration to the sensitive issues involved when homes are built by existing agricultural developments. The Zacharias Master Plan outlines a jogging biking path starting by Auroa Park and traveling north along PID Lateral M. This infringes on our ability to farm: specifically spraying, cultivating the orchard which will create dust, rodent control, and bird control, and harvest activities which by nature create dust. Placement of the jogging path at this location will create an ongoing risk of litigation to anyone engaged in agricultural activities. Further this location is a poor choice as there is a lot of crime, gang activity (tagging of neighbor's fences). Also this location appears to be historically a location of choice for minors to drink, smoke pot, etc. For all of these reasons the jogging path must be moved.
2. Careful consideration must be given to how the traffic created by 5500 new homes will move. Ward Ave is already heavily impacted and can handle no additional traffic. Six existing schools are already located near and traffic to and from them dump onto Ward Ave. Kids are crossing Ward on a routine basis where there are no crosswalks. The existing situation is horrible and could not have been planned any worse. To funnel more traffic onto Ward Ave via Rose Ave or Ivy would be insane. Traffic created by the Zacharias Plan needs to empty onto Highway 33 as much of it is already 4 lane and can handle more traffic.
4. Further thought needs to be given to the impacts of more deep wells from this project and their negative impact on the surrounding water aquifers. This concept was raised by Vince from the Patterson Irrigation District during the January 17, 2019 public EIR meeting. His points are valid and merit careful consideration.
5. While traffic impacts on Ward Ave are serious and require careful consideration and mitigation the traffic impacts of 5500 new homes and trucks from industrial areas of the project will have an equally serious impact on the Patterson I 5 interchange.
6. The city already has a huge problem and does not seem to know or care how to get control of ongoing illegal loud fireworks and gunfire occurring on almost a daily basis. During holidays the illegal firework situation leads to clouds of smoke and the effect is like being in a war zone in a third world country. We have written countless letters to city authorities and have made numerous complaints to police services with no results. No person of authority seems to care and seem to be annoyed that we even call to complain. Nothing is ever done. Why can't the planning process address this by imposing big fines and actually prosecuting offenders. I am certain that the fines generated would pay for the additional enforcement necessary. I am tired of living in the middle of "chaos" and to build 5500 homes without addressing this issue is also insane.
7. This EIR needs to be based on all of the points brought up here and those brought up during the meetings by the citizens of Patterson that have voiced their concern. Many of those who have raised their concerns are those who have supported this community for many decades. I would only pray that this EIR would consider every question raised so far. All raised concerns have been relevant and will affect the future of Patterson (although the thought was raised at the January 17 meeting by a Patterson Planner that we are all a bunch of "whiners"). These types of comments are sad and this type of thinking probably is one of the reasons that Patterson has been historically so horribly PLANNED! TO DO AN EIR BASED ON PARAMETERS NOT BASED ON ALL OF THE CONCERNS RAISED WILL ONLY CONCLUDE IN AN EIR FAVORING DEVELOPERS. THIS TYPE OF THOUGHT PROCESS IS FLAWED FROM INCEPTION AND IS NOT IN THE BEST INTERESTS OF THE COMMUNITY. WE WILL HAVE TO LIVE WITH THE PRODUCTS OF THE PLAN AND EIR AND I WOULD ONLY EXPECT TO HAVE AN EXCELLENT OUTCOME AND NOT THE TYPES OF OUTCOMES WE HAVE HISTORICALLY HAD.

8. submitted by Henry and Jill Gnesa

From: [Joel Andrews](#)
To: [Grant Gruber \(ggruber@fcs-intl.com\)](#); [Scott Davidson \(scott@d@migcom.com\)](#); [Tricia Stevens \(tstevens@migcom.com\)](#)
Cc: [Denise Melo](#); [Lisa Ochoa](#)
Subject: FW: Zacharias Master Plan
Date: Tuesday, January 22, 2019 8:28:06 AM

Donald Hess comments

Joel Andrews
City Planner
City of Patterson
PO Box 667
Patterson, CA 95363
(209) 895-8024

From: Donald Hess [mailto:dghess52@comcast.net]
Sent: Thursday, January 17, 2019 6:05 PM
To: Joel Andrews
Subject: Zacharias Master Plan

Hi Mr. Andrews, I attended the meeting on the 17th of January. I was very impressed with the amount of work that went into this project. I have several concerns.

First, I have lived in Patterson for over thirty years. Back then Sperry Rd (like Zacharias Rd) was a two lane country road. Now where I live, east of the intersection of Las Palmas and Sperry, this East West road has become a major thoroughfare for truckers, that go to and from the warehouses, and or I-5 or 99. It is also a major commuter road that goes on 24 7. This two lane road was not designed for this purpose. Please do not repeat the mistake of Sperry Rd onto Zacharias Rd. The proposed plan needs to have roads like the Kiernan Rd in north Modesto for ease of traffic.

Second, Ward Avenue is and will become the North South road for access to the schools and the Zacharias build out. The city is planning on developing the vacant land west of the High School for various community services. This will further load up Ward. How is that going to affect the Master Plan on Zacharias.

Third, even though we are getting lots of rain in 2019, access to water year round is critical. This will affect this Plan. Conversely, the sewage generated by an additional 25000 people needs to be planned for.

Fourth, we never had a chance to discuss the community being built on South Baldwin by the City Yard. Was that a slight of hand or did time run out?

Thanks, Donald Hess
dghess52@comcast.net

Sent from [Mail](#) for Windows 10

January 22, 2019

Joel Andrews, City Planner
City of Patterson Community Development Dept
PO Box 667
Patterson, CA 95363

**SUBJECT: NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT
FOR THE ZACHARIAS MASTER PLAN**

Dear Mr. Andrews:

Thank you for the opportunity to review the Notice of Preparation (NOP) for the City's preparation of a draft Environmental Impact Report (EIR) for the proposed Zacharias Master Plan project. The proposal includes a large-scale annexation of nearly 1,300 acres and a corresponding sphere of influence expansion of approximately 1,150 acres. As Lead Agency, the City of Patterson is responsible for considering the effects, both individual and collective, of all activities involved in the project (Public Resources Code §21102.1). LAFCO, as a Responsible Agency, will utilize the CEQA documents prepared by the City in reviewing the subject proposal.

Among the purposes of LAFCO are discouraging urban sprawl, preserving open space and agricultural lands, encouraging the efficient provision of services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances (Government Code section 56301). The Commission has adopted local policies and findings related to these purposes. The following summarizes some of these policies, as well as information the Commission will need in order to make determinations related to the project:

1. Sphere of Influence Policies – A sphere of influence (SOI) is intended to be a plan for the long-term, orderly growth of an agency, as determined by the Commission. Stanislaus LAFCO's policies describe a sphere of influence as "the area around a local agency within which territory is eligible for annexation and the extension of urban services within a twenty year period." The policies further identify a "primary area of influence," representing a short-term growth area within a city's SOI. Lands within the primary area are eligible for annexation and extension of urban services within a zero to ten year period. The territory between an adopted primary area and sphere of influence is considered a transition area, anticipated to need services within ten to twenty years.

The City should identify how the proposal relates to its long-term growth planning and the policies and timeframes for a sphere of influence. Proposed phasing strategies should also be identified.

2. City-County Meeting and Agreement – An expansion of the sphere of influence requires the City of Patterson to meet with the County to discuss the proposed sphere of influence and explore methods to reach agreement on its boundaries, development standards, and zoning requirements within the sphere. If an agreement is reached,

LAFCO will give great weight to the agreement during the consideration of any proposed sphere of influence. If no agreement is reached, an application may be submitted and the Commission shall consider a sphere of influence for the City consistent with the policies adopted by the Commission.

3. Agricultural Resources – The majority of the acreage in the 1,300-acre proposal is considered prime farmland. One of LAFCO's main charges, as set forth by the Legislature, is to protect and promote agriculture. The Commission's Agricultural Preservation Policy will require the City to prepare a Plan for Agricultural Preservation ("Plan"). The Plan must include information such as the proposal's direct and indirect impacts to agricultural resources, the availability of other lands in the City's existing boundaries, and relevant General Plan policies. The Plan must also specify the method or strategy proposed to minimize the loss of agricultural lands. The information provided in the Plan should be consistent with the environmental documentation prepared by the City.
4. 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. As part of the City's Plan for Agricultural Preservation, the City must demonstrate that there is insufficient alternative land available within the existing sphere of influence or boundaries of the agency. LAFCO's policies state that sphere amendments will not be approved if there is sufficient alternative land available within the existing SOI. Likewise, annexations will not be approved unless development is shown to be imminent. Since 2005, the City has annexed nearly 3,000 acres for industrial, business park, and residential uses. A vacant land inventory and absorption study is requested in order to demonstrate the City's need for the current proposal.
5. Williamson Act Lands - The proposed Master Plan area includes lands with active Williamson Act Contracts. The Williamson Act is considered a mechanism to preserve agricultural land both in the short and long term. Government Code §56856.5 prohibits the Commission from approving an annexation that contains Williamson Act lands unless it makes specific findings. The EIR should discuss the location of these lands as it relates to general plan policies, development, and financing scenarios that would preserve the agricultural viability of this land for as long as possible.

LAFCO's SOI policies state that territory not in need of urban services, including open space, agriculture, non-contested, or contested and not upheld Williamson Act contracted lands, shall not be assigned to an agency's sphere of influence, unless the area's exclusion would impede the planned orderly and efficient development of this area.

6. Public Services and Facilities – 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 Section 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.

The proposed Sphere of Influence expansion will also necessitate an update to the City's Municipal Service Review, a document discussing the City's ability to provide services to both its existing and proposed boundaries. Information contained in the

updated Municipal Service Review will rely heavily on the City's utilities master plans and General Plan for the area.

7. Groundwater Impacts – The City relies on groundwater as its sole source of drinking water. Documents prepared for the City's previous annexation cautioned that a sustainable or safe yield for groundwater had not been determined and that increased urbanization will have a negative impact on groundwater in the upper aquifer that is susceptible to long-term declines. The City's prior Water Supply Assessment also stated that the City was investigating other water supply options including non-potable/recycled water, ratification recharge and surface water recharge although it is unknown how and when these may be implemented. Environmental documentation for the current proposal should include updated information regarding the impacts to groundwater in the area, including the state of the upper and lower aquifers, water quality, sustainability, as well as compliance with Sustainable Groundwater Management Act (SGMA).
8. Logical Boundaries - Commission policy encourages creation of logical boundaries and proposals which do not create islands, corridors, or other distortion of existing boundaries. Annexation proposals shall show that a planned, orderly, and compact urban development pattern will result. The City's intent regarding the southerly annexation area (approximately 68+/- acres) should be clarified. The extension of the City's boundary in this area may be considered illogical and growth-inducing, as it would in a residential subdivision surrounded on three sides by unincorporated County area.
9. Impacts to Special Districts – The proposed territory is located within the boundaries of the Del Puerto Water District, West Stanislaus Irrigation District, Patterson Irrigation District and the West Stanislaus Fire Protection District. Commission policies recognize that city Spheres of Influence generally take precedence over these district spheres. The environmental analysis should identify whether or not the City intends to detach the territory from these districts and include a discussion of any impacts as a result. The area is also within the boundary of the Del Puerto Healthcare District and would remain in the District following annexation. Pursuant to LAFCO policy, the Commission will deny proposals that would result in significant unmitigable adverse effects upon other service recipients or other agencies servicing the affected area unless the approval is conditioned to avoid such impacts. The City is encouraged to consult with each of these Districts to resolve any identified concerns prior to application to LAFCO.

While the NOP is limited in its details about the project, LAFCO Staff has provided this response for the City's use in the development of an environmental impact report and other studies that will assist in LAFCO's review of the project. If you have any questions regarding these comments, please contact our office at (209) 525-7660.

Sincerely,



Sara Lytle-Pinhey
Executive Officer

cc: LAFCO Commissioners
Robert J. Taro, LAFCO Counsel

THIS PAGE INTENTIONALLY LEFT BLANK

NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>
Twitter: @CA_NAHC



December 27, 2018

Joel Andrews
City of Patterson
1 Plaza
Patterson, CA 95363

RE: SCH# 2018122052 Zacharias Master Plan, Stanislaus County

Dear Mr. Andrews:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

RECEIVED

JAN 03 2019

CDD / PLANNING DIVISION
BY: 

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Sharaya.Souza@nahc.ca.gov.

Sincerely,



for
Sharaya Souza
Staff Services Analyst

cc: State Clearinghouse

THIS PAGE INTENTIONALLY LEFT BLANK

January 21, 2019

VIA EMAIL

Mr. Joel Andrews
City Planner
City of Patterson
Community Development Department
Post Office Box 667
Patterson, CA 95363
jandrews@ci.patterson.ca.us

Re: Zacharias Master Plan – Notice of Preparation

Dear Mr. Andrews:

The Patterson Irrigation District (**District**) has reviewed the Notice of Preparation (**NOP**) of an Environmental Impact Report (**EIR**) for the Zacharias Master Plan (**Project**) and, on behalf of the District, I provide these comments to the NOP.

Groundwater

The Project site encompasses approximately 1,226.9 acres for the development of residential, mixed use, commercial, industrial, school, parks, and open space uses which would rely solely on groundwater drawn from the Delta-Mendota Subbasin. The State has identified the Delta-Mendota Subbasin (**Basin**) as a high-priority, critically-overdrafted Subbasin. Pursuant to the Sustainable Groundwater Management Act (**SGMA**), Groundwater Sustainability Agencies (**GSA**) within the Subbasin must adopt Groundwater Sustainability Plans (**GSP**) no later than January 1, 2020, and the Subbasin must be determined to be sustainable by the State no later than 2040.

The City of Patterson (**City**) currently obtains all of its water from the Basin. Because the Basin is critically overdrafted, the City's current groundwater usage is not sustainable. The Project will impose additional demands on the Basin. The City should not be expanding development, such as that set forth in the Project, without obtaining sources of surface water supply. The Project area currently receives surface water supplies that provide a source of groundwater recharge. The Project would eliminate surface water use and recharge, and rely exclusively on groundwater with reduced opportunities for recharge. Accordingly, the EIR for the Project should address the following issues:

1. The EIR should include groundwater modeling prepared to evaluate potential impacts to groundwater levels and groundwater quality associated with the Project, and the EIR should compile, review, evaluate, and update where needed, the available information on present and projected ground water levels. Effects on the ground water basin due to climate change-related precipitation and runoff changes should also be addressed.

2. The EIR should evaluate the impact of increased groundwater pumping from the Project on subsidence.

3. What are the impacts to the surface-groundwater interactions for the Project area/site? Will the impacts be within the management criteria for SGMA?

4. Any existing CEQA documents prepared for any new wells that will serve the project should be re-evaluated in the EIR to evaluate regional impacts.

5. The EIR should address the Project's impacts on chronic Lowering of groundwater levels, the potential impact on surrounding private and public wells, as well as the economic impact on existing agricultural and private wells due to increased pumping cost associated lowering groundwater levels.

6. The EIR should address the Project's impacts on reduction in groundwater storage in the basin.

7. The EIR should address the Project's impacts on groundwater quality, and the relationship between increased groundwater use and decline in key water quality parameters (nitrates, salts, hexavalent, chromium, selenium, boron, arsenic, etc.).

8. The EIR should address the Project's impacts on the depletion of interconnected surface water, including the loss of interconnections with surface water impacting current water rights, and the impacts to groundwater dependent ecosystems (GDEs) due to declining groundwater levels.

Public Services

The District has irrigation service and drainage facilities within the Project area that must be properly identified and evaluated in the EIR. The EIR must determine and evaluate the impact of the project on any District facilities, the ability for these facilities to continue to properly function, and consideration of irrigation, drainage, and flooding issues that may be caused by the Project.

Agriculture

1. The Project proposes to remove 1,226.9 acres of farmland, which currently receives surface water that serves as a source of groundwater recharge, and convert the land use to residential development that will rely exclusively on groundwater with reduced ability to recharge resulting from development.

2. The Project area is currently dedicated to agricultural land uses. The EIR should discuss the overall impact of the Project on agricultural resources, as well as quantify the potential

Mr. Joel Andrews
January 21, 2019
Page 3 of 3

temporary or permanent loss of designated farmland and Williamson Act contracts that could result from the Project.

We appreciate the opportunity to comment on the referenced NOP. Questions regarding this letter and further coordination on these issues should be directed to Vince Lucchesi, General Manager, at (209) 892-6233 or by email at vlucchesi@pattersonid.org.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeanne Zolezzi". The signature is written in a cursive, flowing style.

JEANNE M. ZOLEZZI
Attorney-at-Law

cc: Mr. Vincent Lucchesi
Mr. Robert Pierce

THIS PAGE INTENTIONALLY LEFT BLANK



RECEIVED

Central Valley Regional Water Quality Control Board

JAN 17 2019

15 January 2019

CDD / PLANNING DIVISION BY: [Signature]

Joel Andrews
City of Patterson
1 Plaza
Patterson, CA 95363

CERTIFIED MAIL
7018 1830 0001 0062 6689

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, ZACHARIAS MASTER PLAN PROJECT, SCH#2018122052, STANISLAUS COUNTY

Pursuant to the State Clearinghouse's 21 December 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Notice of Preparation for the Draft Environmental Impact Report for the Zacharias Master Plan Project, located in Stanislaus County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agriculture, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: https://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 11-100 acres are currently \$1,277 + \$8.53/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order.

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
<https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.



Jordan Hensley
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

From: [Joel Andrews](#)
To: [Grant Gruber \(ggruber@fcs-intl.com\)](mailto:ggruber@fcs-intl.com); [Scott Davidson \(scottd@migcom.com\)](mailto:scottd@migcom.com); [Tricia Stevens \(tstevens@migcom.com\)](mailto:tstevens@migcom.com)
Cc: [Lisa Ochoa](#)
Subject: FW: EIR Scoping Inputs
Date: Tuesday, January 22, 2019 5:07:42 PM

Joel Andrews
City Planner
City of Patterson
PO Box 667
Patterson, CA 95363
(209) 895-8024

From: Phil Sarasqueta [mailto:philsarasqueta@yahoo.com]
Sent: Tuesday, January 22, 2019 4:27 PM
To: Joel Andrews; planning
Subject: EIR Scoping Inputs

Northwest Territories EIR Scoping Inputs

1-22-2019

Joel Andrews
Patterson City Planner

Joel,

Per the instructions given at the 1-17-2019 EIR Scoping meeting at Patterson City Hall, please find attached my inputs as to some of the issues brought up at the meeting plus others that have come up since.

As the Sarasqueta family owns property in the area that was originally designated as the Northwest Territories (East of P.I.D. Lateral M, North of Salado Creek, South of Zacharias Road and West of Ward Avenue and the railroad right of way), I'll concentrate most of my concerns to that area. I will refer to the area as the **Original Northwest Territories**, a name given to it in

early development Newspaper articles and early Patterson planning documents going back decades and prior to the inclusion of the areas West of P.I.D. Lateral M.

Well Water:

Please include the effect of the development on current domestic and agricultural wells serving not only the areas currently within the annexation area, but those served by the Patterson Irrigation District and West Stanislaus Irrigation District.

Will this annexation potentially degrade those resources?

Flooding:

P.I.D. Lateral M has acted as a defacto flood barrier and diversion channel for the areas East of P.I.D. Lateral M in the area bounded by Ward Avenue, Lateral M, Salado Creek, the elevated railroad bed and Zacharias Road since it was built in the early 1900's.

Flood water diverted ends up in Del Puerto Creek. Since City planners and developers have suggested that Lateral M will likely be "under grounded", please include that possibility, impacts and mitigations in your report.

Right to Farm:

Many of the land parcels In the **Original Northwest Territories** are being farmed in almonds and other crops. Many of the owners of these parcels have expressed the view that annexation and development of the farmland West of Lateral M prior the development of the properties in the **Original Northwest Territories** will seriously damage farming opportunities East of Lateral M due to:

1. Potential loss of access to P.I.D. water and rights to that water.
2. Loss of the ability to make judicious and timely pesticide applications.
3. Restrictions on when potentially noisy or dusty normal

- farming activities take place.
4. The proposed footpath along the likely "under grounded" without a fence greatly increases the likelihood of illegal trespass, theft of farm product, theft of farm equipment, vandalism and damage to the crops and soil (ruts) from unauthorized vehicle trespass, especially in the winter months and during Irrigation.
 5. Increased farm equipment/traffic conflicts if Ivy, Rose or future streets are connected to the **Original Northwest Territories** as a means to access Ward Avenue or Hwy 33. This is a serious potential safety issue particularly since poor previous planning and siting resulted in so many schools impacting traffic on Ward Avenue just South of Rose avenue. Using Ivy or Ward to provide access for thousands of housing units to the 7 schools served directly or by Ward avenue
 6. Increased litigation potential associated with items 2 through 5 above.

Please consider these issues and the others aired during the other meetings on the annexation in the EIR.

Phil Sarasqueta
Sarasqueta Properties Spokesman
philsarasqueta@yahoo.com
208-731-5362

Phil Sarasqueta
1205 Galena Dr.
Twin Falls, ID 83301
208-731-5362

Sent from my iPhone

THIS PAGE INTENTIONALLY LEFT BLANK



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

Notice of Preparation

December 21, 2018

To: Reviewing Agencies
Re: Zacharias Master Plan
SCH# 2018122052

Attached for your review and comment is the Notice of Preparation (NOP) for the Zacharias Master Plan draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Joel Andrews
City of Patterson
1 Plaza
Patterson, CA 95363**

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

RECEIVED

JAN 03 2019

CDD / PLANNING DIVISION
BY:

**Document Details Report
State Clearinghouse Data Base**

SCH# 2018122052
Project Title Zacharias Master Plan
Lead Agency Patterson, City of

Type NOP Notice of Preparation
Description The proposed project consists of the annexation of the project site into the City of Patterson and the development of residential, mixed use, commercial, industrial, school, parks, and open space uses guided by a Master Plan. The buildout potential of the Master Plan is 5,481 dwelling units, 505,000 square feet of mixed use, 350,000 square feet of commercial uses, 6,910,000 square foot of industrial uses, 50.24 acres of parks, 29.17 acres of open space, and a 14.74-acre school site.

Lead Agency Contact

Name Joel Andrews
Agency City of Patterson
Phone (209) 895-8020 **Fax**
email
Address 1 Plaza
City Patterson **State** CA **Zip** 95363

Project Location

County Stanislaus
City Patterson
Region
Cross Streets Baldwin Road and Zacharias Road
Lat / Long 37° 29' 0" N / 121° 9' 0" W
Parcel No.
Township 5S **Range** 7E **Section** 23,24 **Base** MDBM

Proximity to:

Highways 33
Airports
Railways CA Northern
Waterways Del Puerto Creek; Salado Creek
Schools Patterson Unified
Land Use Agriculture/"AG"/"AG"

Project Issues

Reviewing Agencies Resources Agency; Department of Conservation; Cal Fire; Central Valley Flood Protection Board; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 4; California Department of Education; Office of Emergency Services, California; Department of Housing and Community Development; Delta Protection Commission; Delta Stewardship Council; Native American Heritage Commission; Public Utilities Commission; California Highway Patrol; Caltrans, District 10; Air Resources Board; State Water Resources Control Board, Division of Drinking Water; Department of Toxic Substances Control; Regional Water Quality Control Bd., Region 5 (Sacramento)

Date Received 12/21/2018 **Start of Review** 12/21/2018 **End of Review** 01/22/2019

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

2018 122052

Project Title: Zacharias Master Plan

Lead Agency: City of Patterson Contact Person: Joel Andrews
Mailing Address: 1 Plaza Phone: (209) 895-8020
City: Patterson Zip: 95363 County: Stanislaus

Project Location: County: Stanislaus City/Nearest Community: Patterson
Cross Streets: Baldwin Road / Zacharias Road Zip Code: 95363
Longitude/Latitude (degrees, minutes and seconds): 37 ° 29 ' 0 " N / 121 ° 9 ' 0 " W Total Acres: 1,295
Assessor's Parcel No.: _____ Section: 23, 24 Twp.: 5 S Range: 7 E Base: MDBM
Within 2 Miles: State Hwy #: 33 Waterways: Del Puerto Creek; Salado Creek
Airports: _____ Railways: California Northern Schools: Patterson Unified

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: _____

Governor's Office of Planning & Research

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone **DEC 21 2018** Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Local EIR Other: _____

Development Type:

Residential: Units 5481 Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. 350 K Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. 6.9 M Acres _____ Employees _____ Power: Type _____ MW _____
 Educational: 14.74 acre school site Waste Treatment: Type _____ MGD _____
 Recreational: 50.24 acres parks; 29.17 acres open space Hazardous Waste: Type _____
 Water Facilities: Type _____ MGD Other: Mixed Use - 505K square feet

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:

Agriculture / "Agriculture" / "Agriculture"

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

The proposed project consists of the annexation of the project site into the City of Patterson and the development of residential, mixed use, commercial, industrial, school, parks, and open space uses guided by a Master Plan. The buildout potential of the Master Plan is 5,481 dwelling units, 505,000 square feet of mixed use, 350,000 square feet of commercial uses, 6,910,000 square feet of industrial uses, 50.24 acres of parks, 29.17 acres of open space, and a 14.74-acre school site.

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.

<input checked="" type="checkbox"/> <u>Resources Agency</u>	<input checked="" type="checkbox"/> <u>Native American Heritage Comm.</u>	<input checked="" type="checkbox"/> <u>Caltrans, District 9</u>	<input checked="" type="checkbox"/> <u>Regional Water Quality Control Board (RWQCB)</u>
<input checked="" type="checkbox"/> Resources Agency Nadell Gayou	<input checked="" type="checkbox"/> Debbie Treadway	<input checked="" type="checkbox"/> Gayle Rosander	<input checked="" type="checkbox"/> RWQCB 1 Cathleen Hudson North Coast Region (1)
<input type="checkbox"/> <u>Dept. of Boating & Waterways</u>	<input checked="" type="checkbox"/> <u>Public Utilities Commission</u>	<input checked="" type="checkbox"/> Tom Dumas	<input type="checkbox"/> RWQCB 2 Environmental Document Coordinator San Francisco Bay Region (2)
<input type="checkbox"/> Denise Peterson	<input type="checkbox"/> Supervisor	<input type="checkbox"/> Jacob Armstrong	<input type="checkbox"/> RWQCB 3 Central Coast Region (3)
<input type="checkbox"/> <u>California Coastal Commission</u>	<input type="checkbox"/> <u>Santa Monica Bay Restoration</u>	<input type="checkbox"/> Maureen El Harake	<input type="checkbox"/> RWQCB 4 Teresa Rodgers Los Angeles Region (4)
<input type="checkbox"/> Allyson Hitt	<input type="checkbox"/> Guanyu Wang		<input checked="" type="checkbox"/> RWQCB 5S Central Valley Region (5)
<input type="checkbox"/> <u>Colorado River Board</u>	<input type="checkbox"/> <u>State Lands Commission</u>		<input type="checkbox"/> RWQCB 5F Central Valley Region (5) Fresno Branch Office
<input type="checkbox"/> Elsa Contreras	<input type="checkbox"/> Jennifer Deleong		<input type="checkbox"/> RWQCB 6 Lahontan Region (6)
<input checked="" type="checkbox"/> <u>Dept. of Conservation</u>	<input type="checkbox"/> <u>Tahoe Regional Planning Agency (TRPA)</u>	<input type="checkbox"/> <u>Air Resources Board</u>	<input type="checkbox"/> RWQCB 6V Lahontan Region (6) Victorville Branch Office
<input checked="" type="checkbox"/> Crina Chan	<input type="checkbox"/> Cherry Jacques	<input checked="" type="checkbox"/> Jack Wursten	<input type="checkbox"/> RWQCB 7 Colorado River Basin Region (7)
<input checked="" type="checkbox"/> <u>Cal Fire</u>	<input type="checkbox"/> <u>Cal State Transportation Agency CalSTA</u>	<input type="checkbox"/> <u>Airport & Freight</u>	<input type="checkbox"/> RWQCB 8 Santa Ana Region (8)
<input checked="" type="checkbox"/> Dan Foster	<input type="checkbox"/> <u>Caltrans - Division of Aeronautics</u>	<input type="checkbox"/> Nesamani Kalandiyur	<input type="checkbox"/> RWQCB 9 San Diego Region (9)
<input checked="" type="checkbox"/> <u>Central Valley Flood Protection Board</u>	<input type="checkbox"/> Philip Crimmins	<input type="checkbox"/> <u>Industrial/Energy Projects</u>	
<input type="checkbox"/> James Herota	<input type="checkbox"/> Lesley Taylor	<input type="checkbox"/> Mike Tollstrup	
<input type="checkbox"/> <u>Office of Historic Preservation</u>	<input type="checkbox"/> <u>California Department of Education</u>	<input type="checkbox"/> <u>Transportation Projects</u>	
<input type="checkbox"/> Ron Parsons	<input type="checkbox"/> Sandra Schubert	<input type="checkbox"/> <u>Nesamani Kalandiyur</u>	
<input type="checkbox"/> <u>Dept of Parks & Recreation</u>	<input checked="" type="checkbox"/> <u>Food & Agriculture</u>	<input type="checkbox"/> <u>Industrial/Energy Projects</u>	
<input type="checkbox"/> Environmental Stewardship Section	<input type="checkbox"/> Steve Goldbeck	<input type="checkbox"/> <u>Mike Tollstrup</u>	
<input type="checkbox"/> <u>S.F. Bay Conservation & Dev't. Comm.</u>	<input type="checkbox"/> <u>Dept. of Food and Agriculture</u>	<input type="checkbox"/> <u>California Department of Resources, Recycling & Recovery</u>	
<input type="checkbox"/> Steve Goldbeck	<input type="checkbox"/> <u>Dept. of General Services</u>	<input type="checkbox"/> Kevin Taylor/Jeff Esquivel	
<input checked="" type="checkbox"/> <u>Dept. of Water Resources</u>	<input type="checkbox"/> Cathy Buck	<input type="checkbox"/> <u>State Water Resources Control Board</u>	
<input type="checkbox"/> Resources Agency	<input type="checkbox"/> Environmental Services Section	<input type="checkbox"/> Regional Programs Unit	
<input type="checkbox"/> Nadell Gayou	<input type="checkbox"/> <u>Housing & Comm. Dev.</u>	<input type="checkbox"/> Division of Financial Assistance	
<input type="checkbox"/> <u>Fish and Game</u>	<input checked="" type="checkbox"/> <u>CEQA Coordinator</u>	<input type="checkbox"/> <u>State Water Resources Control Board</u>	
<input type="checkbox"/> <u>Dept. of Fish & Wildlife</u>	<input type="checkbox"/> Housing Policy Division	<input type="checkbox"/> Div. Drinking Water #	
<input type="checkbox"/> Scott Flint	<input type="checkbox"/> <u>Independent Commissions, Boards</u>	<input type="checkbox"/> <u>State Water Resources Control Board</u>	
<input type="checkbox"/> Environmental Services Division	<input checked="" type="checkbox"/> <u>Delta Protection Commission</u>	<input type="checkbox"/> Student Intern, 401 Water Quality Certification Unit	
<input type="checkbox"/> <u>Fish & Wildlife Region 1</u>	<input type="checkbox"/> Erik Vink	<input type="checkbox"/> Division of Water Quality	
<input type="checkbox"/> Curt Babcock	<input checked="" type="checkbox"/> <u>Delta Stewardship Council</u>	<input type="checkbox"/> <u>State Water Resources Control Board</u>	
<input type="checkbox"/> <u>Fish & Wildlife Region 1E</u>	<input type="checkbox"/> Anthony Navasero	<input type="checkbox"/> Phil Crader	
<input type="checkbox"/> Laurie Harnsberger	<input type="checkbox"/> <u>California Energy Commission</u>	<input type="checkbox"/> Division of Water Rights	
<input type="checkbox"/> <u>Fish & Wildlife Region 2</u>	<input type="checkbox"/> Eric Knight	<input type="checkbox"/> <u>Dept. of Toxic Substances Control Reg. #</u>	
<input type="checkbox"/> Jeff Drongesen	<input type="checkbox"/> <u>California Energy Commission</u>	<input type="checkbox"/> CEQA Tracking Center	
<input type="checkbox"/> <u>Fish & Wildlife Region 3</u>	<input type="checkbox"/> <u>California Energy Commission</u>	<input type="checkbox"/> <u>Department of Pesticide Regulation</u>	
<input type="checkbox"/> Craig Weightman	<input type="checkbox"/> Eric Knight	<input type="checkbox"/> CERMA Coordinator	
			<input type="checkbox"/> <u>Other</u>



January 22, 2019

Mr. Joel Andrews
City Planner
City of Patterson
Community Development Department
1 Plaza
Patterson, CA 95363

Dear Mr. Joel Andrews:

This letter is in response to the Notice of Preparation of the Environmental Impact Report (EIR) for the Zacharias Master Plan Project (Project). The San Luis & Delta-Mendota Water Authority (SLDMWA) operates and maintains the Delta-Mendota Canal (DMC) under a transfer agreement with the United States Bureau of Reclamation (USBR). While the USBR owns the canal, it is the responsibility of the SLDMWA to ensure that any surrounding infrastructure improvements and/or development activities will not have a negative impact on our ability to operate and maintain the canal. Because a portion of this planned expansion project is located adjacent to one side of the Delta-Mendota Canal, we have comments to be considered. We are aware that this project is still in the preliminary phase, and would like the opportunity to provide comments to the EIR as well as all construction plans/phases. Below is a list of issues that may be of concern to us that we would like considered throughout the design process:

- No use of the DMC right-of-way will be allowed.
- All storm drainage shall be conveyed away from the DMC right-of-way.
- Right of way boundaries shall be designed to protect the DMC from trespassers and vandalism. Proper fencing to be installed and maintained by the new development.
- The impact of subsidence on the DMC as a result of your Projects dependence on groundwater as your water supply must be properly addressed in the EIR. The attached graph provides information on the amount of subsidence that has occurred on the DMC near the City of Patterson since 2014. The graph indicates that more than 6-inches (0.5 feet) of subsidence has occurred on the DMC between milepost 39.21 (Rogers Road) and milepost 43.24 (Marshall Road). This amount of

15990 KELSO ROAD

BYRON, CA

94514

209 832-6200

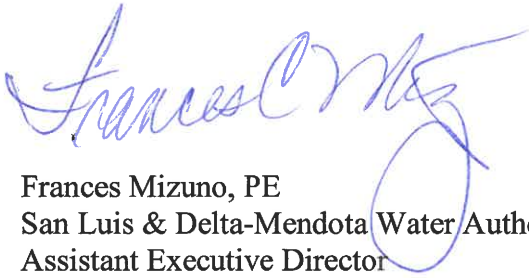
209 833-1034 FAX

- subsidence is significant and it is directly related to the amount of groundwater pumping that has occurred in the Patterson area.

The possibility of utilizing the DMC to receive surface water via a new turnout should be explored to reduce groundwater dependence. Requests for new turnouts are reviewed and approved through the USBR.

Any questions for the San Luis & Delta-Mendota Water Authority can be sent to the Planning & Engineering Department at 15990 Kelso Rd, Byron, CA 94514. If you should have any questions, please don't hesitate to contact Jaime McNeil of my staff at (209) 832-6221.

Sincerely,

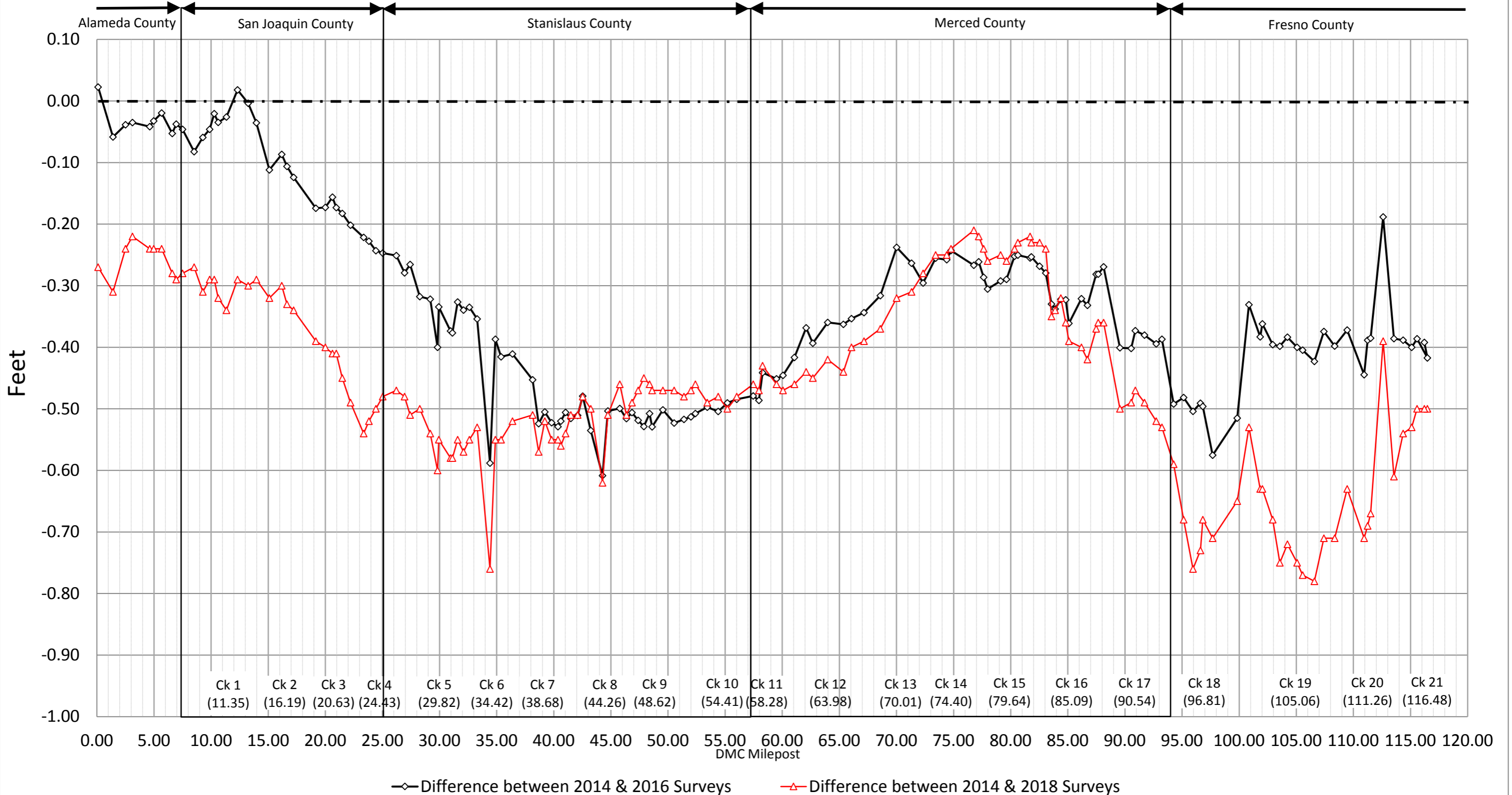


Frances Mizuno, PE
San Luis & Delta-Mendota Water Authority
Assistant Executive Director
15990 Kelso Road
Byron, CA 94514

Enclosure

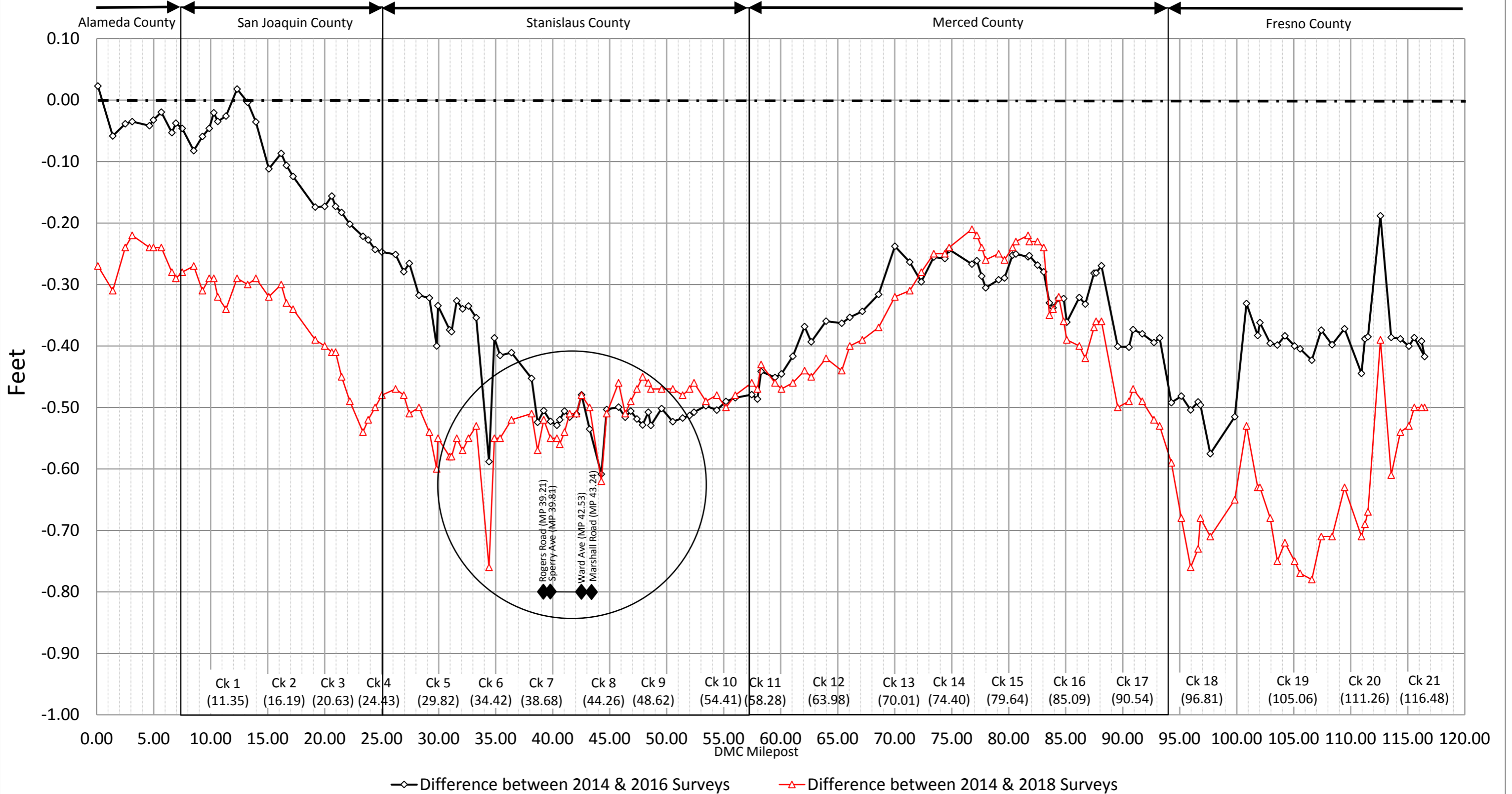
Delta-Mendota Canal

Elevation Differences between 2014, 2016 & 2018 Subsidence Surveys



Delta-Mendota Canal

Elevation Differences between 2014, 2016 & 2018 Subsidence Surveys





January 16, 2019

City of Patterson
Planning Division
Attn: Joel Andrews
1 Plaza
Patterson, CA 95363

RE: Notice of Preparation - Zacharias Master Plan

Dear Mr. Andrews:

The Turlock Irrigation District (District) acknowledges the opportunity to review and comment on the referenced project. District standards require development occurring within the District's boundary that impacts irrigation and electric facilities, to meet the District's requirements.

The District has nothing specific to add with respect to the CEQA process and preparation of the EIR. Furthermore, the District has no comments concerning irrigation facilities on the above referenced project, as it is not within the District's irrigation service area.

As noted in the NOP documentation, the District is the electric service provider for the master plan area. Ultimately, prior to development, the District shall review and approve each individual project within the master plan area to ensure compliance with District standards and electric service rules.

If you have any questions concerning irrigation system requirements, please contact me at (209) 883-8367. Questions regarding electric utility requirements should be directed to David Porath at (209) 883-8659.

Sincerely,

Todd Troglin
Supervising Engineering Technician, Civil
CF: 2019001

RECEIVED

JAN 19 2019

CDD / PLANNING DIVISION
BY: _____

THIS PAGE INTENTIONALLY LEFT BLANK

Barbara Vega
730 Rose Avenue
Patterson, CA 95363
(209) 607-3886

January 7, 2019

City of Patterson - Community Development Department
1 Plaza, P.O. Box 667
Patterson, CA 95363

Subject: Zacharias Master Plan

To Whom it May Concern,

I am strongly opposed to the City of Patterson annexing west of Ward Avenue to interstate 5 and north to Zacharias Road, otherwise known as Zacharias Master Plan. This project will provide a material impact to me and my property.

I purchased the property at 730 Rose Avenue in the 1970s because it was near town, but not too close to residential developments. I also purchased this home because it is in the country and on a dead-end road and I very much like my privacy.

There has already been one residential development built on the land on the other side of the Patterson Irrigation canal, which has brought more foot traffic down the canal that borders my property. There has been an increase in people who roam through my orchard and my land due to the proximity of this residential development. My neighbor had to put up a fence to keep people from coming through our land because they were damaging sprinkler and well lines. I anticipate that problems like this will escalate with another residential property and foot path directly behind my property across the canal.

In addition, should Rose Avenue be opened up and have a direct access into this residential area, a road would most likely go through my property, not only would I completely lose my privacy, but I would potentially lose a portion of my land. This could make my once private country property, no longer very private. No amount of money can compensate for the loss of privacy due to this residential development.

Lastly, Patterson is an agricultural community. Farmers are losing more and more land for residential developments, when the city has many homes that sit vacant. It makes no sense to build more homes.

Thank you for your time,

Barbara Vega
Barbara Vega

JAN 10 2019

RECEIVED
CDD / PLANNING DIVISION
BY:

[Signature]

THIS PAGE INTENTIONALLY LEFT BLANK

William D. Ross
Karin A. Briggs
David Schwarz

Kypros G. Hostetter
Of Counsel

Law Offices of
William D. Ross
400 Lambert Avenue
Palo Alto, California 94306
Telephone: (650) 843-8080
Facsimile: (650) 843-8093

Los Angeles Office:

11420 Santa Monica Blvd
#25532
Los Angeles, CA 90025

File No: 147/5.6

January 16, 2019

VIA ELECTRONIC TRANSMISSION

jandrews@ci.patterson.ca.us

Joel Andrews, City Planner
City of Patterson
1 Plaza
Patterson, CA 95363

Re: Comments by West Stanislaus Fire Protection District on Notice of Preparation of Environmental Impact Report for the Zacharias Master Plan Project

Dear Mr. Andrews:

This office serves as District Counsel to the West Stanislaus Fire Protection District (“District”). The District respectfully submits the following comments on the City of Patterson’s (“City”) issuance of a Notice of Preparation of an Environmental Impact Report for the Zacharias Master Plan Project (“Project”) in advance of the Scoping Meeting to be held on January 17, 2019.

A significant issue that needs to be examined with respect to the Project’s impact on public services, generally, is the several severe wildfires that have occurred throughout the State of California not only within the urban interface, but also within rural areas. The most recent example of this would be the Camp Fire in Paradise, California. Also, because the major utility provider in the affected area is PG&E, the issue of undergrounding of utilities and the adequacy of fire-flow should be analyzed in the environmental documents. This issue in of itself leads to an analysis of *how* fire services will be provided to the affected territory.

The most recent Municipal Service Review (“MSR”) for the City was prepared by LAFCO on December 4, 2013. Because the MSR is over five years old, there are many potential changed circumstances relating to public services that will need to be formally addressed in any environmental review of the Project. This would include the impacts on fire protection and emergency response services.

Regarding the provision of fire services for areas anticipated for annexation by the City in 2013, Section 2.3.6 of the MSR provides:

The West Stanislaus County Fire Protection District (Fire Protection District) provides fire protection and emergency medical services to areas outside the Patterson city limits, including the proposed SOI expansion area. The Fire Protection District would continue to provide fire protection and emergency medical services to the SOI expansion area after annexation.

Section 2.5.3 of the 2013 MSR notes that:

The City intends to annex the proposed SOI expansion area into the City while keeping it within the West Stanislaus Fire Protection District for fire protection purposes. Because the both the Patterson Fire Department and West Stanislaus Fire Protection District currently share facilities, this arrangement would continue this practice.

As noted in the February 27, 2013 LAFCO Executive Officer's Agenda Report for the City's Sphere of Influence Modification for the Arambel-KDN Business Park Reorganization, the City and District have declared their intent to share duties and costs for providing fire services to that area upon annexation.

A condition precedent to completing any annexation is for the involved parties to negotiate a Property Tax Allocation Agreement. (Revenue & Taxation Code section 99(b)(6)). The purpose of such agreements is to allocate sufficient revenues to maintain necessary public services for proposed development without diminishing levels of service in existing communities.

As new and increased development places additional burdens on existing fire protection resources, the impact on fire and emergency responses must be addressed by the EIR, including whether there is an agreement in place that would confirm the allocation of property taxes to provide fire protection to the new development proposed by the Project. As stated above, any evaluation of fire services must involve the recent occurrences of severe wildfires in California. Therefore, the specific methods of providing fire services must be examined, including how the services will be shared and costs will be allocated in conjunction with the previous MSR.

Moreover, the need for review evidencing the sufficiency of fire and life safety services is particularly important given changes to state law that have altered the approval of affordable housing from a discretionary to ministerial level. That is, fire protection should be evaluated in the context of the new "by right" authorization of affordable housing where only ministerial approval is required. Assuming costs and services would be shared, it should be analyzed how all fire and life safety approvals (e.g., plan checking, fire flow, etc.) will occur.

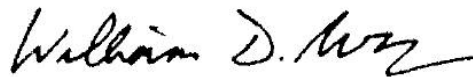
Thank you for the opportunity to provide these preliminary comments. The District reserves the right to submit further comments on the Project's environmental review consistent

Joel Andrews, City Planner
City of Patterson
January 16, 2019
Page 3

with the California Environmental Quality Act.

Should you have any questions, please contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "William D. Ross". The signature is fluid and cursive, with a long horizontal stroke at the end.

William D. Ross

WDR:DPS

cc: Jeff Gregory, District Chief

THIS PAGE INTENTIONALLY LEFT BLANK

January 22, 2019

VIA EMAIL

Mr. Joel Andrews
City Planner
City of Patterson
Community Development Department
Post Office Box 667
Patterson, CA 95363
jandrews@ci.patterson.ca.us

Re: Zacharias Master Plan – Notice of Preparation

Dear Mr. Andrews:

The West Stanislaus Irrigation District (**District**) has reviewed the Notice of Preparation (**NOP**) of an Environmental Impact Report (**EIR**) for the Zacharias Master Plan (**Project**) and, on behalf of the District, I provide these comments to the NOP.

Groundwater

The Project site encompasses approximately 1,226.9 acres for the development of residential, mixed use, commercial, industrial, school, parks, and open space uses which would rely solely on groundwater drawn from the Delta-Mendota Subbasin. The State has identified the Delta-Mendota Subbasin (**Basin**) as a high-priority, critically-overdrafted Subbasin. Pursuant to the Sustainable Groundwater Management Act (**SGMA**), Groundwater Sustainability Agencies (**GSA**) within the Subbasin must adopt Groundwater Sustainability Plans (**GSP**) no later than January 1, 2020, and the Subbasin must be determined to be sustainable by the State no later than 2040.

The City of Patterson (**City**) currently obtains all of its water from the Basin. Because the Basin is critically overdrafted, the City's current groundwater usage is not sustainable. The Project will impose additional demands on the Basin. The City should not be expanding development, such as that set forth in the Project, without obtaining sources of surface water supply. The Project area currently receives surface water supplies that provide a source of groundwater recharge. The Project would eliminate surface water use and recharge, and rely exclusively on groundwater with reduced opportunities for recharge. Accordingly, the EIR for the Project should address the following issues:

1. The EIR should include groundwater modeling prepared to evaluate potential impacts to groundwater levels and groundwater quality associated with the Project, and the EIR should compile, review, evaluate, and update where needed, the available information on present and projected ground water levels. Effects on the ground water basin due to climate change-related precipitation and runoff changes should also be addressed.

2. The EIR should evaluate the impact of increased groundwater pumping for the Project on subsidence.

3. What are the impacts to the surface-groundwater interactions for the Project area/site? Will the impacts be within the management criteria for SGMA?

4. Any CEQA prepared for new wells that will serve the project should be re-evaluated in the EIR to evaluate regional impacts.

5. The EIR should address the Project's impacts on chronic Lowering of groundwater levels, the potential impact on surrounding private and public wells, as well as the economic impact on existing agricultural and private wells due to increased pumping cost associated lowering groundwater levels.

6. The EIR should address the Project's impacts on reduction in groundwater storage in the basin.

7. The EIR should address the Project's impacts on groundwater quality, and the relationship between increased groundwater use and decline in key water quality parameters (nitrates, salts, hexavalent, chromium, selenium, boron, arsenic, etc.).

8. The EIR should address the Project's impacts on the depletion of interconnected surface water, including the loss of interconnections with surface water impacting current water rights, and the impacts to groundwater dependent ecosystems (GDEs) due to declining groundwater levels.

Public Services

WSID has irrigation service and drainage facilities within the Project area. Currently, these WSID facilities are not marked on the Project drawings. The EIR must properly identify all WSID facilities, and evaluate the proper functionality of services, including, without limitation, consideration of irrigation, drainage, and flooding issues that may be caused by the Project. In the past, the WSID has experienced flooding caused by developments permitted by the City, and this issue must be adequately addressed.

Agriculture

1. The Project involves the removal of 1,226.9 acres of farmland, which currently receives surface water that serves as a source of groundwater recharge, and conversion to homes that will rely exclusively on groundwater with reduced ability to recharge resulting from development.

Mr. Joel Andrews
January 22, 2019
Page 3 of 3

2. The Project area is currently dedicated to agricultural land uses. The EIR should discuss the overall impact of the Project on agricultural resources, as well as quantify the potential temporary or permanent loss of designated farmland and Williamson Act contracts which could result from the Project.

We appreciate the opportunity to comment on the referenced NOP. Questions regarding this letter and further coordination on these issues should be directed to Bobby Pierce, WSID General Manager, at (209)894-3091 or by email at bobby.pierce@weststanislausid.org.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeanne Zolezzi". The signature is written in a cursive, flowing style.

JEANNE M. ZOLEZZI
Attorney-at-Law

cc: Mr. Robert Pierce
Mr. Vincent Lucchesi

THIS PAGE INTENTIONALLY LEFT BLANK

**Appendix B:
Land Evaluation and Site Assessment Model**

THIS PAGE INTENTIONALLY LEFT BLANK

B.1 - Baldwin LESA Model Worksheet

THIS PAGE INTENTIONALLY LEFT BLANK

Land Capability Classification (LCC) and Storie Index Scores

Soil Map Unit	Project Acres	Proportion of Project Area	LCC	LCC Rating	LCC Score	Storie Index	Storie Index Score
Vernalis Clay Loam	16.6	0.25	I		25.00	95	23.75
Zacharias Clay Loam	48.7	0.75	I		75.00	81	60.75
TOTAL	65.3	1		0	100.00	176	84.50

Total Acres

Total Class I	Total Class II	Total Class III	Total Class IV	Total Class V
65.3				

Project Size Score

LCC Class I-II	LCC Class III	LCC Class IV-VIII
-------------------	------------------	----------------------

Total Acres	65.3	0	0
Project Size Scores	0	0	

Highest Project Size Score 65.3

Table 3-Proj. Size Scoring

LCC Class I-II		LCC Class III		LCC Class IV-VIII	
Acres	Score	Acres	Score	Acres	Score
80 +	100	160 +	100	320 +	100
60-79	90	120-159	90	240-319	80
40-59	80	80-119	80	160-239	60
20-39	50	60-79	70	100-159	40
10-19.	30	40-59	60	40-99	20
fewer than 10	0	20-39	30	fewer than 40	0
		10-19.	10		
		fewer than 10	0		

Total Class I	Total Class II	Total Class III	Total Class IV	Total Class V
---------------	----------------	-----------------	----------------	---------------

Total Acres 65.3
 Score 90
 TOTAL PROJECT SIZE RATING= 90

Project Portion	Water Source	Proportion	Water Availability Score	Weighted Availability Score (C x D)
1	Irrigation District Water Only			0
2	Groundwater only	1		0
3	Both irrigation and ground		80	0
4	Not irrigated at all			0
Total		1	Total water resource score	0

Table 5. Water Resource Availability Scoring

Option	Non-Drought Years			Drought Years			WATER RESOURCE SCORE
	RESTRICTIONS			RESTRICTIONS			
	Irrigated Production Feasible?	Physical Restrictions ?	Economic Restrictions ?	Irrigated Production Feasible?	Physical Restrictions ?	Economic Restrictions ?	
1	YES	NO	NO	YES	NO	NO	100
2	YES	NO	NO	YES	NO	YES	95
3	YES	NO	YES	YES	NO	YES	90
4	YES	NO	NO	YES	YES	NO	85
5	YES	NO	NO	YES	YES	YES	80
6	YES	YES	NO	YES	YES	NO	75
7	YES	YES	YES	YES	YES	YES	65
8	YES	NO	NO	NO	--	--	50
9	YES	NO	YES	NO	--	--	45
10	YES	YES	NO	NO	--	--	35
11	YES	YES	YES	NO	--	--	30
12	Irrigated production not feasible, but rainfall adequate for dryland production in both drought and non-drought years						25
13	Irrigated production not feasible, but rainfall adequate for dryland production in non-drought years (but not in drought years)						20
14	Neither irrigated nor dryland production feasible						0

Table 6: Surrounding Ag Land Rating

Percent of Project's Zone of Influence	Surround Ag Land Score
90-100%	100 points
80-89	90
75-79	80
70-74	70
65-69	60
60-64	50
55-59	40
50-54	30
45-49	20
40-44	10
<40	0

Table 7: Surrounding Protected Resource Land Score

Percent of Project's Zone of Influence	Surround Ag Land Score
90-100%	100 points
80-89	90
75-79	80
70-74	70
65-69	60
60-64	50
55-59	40
50-54	30
45-49	20
40-44	10
<40	0

Section III. Weighting of Factors and Final LESA Scoring

The California LESA Model is weighted so that 50 percent of the total LESA score of a given project is derived from the Land Evaluation factors, and 50 percent from the Site Assessment factors. Individual factor weights are listed below, with the sum of the factor weights required to equal 100 percent.

Land Evaluation Factors

Land Capability Classification	25%
Storie Index Rating	25%
Land Evaluation Subtotal	50%

Site Assessment Factors

Project Size	15%
Water Resource Availability	15%
Surrounding Agricultural Lands	15%
Surrounding Protected Resource Lands	5%
Site Assessment Subtotal	50%

Total LESA Factor Weighting	100%
------------------------------------	-------------

Each factor is measured separately (each on 100 point scale) and entered in the appropriate line in **Column B** of the **Final LESA Scoresheet** (Table 8). Each factor's score is then multiplied by its respective factor weight, resulting in a weighted factor score in **Column D** as indicated in Table 8. The weighted factor scores are summed, yielding a Total LESA Score (100 points maximum) for a given project, which is entered in **Line 7** of **Column D**.

Factor Name	Factor Rating (0-100 points)	X	Factor Weighting (Total=1.0)	=	Weighted Factor Rating
Land Evaluation					
1. Land Capability Classification	100		0.25		25.0
2. Storie Index Rating	84.5		0.25		21.1
	Subtotal		0.5		46.1
Site Assessment					
1. Project Size	90		0.15		13.5
2. Water Resource Availability	80		0.15		12.0
3. Surrounding Agricultural Lands	20		0.15		3.0
4. Protected Resource Lands	20		0.05		1.0
	Subtotal		0.5		29.5
				TOTAL	75.6

Table 9. California LESA Model Scoring Thresholds

Total LESA Score	Scoring Decision
0 to 39 Points	Not Considered Significant
40 to 59 Points	Considered Significant <u>only</u> if LE <u>and</u> SA subscores are each <u>greater</u> than or equal to 20 points
60 to 79 Points	Considered Significant <u>unless</u> either LE <u>or</u> SA subscore is <u>less</u> than 20 points
80 to 100 Points	Considered Significant

B.2 - Zacharias LESA Model Worksheet

THIS PAGE INTENTIONALLY LEFT BLANK

Land Capability Classification (LCC) and Storie Index Scores

Soil Map Unit	Project Acres	Proportion of Project Area	LCC	LCC Rating	LCC Score	Storie Index	Storie Index Score
100 Capay clay	261.9	0.22	IIs	80	17.60	35	7.70
102 Capay clay, loamy substratum	51.8	0.04	IIs	80	3.20	35	1.40
106 Capay clay, rarely flooded	84.6	0.07	IIs	80	5.6	35	2.45
126 Vernalis-Zacharias	95.3	0.08	I	100	8	81	5.67
127 Vernalis loam	293.4	0.24	I	100	24	85	20.4
128 Water	60.4	0.06		0	0	0	0
147 Zacharias gravelly clay loam	186.6	0.15	IIw	80	12	60	9
210 Cortina gravelly sandy loam	151.5	0.12	IIIs	60	7.2	48	5.76
271 Elsalado loam	27.2	0.02	I	100	2	85	1.7
TOTAL	1212.7				79.60		54.08
		1		1			

Total Acres

Total Class I	Total Class II	Total Class III	Total Class IV	Total Class V
---------------	----------------	-----------------	----------------	---------------

Project Size Score

LCC Class I-II	LCC Class III	LCC Class IV-VIII
----------------	---------------	-------------------

Total Acres	1000.8	151.5	0
Project Size Scores	100	90	

Highest Project Size Score

Table 3-Proj. Size Scoring

LCC Class I-II		LCC Class III		LCC Class IV-VIII	
Acres	Score	Acres	Score	Acres	Score
80 +	100	160 +	100	320 +	100
60-79	90	120-159	90	240-319	80
40-59	80	80-119	80	160-239	60
20-39	50	60-79	70	100-159	40
10-19.	30	40-59	60	40-99	20
fewer than 10	0	20-39	30	fewer than 40	0
		10-19.	10		
		fewer than 10	0		

Total Class I	Total Class II	Total Class III	Total Class IV	Total Class V
---------------	----------------	-----------------	----------------	---------------

Total Acres 1008
 Score 100
 TOTAL PROJECT SIZE RATING= 100

Project Portion	Water Source	Proportion	Water Availability Score	Weighted Availability Score (C x D)
1	Irrigation District Water Only			0
2	Groundwater only	1		0
3	Both irrigation and ground		80	0
4	Not irrigated at all			0
Total		1	Total water resource score	0

Table 5. Water Resource Availability Scoring

Option	Non-Drought Years			Drought Years			WATER RESOURCE SCORE
	RESTRICTIONS			RESTRICTIONS			
	Irrigated Production Feasible?	Physical Restrictions ?	Economic Restrictions ?	Irrigated Production Feasible?	Physical Restrictions ?	Economic Restrictions ?	
1	YES	NO	NO	YES	NO	NO	100
2	YES	NO	NO	YES	NO	YES	95
3	YES	NO	YES	YES	NO	YES	90
4	YES	NO	NO	YES	YES	NO	85
5	YES	NO	NO	YES	YES	YES	80
6	YES	YES	NO	YES	YES	NO	75
7	YES	YES	YES	YES	YES	YES	65
8	YES	NO	NO	NO	--	--	50
9	YES	NO	YES	NO	--	--	45
10	YES	YES	NO	NO	--	--	35
11	YES	YES	YES	NO	--	--	30
12	Irrigated production not feasible, but rainfall adequate for dryland production in both drought and non-drought years						25
13	Irrigated production not feasible, but rainfall adequate for dryland production in non-drought years (but not in drought years)						20
14	Neither irrigated nor dryland production feasible						0

Table 6: Surrounding Ag Land Rating

Percent of Project's Zone of Influence	Surround Ag Land Score
90-100%	100 points
80-89	90
75-79	80
70-74	70
65-69	60
60-64	50
55-59	40
50-54	30
45-49	20
40-44	10
<40	0

Table 7: Surrounding Protected Resource Land Score

Percent of Project's Zone of Influence	Surround Ag Land Score
90-100%	100 points
80-89	90
75-79	80
70-74	70
65-69	60
60-64	50
55-59	40
50-54	30
45-49	20
40-44	10
<40	0

Section III. Weighting of Factors and Final LESA Scoring

The California LESA Model is weighted so that 50 percent of the total LESA score of a given project is derived from the Land Evaluation factors, and 50 percent from the Site Assessment factors. Individual factor weights are listed below, with the sum of the factor weights required to equal 100 percent.

Land Evaluation Factors

Land Capability Classification	25%
Storie Index Rating	25%
Land Evaluation Subtotal	50%

Site Assessment Factors

Project Size	15%
Water Resource Availability	15%
Surrounding Agricultural Lands	15%
Surrounding Protected Resource Lands	5%
Site Assessment Subtotal	50%

Total LESA Factor Weighting	100%
------------------------------------	-------------

Each factor is measured separately (each on 100 point scale) and entered in the appropriate line in **Column B** of the **Final LESA Scoresheet** (Table 8). Each factor's score is then multiplied by its respective factor weight, resulting in a weighted factor score in **Column D** as indicated in Table 8. The weighted factor scores are summed, yielding a Total LESA Score (100 points maximum) for a given project, which is entered in **Line 7** of **Column D**.

Factor Name	Factor Rating (0-100 points)	X	Factor Weighting (Total=1.0)	=	Weighted Factor Rating
Land Evaluation					
1. Land Capability Classification	79.6		0.25		19.9
2. Storie Index Rating	54.1		0.25		13.5
	Subtotal		0.5		33.4
Site Assessment					
1. Project Size	100		0.15		15.0
2. Water Resource Availability	80		0.15		12.0
3. Surrounding Agricultural Lands	30		0.15		4.5
4. Protected Resource Lands	30		0.05		1.5
	Subtotal		0.5		33.0
				TOTAL	66.4

Table 9. California LESA Model Scoring Thresholds

Total LESA Score	Scoring Decision
0 to 39 Points	Not Considered Significant
40 to 59 Points	Considered Significant <u>only</u> if LE <u>and</u> SA subscores are each <u>greater</u> than or equal to 20 points
60 to 79 Points	Considered Significant <u>unless</u> either LE <u>or</u> SA subscore is <u>less</u> than 20 points
80 to 100 Points	Considered Significant