FINAL

ENVIRONMENTAL IMPACT REPORT

FOR THE

LAKEHOUSE MIXED USE DEVELOPMENT

Lodi, CA

State Clearinghouse (SCH) #2019029095

January 2024

Prepared for:

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

Prepared by:

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

BaseCamp Environmental, Inc.

FINAL

ENVIRONMENTAL IMPACT REPORT

FOR THE

LAKEHOUSE MIXED USE DEVELOPMENT
Lodi, CA

January 2024

Prepared for:

Community Development Department
City of Lodi
221 W. Pine Street
209-333-6711

Prepared by:

BaseCamp Environmental, Inc.
802 W. Lodi Avenue
Lodi, CA 95240
209-224-8213
www.basecampenv.com

TABLE OF CONTENTS

DRAFT EIR FIGURES

LIST OF TABLES

APPENDICES

A. Public Review Documentation
B. 2022 AB 52 Notification Records
C. SWRCB Enchanted Rock Environmental Study

1.0 INTRODUCTION

1.1 PROJECT AND FINAL EIR OVERVIEW

This document is the Final Environmental Impact Report (FEIR) for the proposed Lakehouse Mixed Use Development Project, hereinafter referred to as the "project." The project is located at 1018 North Lower Sacramento Road in Lodi (DEIR Figures 1-1 and 1-5, included in this Final EIR). The project applicant is 157 California Reserve, Inc. The FEIR analyzes the potential environmental impacts of the project.

This Lakehouse EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) and addresses the issues listed in the latest version of the State CEQA Guidelines (California Code of Regulations Title 14, Division 6, Chapter 3). The City of Lodi is the primary approval agency and therefore the CEQA Lead Agency for the project. Copies of the Draft EIR (DEIR) and this FEIR are available for review at the City of Lodi Community Development Department, 221 West Pine Street, Lodi, CA 95240.

The Lakehouse EIR evaluates the potential environmental effects of the project, which involves the development of a resort hotel, approximately 18,500 square feet of retail commercial space and a separate 150-unit residential apartment complex on a 9.75-acre site. Additional description of the project is provided in Section 1.2.

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

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

The City of Lodi received a total of five comments on the DEIR during the public review period. These comments are listed and shown verbatim in Chapter 3.0 of this FEIR, which also contains the Lead Agency's responses to comments. Since the FEIR is largely unchanged from the Draft EIR circulated for public and agency review, the Draft EIR is not repeated in this FEIR. The FEIR has instead been prepared as an addendum to the

DEIR. The Public Review Draft EIR is hereby incorporated by reference and attached to this FEIR as Attachment #1.

> Public Review Draft Environmental Impact Report for the Lakehouse Mixed Use Development, 1018 North Lower Sacramento Road, City of Lodi, CA. Prepared for City of Lodi Community Development Department, 221 West Pine Street, Lodi, CA 95240. Prepared by BaseCamp Environmental, Inc., 802 West Lodi Avenue, Lodi, CA 95240. State Clearinghouse Number 2019029095.

1.2 CEQA PROCESS FOR THE LAKEHOUSE MIXED USE DEVELOPMENT

Applications for the proposed project were submitted to the City of Lodi. The City determined that an EIR would be required for the project and released a Notice of Preparation (NOP) on November 9, 2021 for agency and public review. The City's NOP comment period closed on December 8, 2021. A copy of the NOP, the NOP attachments and comments received on the NOP were included in Appendix A of the DEIR.

The City prepared a Draft EIR (the Public Review DEIR, dated August 2023) that identified the potential environmental effects of the project. The DEIR was distributed locally and through the State Clearinghouse (SCH #2019029095 for agency and public comment between August 9, 2023 through September 14, 2023. The Draft EIR distribution list, legal notices and other information related to the public review period for the Draft EIR are shown in Appendix A of this document.

Before the City can approve the project, it must make number of required findings, first certifying that the FEIR complies with CEQA, that the City has reviewed and considered the information in the FEIR, and that the FEIR reflects the independent judgment of the City. The City is also required to make specific findings related to each of the significant effects identified in the FEIR. If the project involves any significant and unavoidable environmental effects, the CEQA findings must also include a Statement of Overriding Considerations. Mitigation measures described in the FEIR must also be identified in a Mitigation Monitoring and Reporting Program that will be adopted by the City to ensure the mitigation measures are implemented. These issues and concerns are addressed in detail in the following sections.

1.3 EIR CERTIFICATION AND FINDINGS

Guidelines for the certification of an EIR (CEQA Guidelines Section 15090) require that the Lead Agency certify that 1) the Final EIR has been completed in compliance with CEQA, 2) that the Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information contained in the Final EIR, including comments received on the DEIR and proposed responses to those comments, prior to a decision on the project, and 3) that the Final EIR reflects the Lead Agency's independent judgment and analysis.

The EIR is intended by CEQA to be an informational document (CEQA Guidelines Section 15121). Decision-making in relation to a project's environmental impacts is reserved to the Lead Agency and any Responsible Agencies. Consequently, the EIR does not limit the Lead Agency's discretion on the project, but the Lead Agency must address each significant effect identified in the EIR in written findings before they approve the project, or portions of the project (CEQA Guidelines Section 15091). No findings are required for impacts that are less than significant. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR (i.e., the impact has been "mitigated"). This finding will be applicable in the project findings, as most of the significant effects of the project would be reduced to less than significant with mitigation measures.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (i.e., mitigation is the responsibility of an agency other than the City of Lodi). This finding is not applied to any of the significant effects of the project.

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR (i.e., the impact is acceptable because the project's benefits outweigh it). In this case, the project involves one significant effect that the City finds cannot be reliably reduced to a less than significant level, necessitating a Statement of Overriding Considerations, as discussed below.

In the event that the City wishes to approve a project without providing substantial mitigation for the significant impacts of the project (i.e., if the second or third finding options are utilized), then CEQA Guidelines Section 15093 allows the decision-makers to balance the project's benefits against its unavoidable environmental risks. This decision must be documented in a Statement of Overriding Considerations and adopted by the project decision-makers. The CEQA findings document for the Lakehouse project includes a Statement of Overriding Consideration. The City's CEQA findings related to the individual impacts of the project are in a separate document entitled *Findings of Fact for the Lakehouse Mixed Use Development Project October 2023*.

As a part of the project consideration and approval process described above, the City must also adopt a mitigation monitoring and/or reporting program (CEQA Guidelines Section 15097). The mitigation monitoring/reporting program is required to ensure that the mitigation measures and project revisions identified in the EIR are implemented. The measures and revisions described in the EIR are fully enforceable through permit conditions, agreements, or other measures. The mitigation monitoring/reporting program for this project is contained in a separate document entitled *Mitigation*

Monitoring/Reporting Plan for the Lakehouse Mixed Use Development October 2023 that accompanies this Final EIR.

1.4 PROJECT PURPOSE AND BACKGROUND

The Lakehouse EIR evaluates the potential environmental effects of the project, which involves the development of a resort hotel, approximately 18,500 square feet of retail commercial space and a separate 150-unit residential apartment complex on a 9.75-acre site. The four-story resort hotel would include 96 guest suites with a restaurant and banquet room. The project would include on-site parking for both the hotel and the apartments. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, Growth Allocation and site plan and architectural approval. Construction of buildings and connections to utilities would require additional City approvals. The proposed project site plan, aerial views and proposed general plan amendment and rezoning are shown on DEIR Figures 3-1, 3-3, 3-7, 3-9 and 3-10, included in this Final EIR).

The hotel portion of the project is intended to meet growing demands for resort accommodations associated with the local vineyard, wine and related tourism industries. A long-term multi-generational, agricultural transition has resulted in what is now one of the finest wine producing regions in the State. The City of Lodi finds itself in the center of more than 25,000 acres of thriving vineyards. The Lodi area's officially recognized terroir is ranked as a premiere wine region. The Lodi Conference and Visitors Bureau, noting the City's growing visitation numbers, cites recent business community survey results that indicate the need for good-quality non-franchise restaurants and banquet space. The Bureau also states, "As the destination marketing organization for the City of Lodi, we are acutely aware of the need for a variety of lodging property types to accommodate our growing visitation numbers," noting that the City's existing inventory of visitor accommodation includes only one resort property (Nancy Beckman, pers. comm.).

1.5 INTENDED USES OF THE EIR AND RESPONSIBLE AGENCIES

CEQA, enacted in 1970, requires that public agencies document and consider the potential environmental effects of the agency's actions that meet CEQA's definition of a "project." Briefly summarized, a "project" is an action that has the potential to result in direct or indirect physical changes in the environment. A project includes the agency's direct activities as well as related activities that involve public agency approvals or funding. The proposed project meets the definition of a "project" as defined by CEQA and thus requires environmental review.

This FEIR has been prepared in accordance with the requirements of CEQA and the State CEQA Guidelines. The CEQA Guidelines contain advisory and mandatory requirements for the application of CEQA to development projects. CEQA requires the designation of a "Lead Agency" for a project. As defined in the CEQA Guidelines, the Lead Agency is the public agency that has the principal responsibility for carrying out or approving a project. Since the City has the primary approval authority over the project, it is the Lead Agency for CEQA purposes.

A "Responsible Agency" under CEQA is a public agency, other than a Lead Agency, that has discretionary approval authority over a project. Under CEQA Guidelines Section 15096, a Responsible Agency complies with CEQA by considering the CEQA document prepared by the Lead Agency and by reaching its own conclusions on whether and how to approve the project involved. Under CEQA Guidelines Section 15041, a Responsible Agency may require changes in a project, but only to lessen or avoid the effects of that part of a project which the agency will be called on to carry out or approve. CEQA Guidelines Section 15140 states that a Responsible Agency has more limited authority than a Lead Agency in requiring changes to a project. There are, however, no known Responsible Agencies for the proposed project.

An EIR is intended to inform decision-makers and the public about the potentially significant adverse environmental effects of a project and to describe any feasible mitigation measures that would substantially reduce or avoid these effects. The EIR must also evaluate cumulative impacts, growth-inducing impacts, irreversible environmental effects, and alternatives to the proposed project. The Draft EIR for the Lakehouse project, which is incorporated into the FEIR by reference, generally follows the analysis sequence of the latest Environmental Checklist in CEQA Guidelines Appendix G, as revised in 2019.

2.0 REVISED SUMMARY OF EIR

Following is the Summary of the EIR, which is drawn primarily from Chapter 2.0 of the Draft EIR for the Lakehouse, with minor updates and changes. The Summary and the accompanying Summary Table, were extracted from the Draft EIR text verbatim. Changes to the Summary and Summary Table are shown in underline and/or strikeout format; otherwise, the Summary is as published in the Draft EIR.

2.1 PROJECT DESCRIPTION

The project site is located in the northwestern portion of the City of Lodi in northern San Joaquin County on the northeast corner of the intersection of two minor arterial streets: Lower Sacramento Road and Turner Road. The largely undeveloped property has substantial existing tree cover, which consists of remnant orchard and ornamental trees and shrubs, and an abandoned railroad spur that formerly served the General Mills cereal production facility south of the site across Turner Road. Two small prefabricated steel storage buildings are located in the southwestern portion of the site; available information suggests these buildings were associated with historical agricultural operations.

The project proposes the development of a resort hotel, a separate 150-unit residential apartment complex, and approximately 18,500 square feet of retail commercial space on a 9.75-acre site. The four-story resort hotel would include 96 guest suites with a restaurant and banquet room. The project would include on-site parking for the hotel, retail commercial uses and the apartments. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, Growth Allocation and site plan and architectural approval. Construction of buildings and connections to utilities would require additional City approvals.

2.2 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

The potentially significant impacts of the project, and the mitigation measures proposed to minimize these effects, are shown in Table 2-1 at the end of this chapter. Table 2-1 provides an indication of the significance of impacts, both before and after application of available mitigation measures. With proposed mitigation measures, all the potentially significant impacts of the project would be reduced to a level that is less than significant with the exception of one transportation effect which is considered significant and unavoidable.

2.3 AREAS OF CONTROVERSY

A NOP for this EIR was issued with a request for comment from public agencies and interested persons. Table 1-1 of the DEIR lists the two comment letters received in response to the NOP. Responses to the NOP advised the City of various regulatory requirements, which are discussed in this EIR. The responses did not raise any substantive environmental issues or concerns.

As described in the DEIR, the project would involve one significant and unavoidable impact, the project's effects on Vehicle Miles Traveled. This effect could not be reduced to a less than significant level with mitigation. This is not believed to be a matter of public concern or controversy with respect to the Lakehouse project. The DEIR did not identify any other environmental effects that would not be reduced to a less than significant level with mitigation measures, and no other areas of potential controversy were identified during the DEIR review process.

2.4 SUMMARY OF ALTERNATIVES

Chapter 18.0, Alternatives, identifies and discusses reasonable alternatives to the proposed project. Only one such alternative was identified – the No Project Alternative. The alternatives analysis briefly considered but declined further analysis of Alternative Sites, Alternative Site Design and a Reduced Development Alternative.

The No Project Alternative would eliminate or avoid the potential environmental effects of the proposed project, including the demolition of two existing buildings on the site. However, the No Project Alternative would not meet the objectives of the proposed project in terms of providing shelter for homeless persons. It is likely that the existing buildings on the site will need to be demolished whether or not the project is approved.

2.5 SUMMARY OF OTHER CEQA ISSUES

Chapter 19.0, Other CEQA Issues, discusses significant environmental impacts of the project that cannot be avoided or mitigated to a level that would be less than significant. One significant and unavoidable environmental effect is identified in the EIR: the loss of historical resources with the proposed demolition of two existing residential buildings.

Irreversible environmental commitments associated with the project were analyzed. The project would involve the irreversible commitment of construction materials to the construction of building and supporting infrastructure. These materials would not be used in highly significant or unusual quantities when compared to similar projects and would be obtained from existing commercial sources. The project site has already been committed to urban use, which would be unchanged by the project.

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
4.0 AESTHETICS AND VISUAL RESOURCES			
Impact AES-1: Scenic Vistas. There are no scenic vistas available from the project site.	LS	None required.	-
Impact AES-2: Scenic Resources. There are no substantial scenic resources located on the project site. There are no scenic highways in the area.	LS	None required.	-
Impact AES-3: Visual Character and Quality. The proposed project would not substantially degrade the aesthetic character or quality of the project vicinity, which consists mostly of urban development. All project structures would be consistent with City design standards.	LS	None required.	-
Impact AES-4: Light and Glare. Project would involve an increase in night lighting and potential for light and glare impacts. Compliance with Lodi Municipal Code provisions would minimize light and glare impacts.	LS	None required.	-
5.0 AIR QUALITY			
Impact AIR-1: Conflict with Air Quality Plans and Standards – Construction Emissions. Project construction emissions would not exceed SJVAPCD significance thresholds, thereby being consistent with adopted air quality plans. Dust emissions would be reduced through the required implementation of SJVAPCD Regulation VIII.	LS	None required.	-
Impact AIR-2: Conflict with Air Quality Plans and Standards – Operational Emissions. Operational	LS	None required.	-

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
Emissions. Project operational emissions would not exceed SJVAPCD significance thresholds, thereby being consistent with adopted air quality plans. Future development would be subject to SJVAPCD's Rule 9510, further reducing NO_x and PM_{10} emissions.			
Impact AIR-3: Exposure of Sensitive Receptors to Criteria Pollutants. A specific connection between the project's criteria pollutant emissions and health impacts cannot be reasonably drawn; however, SJVAPCD significance thresholds were developed in part to ensure attainment of primary federal ambient air quality standards, which were designed to protect human health. CO concentrations at Turner Road/Lower Sacramento Road intersection would not exceed State ambient air quality standards.	LS	None required.	-
Impact AIR-4: Exposure of Sensitive Receptors to Toxic Air Contaminants. The project would generate temporary TAC emissions from construction activities, and minimal TAC emissions from operations.	LS	None required.	-
Impact AIR-5: Odors and Other Emissions. Neither the hotel nor the apartment complex is considered a significant source of odors. There are no records of odor complaints from nearby land uses since 2009.	LS	None required.	-
6.0 BIOLOGICAL RESOURCES			
Impact BIO-1: Special-Status Species and Habitats. Special-Status Species and Habitats. Project development would involve the potential for	PS	BIO-1: The proposed project shall participate in the SJMSCP, including payment of any required fees specified by the SJCOG and implementation of Incidental Take	LS

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
impacts on habitat of Swainson's hawk and burrowing owl.		Minimization Measures (ITMMs) specified by the SJCOG biologist. BIO-2: In the event that the SJCOG does not prescribe Incidental Take Minimization Measures (ITMMs) for either Swainson's hawk or burrowing owl, then the project shall comply with equivalent alternative mitigation measures specified by a qualified biologist, including pre-construction surveys, establishment of construction setbacks, monitoring requirements and other protective measures as required to obtain regulatory agency approval.	
Impact BIO-2: Riparian and Sensitive Natural Communities. No riparian areas or sensitive vegetation communities were identified on the project site.	NI		-
Impact BIO-3: Waters of the U.S. and Wetlands. No wetlands or Waters of the U.S. were identified on the project site.	NI		-
Impact BIO-4: Fish and Wildlife Migration. Project site contains non-native trees that could be used by raptors and other migratory birds during their nesting seasons.	PS	BIO-1: The proposed project shall participate in the SJMSCP, including payment of any required fees specified by the SJCOG and implementation of Incidental Take Minimization Measures (ITMMs) specified by the SJCOG biologist.	LS
Impact BIO-5: Local Biological Requirements. No local biological resource requirements apply to this project.	NI		-
Impact BIO-6: Habitat Conservation Plans. Project would participate in the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan.	NI		-

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
7.0 CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES			
Impact CULT-1: Historical Resources. No historical resources have been recorded on the project site. Existing structures not considered historical resources.	LS	None required.	-
Impact CULT-2: Archaeological Resources. No archaeological resources have been recorded on the project site. However, it is possible that unknown cultural resources may be uncovered during project construction.	PS	CULT-1: The applicant shall retain a qualified professional archaeologist to monitor ground-disturbing activities within the project site, to halt construction as required, and to take action to minimize the potential damage to undiscovered archaeological and/or tribal cultural resources. ~~The City may determine, based on pre-construction testing that indicates the site is not culturally sensitive and, in consultation with the archaeologist, that further testing or construction monitoring is not necessary.~~ CULT-2: ~~Unless the City determines that the site is not culturally sensitive as provided in Mitigation Measure CULT-1,~~ Native American monitors from the Northern Valley Yokuts and/or UAIC ~~culturally affiliated Native American Tribes~~ will be invited to monitor the vegetation grubbing, stripping, grading or other ground-disturbing activities in the project area to determine the presence or absence of any cultural resources. Native American monitors shall have the authority to identify sites or objects of significance to Native Americans and to request that work be stopped, diverted or slowed if such sites or objects are identified within the direct impact area. CULT-3: All construction personnel shall receive "tailgate" training by a qualified archaeologist in the identification of paleontological resources and buried cultural resources, including human remains, and in the notification protocol	LS

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
		should such resources be discovered during construction work. A minimum of seven days prior to beginning earthwork or other soil disturbance activities, the project applicant shall notify the Lodi Community Development Department of the proposed earthwork start-date, in order to provide adequate time to contact Native American monitors. Qualified Native American monitors shall be invited to inspect project excavation work, including any soil piles, trenches, or other disturbed areas. During the inspection, a site meeting of construction personnel shall also be held to afford the tribal representative the opportunity to provide tribal cultural resources awareness information. CULT-4: If any subsurface archaeological or paleontological resources are encountered during project site construction, all construction activities within a 50-foot radius of the encounter shall be immediately halted until a qualified archaeologist or paleontologist, as appropriate, can examine these materials, evaluate their significance and, if significant, recommend any further measures needed to reduce potential effects to a less than significant level, consistent with the requirements of CEQA. A tribal representative shall also be contacted in the event archaeological resources are encountered and shall examine these resources for significance to local tribes. The Lodi Community Development Department shall be immediately notified in the event of a discovery, and the developer shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in written reports to the Community Development Department,	

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
		consistent with the requirements of CEQA and the CEQA Guidelines.	
Impact CULT-3: Human Burials. Human remains potentially could be encountered during construction or other ground disturbing activities.	PS	CULT-5: If evidence of human burial or scattered human remains is encountered, all construction activity within a 50-foot radius of the encounter shall be immediately halted, and the County Coroner, the Lodi Community Development Department, and tribal representative(s) shall be immediately notified. The applicant will be responsible for compliance with the requirements of CEQA Guidelines Section 15064.5 as to the proper treatment of human remains~~, as defined in CEQA Guidelines Section 15064.5,~~ with California Health and Safety Code Section 7050.5, and as directed by the County Coroner. If the human remains are determined to be Native American, the County Coroner is required to notify the Native American Heritage Commission (NAHC), and the NAHC is required to notify and appoint a Most Likely Descendant. The Most Likely Descendant has the opportunity to work with the archaeologist to decide the proper treatment of the human remains and any associated funerary objects.	LS
Impact CULT-4: Tribal Cultural Resources. Yokuts representative indicates project site is archaeologically sensitive. The possibility of the inadvertent discovery of unknown resources during project development was acknowledged during the AB 52 consultation.	PS	CULT-6: If potential tribal cultural resources, archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered during implementation of Mitigation Measures CULT-1 through CULT-5~~3~~, construction activities, work will cease within a 50-foot radius of the encounter. A qualified cultural resources specialist in consultation with invited Native American representatives will assess the significance of the find and make recommendations for further evaluation and treatment documented in a written report to the Lodi Community Development Department. The contractor shall implement any measures deemed by	LS

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
		City staff to be necessary and feasible to avoid or minimize significant effects to the cultural resources.	
8.0 GEOLOGY, SOILS, AND MINERAL RESOURCES			
Impact GEO-1: Soil Erosion. Project construction activities would loosen the soil, leaving it exposed to potential water and wind erosion. Project would be required to obtain a Construction General Permit and comply with City's Storm Water Development Standards.	LS	None required.	-
Impact GEO-2: Paleontological Resources and Unique Geological Features. The project site does not contain unique geological features nor any known paleontological resources. However, project construction could unearth paleontological materials of unknown significance.	PS	Implementation of Mitigation Measures CULT-1 and CULT-2.	LS
Impact GEO-3: Access to Mineral Resources. There are no identified mineral resource areas nor active mineral operations on the project site.	NI		-
9.0 GREENHOUSE GAS EMISSIONS			
Impact GHG-1: Project GHG Construction Emissions and Consistency with Applicable Plans and Policies. Construction GHG emissions would cease once work is completed and would be reduced compliance with applicable State and SJVAPCD rules and regulations.	LS	None required.	-
Impact GHG-2: Project GHG Operational Emissions and Consistency with Applicable Plans and Policies. Unmitigated operational GHG emissions would be	LS	None required.	-

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
reduced by project features and regulatory requirements. Reductions would be consistent with Lodi Climate Action Plan and with State and SJVAPCD plans.			
10.0 HAZARDS AND HAZARDOUS MATERIALS			
Impact HAZ-1: Hazardous Material Transportation and Storage. Residential land uses do not use hazardous materials in quantities requiring special regulation of their transport and storage. It is not anticipated that hotel operations would involve any substantial transport, use, or disposal of hazardous materials. A Hazardous Materials Business Plan would be prepared if hazardous materials are used or stored above certain thresholds.	LS	None required.	-
Impact HAZ-2: Hazardous Material Releases. Hazardous materials used during construction would be subject to SWPPP conditions. Hazardous materials transportation and storage on the project site would be subject to federal, State, and local regulations that would prevent release of hazardous materials to the soil and/or groundwater and the creation of new hazardous material or waste sites.	LS	None required.	-
Impact HAZ-3: Hazardous Material Sites and Contamination. Existing storage buildings proposed for demolition may have hazardous substances, but implementation of a Demolition Plan would minimize any releases. Potential contamination along the existing rail spur would be evaluated and remediated per mitigation measure.	PS	HAZ-1: Prior to or in conjunction with removal of the existing rail spur, the applicant shall retain a qualified environmental professional to inspect and obtain soil samples along the spur alignment and determine through testing whether soil removal, treatment or other measures are required to avoid releases of hazardous materials inconsistent with State standards for the proposed land	LS

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
		uses. The applicant shall implement the recommendations of the environmental professional subject to City approval. HAZ-2: Prior to construction, the applicant shall retain a qualified environmental professional to obtain, test and make recommendations regarding representative project site soil samples in accordance with an EPA approved methodology for organochlorine pesticides. The applicant shall implement the recommendations of the environmental professional prior to or in conjunction with project construction as appropriate.	
Impact HAZ-4: Public Airport Hazards. There are no public airports operating near the project site, and the site is not within a land use compatibility zone of an Airport Land Use Compatibility Plan.	NI		-
Impact HAZ-5: Interference with Emergency Vehicle Access and Evacuations. Project construction would involve limited encroachment into adjacent streets, but this would not result in any substantial or lengthy interference with traffic on these streets. Project-related traffic generated by the project is not expected to substantially effect or interfere with the use of adjacent streets for emergency response or evacuation purposes.	LS	None required.	-
11.0 HYDROLOGY AND WATER QUALITY			
Impact HYDRO-1: Surface Water Resources and Quality. There are no surface waters located on the	LS	None required.	-

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
project site. Construction activities could loosen soils that could eventually enter nearby surface waters. Compliance with Construction General Permits and approved Project Stormwater Plan would minimize impacts.			
Impact HYDRO-2: Groundwater Supply. Project would be served by the City's water system, which relies in part on groundwater. The City has adequate existing supplies for the project. Project site development would not substantially reduce recharge area for the underlying aquifer.	LS	None required.	-
Impact HYDRO-3: Drainage Patterns and Runoff. Project would alter existing drainage patterns and runoff volumes, but project features and connection to existing City storm drainage system would reduce impacts.	PS	Implementation of Mitigation Measure GEO-1.	LS
Impact HYDRO-4: Flood, Tsunami, and Seiche Hazards. The project site is not within a FEMA-designated 100-year floodplain. Project would not place any structures or other facilities containing pollutants that potentially could be released in the event of a flood.	PS	HYDRO-1: Finished floor elevations of proposed residential structures shall be elevated to or above the prescribed 200-year floodplain elevation, or proposed non-residential structures shall be floodproofed as required by Lodi Municipal Code Chapter 15.60. Code compliance shall be documented in materials prepared by licensed professionals and submitted to the Public Works Director.	LS
Impact HYDRO-5: Consistency with Water Quality and Groundwater Management Plans. Stormwater would be collected and conveyed to the City's stormwater system, in accordance with City standards and specifications. Project is expected to	LS	None required.	-

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
comply with the Groundwater Sustainability Plan for the Eastern San Joaquin Groundwater Subbasin.			
12.0 LAND USE, POPULATION, AND HOUSING			
Impact LUP-1: Division of Communities. The project site is not located within an existing residential community and would not physically divide an established community.	NI		-
Impact LUP-2: Conflict with Applicable Plans, Policies, and Regulations. The applicant has submitted a request for amendment of the Lodi General Plan and rezoning of the entire site from Industrial to Planned Development. The project is consistent with surrounding and nearby land uses.	LS	None required.	-
Impact LUP-3: Conversion of Farmland. The project site is classified as Urban and Built-Up Land. No Farmland as defined by the CEQA Guidelines would be affected.	NI		-
Impact LUP-4: Agricultural Zoning and Williamson Act. The project site is zoned Industrial and is not under a Williamson Act contract.	NI		-
Impact LUP-5: Indirect Conversion of Agricultural Lands. The project is in an area of urban development, including parkland. The project would not involve any activity that would indirectly convert other agricultural land to non-agricultural uses.	NI		-
Impact LUP-6: Inducement of Population Growth. The project would create residential units not planned for in the Lodi General Plan. However, this	LS	None required.	-

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
increase in residential capacity would be well within projected residential growth and would not significantly affect the overall growth rate of the City.			
Impact LUP-7: Displacement of Housing and People. There are no residences or housing units located on the project site.	NI		-
13.0 NOISE			
Impact NOISE-1: Increase in Noise Levels in Excess of Standards – Traffic Noise. Traffic generated by the project would minimally increase traffic noise levels along local roads. The nearest residences to Lower Sacramento Road would be exposed to traffic noise levels above City standards.	LS	None required.	LS
Impact NOISE-2: Exposure to Noise Levels in Excess of Standards – Project Construction. Based upon noise measurement data, project construction is not expected to result in a significant increase in ambient noise levels.	LS	None required.	-
Impact NOISE-3: Groundborne Noise and Vibrations. The project would not involve potential groundborne vibration sources other than operation of construction equipment, which would not result in adverse effects on people or structures.	LS	None required.	-
14.0 PUBLIC SERVICES AND RECREATION			
Impact PSR-1: Fire Protection Service. The Lodi Fire Department indicates that demands associated with	LS	None required.	-

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
the project could be accommodated with existing facilities and staff. No new or expanded facilities would be required.			
Impact PSR-2: Police Protection Services. The Lodi Police Department would have adequate resources to provide service to the project. No new or expanded facilities would be required.	LS	None required.	-
Impact PSR-3: Schools. The residential component of the project would likely generate new student load. The project would be required to pay to LUSD developer impact, which are considered by State law to be adequate mitigation for CEQA purposes.	LS	None required.	-
Impact PSR-4: Parks and Recreational Services. The proposed project would not create a significant increase in population, and thus an increase in park users, that would cause a substantial physical deterioration of existing recreation parks and facilities. No new or expanded facilities would be required.	LS	None required	-
Impact PSR-5: Other Public Facilities. The project would not generate additional demand for library or courthouse services, and therefore would not require new or expanded facilities.	LS	None required.	-
15.0 TRANSPORTATION			
Impact TRANS-1: Conflict with Motor Vehicle Transportation Plans. Under Existing Plus Approved Projects Plus Project conditions, all intersections affected by the project would operate at LOS above minimally acceptable City of Lodi standards.	LS	None required.	-

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
Impact TRANS-2: Conflict with Non-Motor Vehicle Transportation Plans. The project would not conflict with applicable non-motor vehicle transportation plans or their implementation.	LS	None required.	-
Impact TRANS-3: Safety Hazards. The project would include entrances designed to avoid safety issues, along with alterations to adjacent roads.	LS	None required.	-
Impact TRANS-4: Emergency Access. Adequate emergency access would be provided to the project site.	LS	None required.	-
Impact TRANS-5: Vehicle Miles Traveled. The project would lead to increased VMT.	S	TRANS-1: The following mitigation measures shall apply to the residential portion of the project. Implement Subsidized or Discounted Transit Program. See analysis of non-residential VMT impacts below. This improvement may result in marginal increases in transit usage but would not, however, result in a substantial net reduction in VMT. Construct or Improve Pedestrian and Bike Facilities. See TRANS-2, Provide Traffic Calming Measures below. Potential reductions in VMT associated with these improvements cannot be reliably quantified. TRANS-2: The following measures shall apply to both the residential and non-residential components of the project: • Implement a voluntary Commute Trip Reduction (CTR) program. • Implement an employee parking cash-out program. • Construct or improve bike facility. In addition to any bicycle parking requirements associated with	SU

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
		building code requirements, the proposed hotel and retail commercial uses shall provide secure covered bicycle storage facilities for employee use as required by the Lodi Zoning Code.	
16.0 UTILITIES AND ENERGY			
Impact UTIL-1: Wastewater Services and Facilities. Average wastewater flows for the project can be accommodated by the WPCF without the need for new or expanded facilities or additional discharge approval by the RWQCB.	LS	None required.	-
Impact UTIL-2: Water Services and Facilities. The project would not place additional demand on the City's existing water supplies.	LS	None required.	-
Impact UTIL-3: Stormwater Services and Facilities. The City's existing storm drainage system has adequate capacity to accommodate the increase in storm drainage from the project; new stormwater drainage structures would not be required.	LS	None required.	-
Impact UTIL-4: Solid Waste. The project would not generate a substantial demand for solid waste services. Existing landfills in the County would have adequate capacity to accommodate project solid waste.	LS	None required.	-
Impact UTIL-5: Energy and Telecommunications Facilities. Existing electrical, natural gas, and telephone lines are available near the project site.	LS	None required.	-
Impact UTIL-6: Project Energy Consumption. Project construction and operations would not consume energy in a manner that is wasteful, inefficient, or	LS	None required.	-

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Potential Impact	*Significance Before Mitigation*	*Mitigation Measures*	*Significance After Mitigation*
unnecessary. Project has sustainability components that would further reduce energy consumption by operations.			
Impact UTIL-7: Consistency with Energy Efficiency Plans. The project would be consistent with the energy efficiency goals of CalGREEN and Title 24, and the energy efficiency objectives of the City's CAP.	LS	None required.	-

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

Notes: S = Significant, SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, NI = No Impact

3.0 COMMENTS ON DRAFT EIR AND LEAD AGENCY RESPONSES TO COMMENTS

This chapter displays the five written comments received by the City during the public review period for the Lakehouse Mixed Use Development Project Draft EIR. The Lead Agency's written responses to each of these comments are provided following each comment letter.

A total of three written communications, all letters, from public agencies, organizations and individuals were received during the review period. A list of entities submitting written comments is shown below; these include comments provided by state agencies through the State Clearinghouse. The City's responses to substantive comments were provided to each of the commenting agencies at least 10 days before the planned certification of this document.

Comments Received on the Public Review Draft EIR

1. San Joaquin Council of Governments, SJMSCP, August 10, 2023
2. Northern Valley Yokut Tribe, August 11, 2023
3. California Department of Fish and Wildlife, September 21, 2023
4. Central Valley Regional Water Quality Control Board, September 21, 2023
5. Northern California Power Agency, September 22, 2023

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

The written comments received on the Draft EIR are shown on the following pages. Each comment document is followed by the Lead Agency's response(s) to the individual comments made in each document, in sequence. Each comment document is assigned a number code, shown above, and each substantive comment within the numbered letter is assigned an alphabetical code. Thus, each comment has a unique code made up of the letter number and the comment code. For example, comment "2A" is the first comment made by the Northern Valley Yokut Tribe. The following Response 2A addresses this comment.

S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0574 • Email: boyd@sjcog.org

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

SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ)
ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: John Della Monica, City of Lodi, Community Development Department

From: Laurel Boyd, SJCOG, Inc. Phone: (209) 235-0574 Email: boyd@sjcog.org

Date: August 10, 2023

-Local Jurisdiction Project Title: Public Notice of Availability Draft Environmental Impact Report for the Lakehouse Mixed Use Development

Assessor Parcel Number(s): 015-640-09

Local Jurisdiction Project Number: N/A

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Multi-Purpose Open Space Habitat Land

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

Dear Mr. Della Monica:

SJCOG, Inc. has reviewed the project referral for the Public Notice of Availability Draft Environmental Impact Report for the Lakehouse Mixed Use Development. This project proposes the development of a resort hotel, a separate standalone 150-unit residential apartment complex, and approximately 18,500 square feet of retail commercial space on a 9.75-acre site. The four-story resort hotel would include 96 guest suites with a restaurant and banquet room. The project would include on-site parking for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval. Construction of buildings and connections to utilities would require additional City approvals. The project site is located north of Turner Road and east of Lower Sacramento Road, Lodi (APN: 015-640-09).

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

This Project is subject to the SJMSCP. This can be up to a 30 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. http://www.sjcog.org

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- SJMSCP Incidental take Minimization Measures and mitigation requirement:

1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
    a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
    b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
    c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or

1A

COMMENT NO. 1
SJCOG, INC.

d. Purchase approved mitigation bank credits.

4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
   a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
   b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
   c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

- Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0574.

1A

COMMENT NO. 1
SJCOG, INC.

S J C O G, Inc.

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

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

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Other: _____

FROM: Laurel Boyd, SJCOG, Inc.

DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:

1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
   a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
   b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
   c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
   d. Purchase approved mitigation bank credits.
4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
   a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
   b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
   c. Purchase approved mitigation bank credits.

   Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: NOA of a Draft EIR for the Lakehouse Mixed Use Development Project

Assessor Parcel #s: 015-640-09

T _____, R_____, Section(s): _____

Local Jurisdiction Contact: John Della Monica

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.

1A

COMMENT NO. 1
SJCOG, INC.

Responses to Comment #1, San Joaquin Council of Governments

Response 1A: This comment notifies the lead agency that the project can be covered by the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The SJMSCP is a program for assessing and mitigating the biological impacts of land development in San Joaquin County. The SJMSCP protects 97 wildlife species and 52 vegetative communities listed or proposed for listing under the California and Federal Endangered Species Act as threatened or endangered and birds covered by the Migratory Bird Treaty Act zone. The SJMSCP requires payment of impact fees, which are used to provide compensation for the conversion of open space to urban and other uses. The SJMSCP requires participants to abide by Incidental Take Minimization Measures (ITMMs), that avoid direct impacts of development on special-status species. The SJMSCP has been adopted locally by San Joaquin County, the City of Lodi, and the other incorporated cities in San Joaquin County, and the SJMSCP compliance process is recognized by federal and state agencies with jurisdiction or trusteeship over biological resources as resulting in biological impacts that are less than significant.

The SJMSCP is thoroughly discussed in Chapter 6.0 Biological Resources of the Draft EIR. Proposed mitigation measures require project participation in the SJMSCP.

Wednesday, September 27, 2023 at 13:25:13 Pacific Daylight Time

Subject: Re: Notice of Availability
Date: Friday, August 11, 2023 at 10:40:37 AM Pacific Daylight Time
From: Katherine Perez
To: Rayanna Beck

Hello Rayanna Beck,

Northern Valley Yokut / Ohlone and Nototomne Cultural Preservation are in receipt of your email regarding the notice of the Lodi Lake House Mixed-Use Development Project dated 8/11/23, formally notifying us of a proposed project, the Lodi Lake House Mix-Use Development Proposed Project in the City of Lodi, California and an opportunity to consult and address our concerns. This email letter is a notice that the Northern Valley Yokut / Ohlone and Nototomne Cultural Preservation would like to initiate consultation as we are aware of the high sensitivity of the area for inadvertent discoveries. We have in the past surveyed the area and have found indications of sensitivity. It is the Tribes recommendation to have our Tribe monitor all ground disturbances.

Katherine Perez, President
Nototomne Cultural Preservation
Northern Valley Yokut Tribe
Email: canutes@verizon.net
Cell: (209) 649-8972

On Tuesday, August 8, 2023 at 01:52:51 PM PDT, Rayanna Beck <rbeck@basecampenv.com> wrote:

Please see the attached Notice of Availability of an EIR for the Lodi Lake House Mixed-Use Development Project.

Thank you,

--
Rayanna Beck
BaseCamp Environmental, Inc.
802 West Lodi Ave
Lodi, Ca. 95240
(209) 224-8213
Ext: 104

2A

COMMENT NO. 2 NORTHERN VALLEY YOKUT TRIBE

Responses to Comment #2, Northern Valley Yokut Tribe

Response 2A: Pursuant to AB 52, and SB 18 the City of Lodi notified the Northern Valley Yokut Tribe of the project by letter on January 26, 2022; a copy of this letter is shown in Appendix B. No known written response to this notification was received by the City.

Nonetheless, the City recognizes the concerns of the Tribe and has opened communication with tribal representative Katherine Perez, the commenter, so that the tribes' concerns can be fully addressed during the review of the project.

Chapter 7.0 Cultural Resources of the Draft EIR describes the cultural resource sensitivity of the project site and area. Based on a records search and field survey of the project site combined with proximity to the Mokelumne River the project site and area were described as sensitive for archaeological and tribal cultural resources. Proposed mitigation measures require invitation of Native American monitors to observe initial disturbance of the site, as requested by the Yokuts representative. Additional detail with respect to monitoring, notification in the event of discoveries, and other aspects of cultural resource protection will be coordinated with the Yokut Tribe or other interested tribes as needed to and through the construction process.

Haggerty, Nicole@Wildlife

From: Kearns, Zachary@Wildlife
Sent: Thursday, September 21, 2023 5:26 PM
To: jdellamonica@lodi.gov
Cc: Rippert, Jennifer@Wildlife; Wilson, Billie@Wildlife; Sheya, Tanya@Wildlife; Wildlife R2 CEQA
Subject: CDFW Comments - Lakehouse Mixed Use Development - San Joaquin County

Hi John Della Monica,

The California Department of Fish and Wildlife (CDFW) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Lakehouse Mixed Use Development (project). CDFW is responding to the DEIR as a Trustee Agency for fish and wildlife resources (Fish & G. Code, §§ 711.7 & 1802, and CEQA Guidelines, §§ 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 et seq.) and/or a California Endangered Species Act (CESA) Permit for incidental take of endangered, threatened, and/or candidate species (California Fish and Game Code Sections 2080 and 2080.1). 3A

The project is located at approximately Latitude: 38.146667, Longitude: -121.301389, in San Joaquin County. The project consists of the development of 150 apartment units, a 96-suite hotel, associated hospitality-related facilities, and approximately 18,500 square feet of retail commercial space.

CDFW recommends the following items be addressed in the future planning of the project:

1. **Nesting Birds.** Sections 3503, 3503.5, and 3513 of the Fish and Game Code protect nesting and migratory birds and birds of prey. Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto. Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto. Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the federal Migratory Bird Treaty Act. 3B

   CDFW recommends that nesting bird surveys be conducted if project activities are scheduled to occur between February 1 and August 31, to fully encapsulate the potential nesting season. The survey should take place no more than 15 calendar days prior to ground disturbing activities. CDFW typically recommends a minimum of a 500-foot radius for migrating birds, and a ½ mile radius for nesting raptors.

2. **Moving out of Harm's Way**: The proposed project is anticipated to result in disturbances to natural habitats that support native species. To avoid direct mortality, a qualified biologist who is approved by CDFW to handle special status species may be retained to be onsite prior to and during all project-related activities to move out of harm's way special status species or other wildlife of low or limited mobility, that would otherwise be injured or killed from project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far a necessary to ensure their safety. 3C

   Please note, if it is determined the Project may have the potential to result in "take," as defined in the Fish and Game Code, section 86, of a CESA-listed species, then the City of Lodi Community Development Department (City) should disclose that an incidental take permit (ITP) or a consistency determination (Fish & G. Code, §§ 3D

COMMENT NO. 3
CA DEPT OF FISH AND WILDLIFE

2080.1 & 2081) may be needed prior to starting construction activities. The DEIR should include all avoidance and minimization to reduce the impacts to a less than significant level. If impacts to listed species are expected to occur even with the implementation of these measures, mitigation measures should be proposed to fully mitigate the impacts to CESA-listed species (Cal. Code Regs., tit. 14, § 783.2, subd. (a)(8)). If the City does not pursue CESA authorization and encounters any CESA-listed species during project activities, work should be suspended, and CDFW notified. Work should not re-initiate until the City has consulted with CDFW and can demonstrate compliance with CESA.

3D

A. The DEIR indicates that take coverage will proactively be obtained through the San Joaquin County Multi-Species Habitat Conservation Plan (SJMSCP). If take coverage is not available for the project through the SJMSCP, CDFW recommends early consultation to ensure potential permitting delays do not affect project timelines.

3. **Tree Roosting Bats**: The document states that project activities will occur in likely habitat of tree roosting bats. If roost trees are removed during the colder months, bats may be in hibernation and unable to escape. To avoid potential impacts to both maternity colonies and hibernating bats, CDFW recommends that tree removal be scheduled either in the spring between approximately March 1 (or when evening temperatures are above 45°F) and April 15, or in fall between approximately September 1 and October 15 (or prior to evening temperatures dropping below 45°F and the onset of rainfall greater than one-half inch in 24 hours). If bats must be captured or relocated, a qualified biologist should capture injured bats by hand-capture or other methods approved by CDFW. CDFW does not authorize the use of mist nets or harp traps as capture techniques.

3E

4. Burrowing Owl. If construction activities are planned in suitable Burrowing Owl (BUOW, *Athene cunicularia*, Species of Special Concern) habitat, a designated biologist(s), approved by CDFW, should conduct a survey for burrowing owl following the methodology described in the Staff Report on Burrowing Owl Mitigation, within 1-2 weeks prior to the start of construction. If BUOW or signs of BUOW presence such as whitewash, feathers, animal dung, etc. are not detected, no further mitigation will be required. If burrowing owls are observed within 500 feet of the project area, the project proponent should develop an Impact Assessment consistent with the Staff Report on Burrowing Owl Mitigation and submit the Impact Assessment to CDFW prior to construction work. The final avoidance and mitigation measures will be determined in coordination with CDFW, but the Impact Assessment should at a minimum include the following mitigation measure:

3F

a. Occupied burrows will not be disturbed. If occupied burrows are found, the biologist will ensure active nests are avoided and a no disturbance or destruction buffer be established by a biologist. The buffer shall be kept in place until after the breeding nesting season or biologist confirms the young have fledged, and the nest is no longer active for the season. The extent of these buffers shall be determined by the biologist and will depend on the species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers.

5. **Swainson's Hawk**. Swainson's hawk (*Buteo swainsoni*) (SWHA) is a species listed as threatened under CESA and has the potential to occur on the project area. California Natural Diversity Database (CNDDB) has records of at least 29 previous SWHA occurrences within five (5) miles of the project area. Review of aerial imagery also suggests that there may be suitable nesting trees and foraging habitat on mixed habitat.

3G

If the project is to occur without coverage through the SJMSCP, CDFW recommends a qualified biologist conduct SWHA surveys within a minimum 1/2-mile radius around the project area. Surveys should be conducted according to the following the five-period schedule in accordance with the "Recommended Timing and

COMMENT NO. 3
CA DEPT OF FISH AND WILDLIFE

Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Tech. Advis. Comm., 5/2000)":

- January to March 20- One (1) Survey, All Day
- March 20 to April 5- Three (3) Surveys, Sunrise to 1000 / 1600 to Sunset
- April 5 to April 20- Three (3) Surveys, Sunrise to 1200 / 1630 to Sunset
- April 21 to June 10- Monitoring
- June 10 to July 30- Three (3) Surveys, Sunrise to 1200 / 1600 to Sunset

If an occupied nest is found and may be impacted by project activities, the project proponent should consult with CDFW and demonstrate compliance with CESA. CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the project has the potential to result in "take" (Fish & G. Code § 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of CESA-listed species, either through construction or over the life of the project.

3G

6. **Passive Relocation and Entrapment Prevention**: At the end of each workday, any structures where wildlife may become trapped (e.g. open pipes, pits, trenches, etc.) should be tightly covered with hard material to prevent wildlife from entering, or an escape ramp should be placed at each end of any open excavation to allow wildlife that may become trapped to climb out overnight. The ramp may be constructed of either dirt fill or wood planking or other suitable material that is placed at an angle no greater than thirty (30) degrees. A qualified biologist or construction monitor should survey the project area prior to work each day to ensure wildlife incidentally trapped due to project activities are allowed to escape prior to project commencement.

3H

Pursuant to Public Resources Code sections 21092 and 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the project. Written notifications may be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670.

3I

CDFW appreciates the opportunity to comment on the project and recommends that the County address CDFW's comments and concerns in the forthcoming CEQA document. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

If you have any questions regarding the comments provided in this letter or wish to schedule a meeting and/or site visit, please contact Zach Kearns, Environmental Scientist at (916) 358-1134 or zachary.kearns@wildlife.ca.gov.

Sincerely,

Zach Kearns
Environmental Scientist
(916) 358-1134
1701 Nimbus Rd.
Rancho Cordova, CA 95670

CALIFORNIA DEPARTMENT OF FISH and WILDLIFE

COMMENT NO 3
CA DEPT OF FISH AND WILDLIFE

Responses to Comment #3, California Department of Fish and Wildlife

Response 3A: This portion of the comment define the Department's authority to comment and the project location, which was also disclosed in the EIR. No response is necessary.

Response 3B: This comment describes the applicability of the Fish and Game Code to the project. These and other applicable requirements of the Code were described in Chapter 6.0 Biological Resources of the EIR. The project will participate in the SJMSCP; the need for nesting bird surveys in conformance with Fish and Game Code requirements will be assessed and surveys performed as required by SJMSCP biologists as a part of SJMSCP implementation with respect to the project.

Response 3C: Similar to the need for bird surveys discussed above, surveys for native species and their relocation if needed, by qualified biologists will occur as a part of SJMSCP implementation with respect to the project.

Response 3D: The proposed project is not expected to result in "take" of special status species. Avoidance of take will result from the application of Incidental Take Minimization Measures (ITMMs) defined by the SJCOG for the project as a part of SJMSCP implementation for the project.

Response 3E: Neither the EIR, nor the Biological Assessment on which Chapter 6.0 of the EIR relies, identified any substantial potential for disturbance of habitat for tree-roosting bats or the roosting bats themselves. Potential bat roosting sensitivity, if any, would be the responsibility of the SJCOG biologists and would be addressed through project participation in the SJMSCP.

Response 3F: The potential for occurrence of burrowing owls on the project site was addressed in the Biological Assessment for the project. No evidence of burrowing owl use was identified during preparation of the Biological Assessment. Required SJMSCP participation would mitigate for any potential impacts on burrowing owl through the implementation of ITMMs for this species.

Response 3G: The potential for project impacts on Swainson's hawks was addressed in the Biological Assessment for the project. The Biological Assessment reported that no Swainson's hawks were observed on the project site during the 2019 surveys, which were conducted during the nesting season, but Swainson's hawks were observed nesting approximately one-half mile east of the site. Recognizing the project's potential for disturbance of Swainson's hawk nesting, the BA and the EIR determined that required SJMSCP participation would mitigate for any potential impacts through pre-construction surveys in accordance with adopted protocols and the implementation of ITMMs for this species.

Response 3H: The potential for wildlife entrapment will be considered by the SJMSCP biologist and any necessary protections will be incorporated into ITMMs for the project.

Response 3I: Preparation of the Biological Assessment, the EIR and the above responses to CDFW's comments demonstrate the City's attentiveness to CDFW concerns. In the event that there are questions or further concerns, the City will contact CDFW staff as requested.

21 September 2023

John Della Monica
City of Lodi Community Development Department
221 West Pine Street
Lodi, CA 95240
jdellamonica@lodi.gov

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, TURNER ROAD - LAKE HOUSE MIXED USED DEVELOPMENT PROJECT, SCH#2019029095, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse's 8 August 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environmental Impact Report* for the Turner Road - Lake House Mixed Used Development Project, located in San Joaquin 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 Control Board (State Water Board), Office of

4A

COMMENT NO. 4
REGIONAL WATER QUALITY CONTROL BOARD

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 and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-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:

4A

COMMENT NO. 4
REGIONAL WATER QUALITY CONTROL BOARD

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

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]
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

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. 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

[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.

4A

COMMENT NO 4
REGIONAL WATER QUALITY CONTROL BOARD

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/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

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 Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. 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 Threat 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 Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

4A

COMMENT NO 4
REGIONAL WATER QUALITY CONTROL BOARD

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) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel
Peter Minkel
Engineering Geologist

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

4A

COMMENT NO 4
REGIONAL WATER QUALITY CONTROL BOARD

Responses to Comment #4, Central Valley Regional Water Quality Control Board

Response 4A: The Central Valley Regional Water Quality Control Board (CVRWQCB) begins its comments with a general overview of the regulatory setting for water quality. The letter goes on to describe more specific concerns, review authority and permitting requirements for various areas of water quality jurisdiction, including the Basin Plan, Antidegradation Policy, the Construction Storm Water General Permit, Municipal Separate Storm Sewer (MS4) Permits, Clean Water Act Section 404 and 401 Permits, Waste Discharge Requirements, Dewatering Permits, Limited Threat NPDES Permits and other NPDES Permits.

The CVRWQCB letter makes no specific comment with respect to the content of the EIR and therefore requires no response. Some areas of the CVRWQCB's water quality jurisdiction are or may be applicable to the project, including the Basin Plan, Construction Storm Water General Permit and Municipal Separate Storm Sewer (MS4) Permits; these subjects as they apply to the project are discussed in pages 11-3 through 11-5 of the DEIR.

PO Box 1478
12745 N. Thornton
Road Lodi, CA 95241

(209) 333-6370

www.ncpa.com

September 22, 2023

City of Lodi

Community Development Department

221 West Pine Street, Lodi, CA. 95240

Attn: John Della Monica, Director

Subject: SCH No. 2019029095 - Draft Environmental Impact Report (EIR) for the Lakehouse Mixed Use Development, City of Lodi

Thank you for the opportunity to provide comments for this proposed Project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process. Northern California Power Agency (NCPA) has reviewed the environmental document cited above and offers the following comments, requests for clarification, and recommendations based on our understanding of the Project. If the proposed Project description below varies substantially from the Project as understood by the Lead Agency, we request that any significant differences be clarified and included in the Final EIR. 5A

1.0 Project Background

The project site is located in the northwestern portion of the City of Lodi, in northern San Joaquin County, on the northeast corner of the intersection of two minor arterial streets: Lower Sacramento Road and Turner Road. The largely undeveloped property has substantial existing tree cover, which consists of remnant orchard and ornamental trees and shrubs, and an abandoned railroad spur that formerly served the General Mills cereal production facility south of the site across Turner Road. Two small, prefabricated steel storage buildings are located in the southwestern portion of the site. Available information suggests these buildings were associated with historical agricultural operations. Lands east of the project site are in utility uses, including an approximately 1.5-acre substation owned and operated by Lodi Electric Utility (LEU), an approximately one-acre electricity generation station operated by NCPA, and the City's Surface Water Treatment Facility (SWTF). Lodi Lake Park, a major City recreational 5B

COMMENT NO. 5
NORTHERN CALIFORNIA POWER AGENCY

facility, is east of these land uses. The project would be constructed on two parcels totaling 9.75 acres. However, as one of the parcels is occupied by a telecommunications tower and accompanying easement, the actual project development would be limited to 9 acres.

2.0 Project Description

The primary objective of the proposed project is the development of 150 apartment units, a 96-suite "boutique"-style hotel, associated hospitality-related facilities, and 18,500 square feet of retail commercial space. The hotel project would provide upscale resort accommodations serving the wine and winery tourism markets as well as an upscale living environment for persons who wish to invest and settle in the Lodi area. A total of 150 market-rate rental units are proposed; the project would not offer any units below market rate. 5B

3.0 Environmental Issues / Comments

3.1 Aesthetics/Visual Resources

- The Draft EIR states that the majority of the existing vegetation would be cleared for the proposed Project. Please clarify if this includes existing trees along the boundary with the NCPA facility, including the areas that would face the Enchanted Rock facility. If existing trees are removed, provide information on the vegetation that would be replanted, including species and growth rate, to protect visual resources for apartment residents and hotel guests. 5C

- Per Lodi Municipal Code Section 17.14.080, "A solid, decorative masonry wall, of minimum six feet in height, shall be installed along parcel boundaries whenever a non-residential use adjoins a residential zoning district." The Draft EIR does not mention construction of such along the boundary with the NCPA facility. Please clarify if a masonry wall would be installed, its height, and its design. Additionally, please provide information on present and future coordination with NCPA on visual buffers that would be needed, as the masonry wall would have to be architecturally treated on both sides. 5D

- The existing Draft EIR states that the views from West Turner Road consist mainly of slatted perimeter fencing. A review of the street views using Google Earth revealed that the fencing along Lower Sacramento Road is slatted, but not the fencing along West Turner Road, which is an open chain-link fence and allows for views of the existing green space. This image is dated May 2023 by Google. The Draft EIR states that the screening effect and ordinary appearance of the fencing are not aesthetically important, and suggests that views of the developed Project would be visually pleasing compared to existing conditions as the hotel would be set back from the road, and the overall scale of the building would be broken into smaller elements. Please clarify the information claiming that the fencing along West Turner Road is slatted. As stated in the background information for Section 4.0 of the Draft EIR, "The aesthetic value assigned to a resource varies significantly from person to person, depending on their ideas and perceptions;" therefore, the existing, more natural view may hold more value than the proposed development for drivers and pedestrians. Please provide information on how the 5E

COMMENT NO. 5
NORTHERN CALIFORNIA POWER AGENCY

determination was made that the existing environment is not as aesthetically pleasing as the proposed Project would be.

5E

3.2 Biological Resources

- If existing trees are to be removed, please provide information on the necessity of clearing completely to the property boundary and the vegetation that would be replanted, including species and growth rate, to protect visual resources for apartment residents and hotel guests. Native tree species and multiple types/levels of vegetation that mimic natural habitat (understory, shrubs, and trees) are best to promote biodiversity and provide habitat for native animals. Planted species should follow local regulations. Western redbud and California buckeye are attractive, drought-tolerant native species that may function well for this purpose.

5F

3.3 Cultural Resources and Tribal Cultural Resources

- The records review of the California Historical Resources Information System was conducted in 2018. As historic and archaeological sites may have been identified in the intervening years, an updated file search should be conducted. Similarly, an updated search of the Sacred Lands Files maintained by the Native American Heritage Commission should be completed.

5G

- The Draft EIR does not address the prehistoric cultural sensitivity and the potential for undiscovered and/or deeply buried prehistoric resources within the Project area, as reported in the cultural resources technical memorandum prepared by Solano Archaeological Services. Please clarify this section and provide an analysis using the data from the technical memorandum.

5H

- The Draft EIR does not provide an accurate description of the field methodology employed by Solano Archaeological Services, or the conditions under which the 2018 survey was conducted. Per the cultural resources technical memorandum, the field survey consisted of a pedestrian survey during which time the ground surface visibility was 0 to 5 percent in most areas. The limited visibility and lack of a subsurface investigation is a significant concern given the prehistoric cultural sensitivity of the Project area. Prior to finalizing the EIR, pre-construction archaeological testing should be conducted to avoid and mitigate impacts to cultural resources.

5I

- The Draft EIR indicates that the City may determine that the Project area may not be culturally sensitive. Cultural sensitivity is determined by a qualified archaeologist, and in consultation with culturally affiliated Native American Tribes. The cultural resources technical memorandum prepared by Solano Archaeological Services concluded that the property is considered archaeologically sensitive for potentially buried prehistoric deposits. Two Native American Tribes have also expressed concerns and have indicated that the Project area is archaeologically sensitive. Please ensure that a qualified archaeologist, in consultation with Native American Tribes, makes the final determination on cultural sensitivity at the Project site.

5J

- Given the prehistoric cultural sensitivity of the Project area and recommendations for monitoring by two Native American Tribes, archaeological monitoring should be implemented during construction activities in accordance with the mitigation measures provided by the United Auburn Indian Community of the Auburn Rancheria (UAIC). 5K

- The mitigation measures outlined in the Draft EIR do not comprehensively cover each of the mitigation measures provided by the UAIC. For example, the Draft EIR indicates that all construction activities will be halted within a 50-foot radius of any subsurface archaeological or paleontological resources encountered during construction. The UAIC mitigation measures call for a 100-foot radius. Please provide a valid justification for this or any other changes to the UAIC mitigation measures. 5L

- Please provide a copy of the UAIC mitigation measures in Appendix E of the Draft EIR, along with any other records documenting communication with the Native American Tribes referenced in the report. 5M

- Within the Impact "CULT-4: Tribal Cultural Resources" section of the Draft EIR, there are errors amongst the references to the mitigation measures. For example, the Draft EIR states "Mitigation Measure CULT-1 would require pre-construction training of construction workers in the identification of potential cultural resources." However, the training of construction workers is addressed in Mitigation Measure CULT-3. Please address these errors in the Final EIR. 5N

- The Draft EIR should clarify the procedures to be taken for construction to proceed following unexpected archaeological discoveries. 5O

3.4 Hazards and Hazardous Materials

- Please clarify whether hazardous materials and chemicals above the designated thresholds would be stored on-site during construction, requiring the preparation of a Spill Prevention, Control, and Countermeasure (SPCC) Plan. 5P

- The Draft EIR describes mitigation measures to obtain soil samples along the railroad spur to determine whether further mitigation is required to avoid releases of hazardous materials. Please clarify is the area would also be tested for materials containing creosote. Considering that the site was previously used for agriculture purposes, the possibility of contamination from pesticides may exist throughout the site. Please identify other site locations that would be tested to determine and prevent the release of hazardous chemicals during grading and excavation activities. 5Q

3.5 Land Use, Population, and Housing

- The City of Lodi Housing Strategy includes a goal of implementing programs that include revising the City's Zoning Ordinance to provide incentives to construct more affordable housing and to change standards that may constrain housing production, revising the City's Growth Management Program to encourage affordable housing production, promoting the City's multi-family housing development standards, and facilitating land 5R

divisions, lot line adjustments, and specific plans that result in parcel sizes that enable multi-family developments at affordable prices to lower-income households, among others (City of Lodi 2016b). Of new units built, "approximately 43% would need to be affordable to households with low, very low, or extremely low incomes (City of Lodi 2016b). The proposed Project would develop 150 apartment units that would provide "an upscale living environment for persons who wish to invest and settle in the Lodi area." All units would be priced at market rate, and "the project would not offer any units below market rate." Considering the rising costs of housing in California, market rates may considerably increase by the time the Project is complete. Please clarify how the proposed Project would help achieve City goals of ensuring that approximately 43 percent of new units would need to be affordable to low, very low, or extremely low incomes, and how construction of luxury units may affect, and possibly reduce, available land that could be used for construction of affordable housing.

5R

3.6 Noise

- The Draft EIR contains several references to noise. Table 2-1, Areas of Controversy, qualifies the potential acoustical impact as "Exposure to noise from adjacent land uses" with reference to Chapter 13 of the report. The overall noise analysis seems to be largely focused on potential impacts to the surrounding area from the proposed uses, including traffic noise impacts, construction noise impacts, and ground borne noise impacts. The CEQA guideline table, Table 2-2, quantifies all these potential impacts as less than significant, and suggests no required mitigation measures.

5S

Two acoustical studies were conducted as part of the Draft EIR by J.C. Brennen Acoustical Consultants and Worley, and are presented in full in Appendix G. The former focused on onsite sound levels recorded over a 24-hour period, while the latter focused on noise from the NCPA Peaker Plant operations. None of the reports analyzed noise impacts from the Enchanted Rock facility, which is currently under construction. These studies conclude that the major noise producing sources in the area are existing traffic noise and the existing NCPA facility, when in operation. While these studies are referenced and summarized in Chapter 13, they do not seem to be factored into the CEQA table mentioned above, nor are they specifically addressed in reference to Title 24 or the City of Lodi General Plan / Lodi Municipal Code. There are various references that seem to imply that the results of the J.C. Brennen study support no impact from the existing operations, but the results provided by the study fail to account for the increase in noise measured from the NCPA operations as denoted by the Worley study, and does not analyze possible impacts from the Enchanted Rock facility. The J.C. Brennen report states "This analysis will not evaluate the other impacts which may affect the Project site, such as the Peaker Plant." If the Worley results were incorporated into the presented Community Noise Equivalent Level (CNEL) data from the J.C. Brennen study, then it is possible that these levels not only from the NCPA facility, but also from the Enchanted Rock facility, would not only be increased, but would quantify the increases as a "significant impact" by CEQA, fall within mitigation requirements under Title 24, or require mitigation per the City of Lodi. Without explicitly addressing this potential impact, it cannot be assumed that potential impacts from the NCPA facility and the Enchanted Rock facility are being adequately addressed during the design and construction process

5T

to limit the potential noise impact to the proposed residents and tenants, especially if both plants are operating either simultaneously or one at a time. This omission seems intentional and based upon the intermittent use of the facilities, but given the potential for significant increases in noise while they are operational, as noted in the Worley report, this omission may not be warranted. Various acoustical mitigation options are presented in the Worley report, but are not addressed in the body of the EIR.

5T

CEQA requires a cumulative impact analysis, especially in cases where past, present, or future conditions may affect the proposed Project, such as the presence of noise from the existing NCPA facility immediately adjacent to the proposed buildings. It also appears that impacts from the Enchanted Rock facility, currently under construction immediately to the northeast of the site, were not analyzed in the studies provided in Appendix G. This facility is being constructed after the City of Lodi experienced two straight days of power outages in September 2022. The Enchanted Rock facility would provide 20 to 48 megawatts of electricity, and operate during peak energy demand times, similar to the existing NCPA facility. Please conduct an analysis that includes appropriate data from both reports to determine if noise from the NCPA facility would create a significant impact to residents and hotel guests, including potential mitigation, as well as an analysis on impacts from the Enchanted Rock facility.

5U

3.7 Public Services and Recreation

- In comments for the Initial Study / Mitigated Negative Declaration (IS/MND), the NCPA commented that equipment at its existing facilities could pose a fire risk to the proposed Project. In the Draft EIR, the City states that this issue is technically not one that is analyzed under CEQA, as CEQA does not require discussion of the impacts of existing environmental conditions on a project. However, CEQA does require a cumulative impact analysis, especially in cases where past, present, or future conditions may affect the proposed Project, such as the presence of the hazardous and flammable materials in the NCPA facility immediately adjacent to the proposed buildings, and the Enchanted Rock facility to the northeast of the site. Please provide information on how the proposed Project would affect fire protection services access for both facilities, including plans to maintain safety for residents and hotel guests in case of a fire or accidental chemical release.

5V

3.8 Transportation

- The Draft EIR states that new pedestrian-friendly circulation ways along both Project frontages would improve pedestrian and bicycle connections between Woodbridge, residential areas near the Project, Lodi Lake, and north Lodi residential areas, resulting in improved pedestrian circulation in the area. However, the Transportation section on emergency services access states that the Project would work with the fire department for access to the site, "including through security gates." Please clarify whether the site would be open to the general public for pedestrian and bicycle access.

5W

- There is currently a public transit stop along West Turner Road in front of the proposed site. Please provide information on possible impacts to the public transit stop during construction, including mitigation to ensure appropriate access.

5X

- Although not specifically stated as a program or measure to reduce vehicle miles traveled (VMT), the inclusion of electric vehicle (EV) charging stations may help with the reduction in GHG emissions. As the use of EVs continues to rise in California, charging stations would provide hotel guests and residents with the opportunity to participate in reducing the state's emissions, and perhaps even the Project's overall operational emissions. The Draft EIR does not specifically state that EV charging stations would be included at the site. Please clarify whether these would be provided.

5Y

3.9 Utilities and Energy

- CEQA requires an evaluation of project impacts, including asking if the project would "Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?" The proposed Project sits immediately west of an existing power-generating facility, and very close to the Enchanted Rock facility, currently under construction. Although the facilities would not be operational at all times, they are and would be used when additional energy is required for the grid during peak energy demand times. During operation, testing, and regular maintenance, the facilities may produce impacts typical of an energy-generating plant, including permitted activities such as noise, limited hazardous material release, or air emissions. Please provide information on how these issues would be dealt with for residents and hotel guests, including cooperation with NCPA and Enchanted Rock to reduce impacts, working with residents and hotel guests to understand the nature of and use of the facility, and how conflicts would be addressed, with the ultimate goal for the energy production facilities to remain in its currently permitted location.

5Z

3.10 Air Quality

- The Notice of Preparation for the EIR states that it will include a Health Risk Assessment quantifying health risks associated with existing air toxic emissions generated by existing operation of the adjacent NCPA power generation facility. It appears that it was not prepared, as it was not included or mentioned in the Draft EIR. Please prepare the Health Risk Assessment and include the results in the Final EIR.

5AA

- In the *California Building Industry Association v. Bay Area Air Quality Management District* case, the California Supreme Court noted that if a project would exacerbate an existing environmental condition, this exacerbated condition would be within the scope of

5BB

COMMENT NO 5
NORTHERN CALIFORNIA POWER AGENCY

CEQA analysis. As noted on page 5-10, the NCPA facility is a source of toxic air emissions that could result in health risk impacts that exceed San Joaquin Valley Air Pollution Control District (SJVAPCD) risk thresholds. Additionally, the "Project Objectives" on page 3-3 states a goal "To develop the project site in a manner that is compatible with the operations of the adjacent NCPA power generation facility." However, regarding the NCPA facility, the Draft EIR specifically notes on page 5-10 that the "potential effects of these [toxic] emissions on future residents, guests, and employees of the project are not considered within the scope of CEQA analysis." CEQA requires a cumulative impact analysis, especially in cases where past, present, or future conditions may affect the proposed Project, such as the presence of the NCPA facility immediately adjacent to the proposed buildings, and the Enchanted Rock facility to the northeast of the site. Please include a cumulative impact analysis of air emissions in the Final EIR, and clearly address how the proposed Project is compatible with the power generating facility, as stated in the "Project Objectives."

4.0 Conclusion

NCPA has no further comments on the Project as proposed at this time. Thank you for the opportunity to comment. If you have any questions or comments regarding this letter, please contact Rafael Santana at (209)210-5012, or Rafael.Santana@ncpa.com.

5BB

COMMENT NO 5
NORTHERN CALIFORNIA POWER AGENCY

Responses to Comment #5, Northern California Power Agency

Response 5A: This is an introductory comment that requires no response. If the City differs with NCPA with respect to any of their comments, those differences are detailed in the City's responses below.

Response 5B: This comment describes the commenter's understanding of the project as gleaned from the DEIR. The comment is a reasonable summary description of the project as understood by the City.

Response 5C: Project construction would include the removal of most if not all of the existing trees located in the interior of the site. Several large oak trees are located along the eastern boundary of the site, most of which are outside the existing fence, within the adjacent railroad right-of-way. These trees are unlikely to be removed as a part of the project; removal would require significant disturbance along a site boundary shared with the Union Pacific spur line and encroachment into the railroad right-of-way. Therefore, most or all of these trees and any screening value they might provide between proposed residences and the power plant would remain after project construction. Project site plans (Figure 3-1 of the EIR) show that landscape plantings along the east site boundary will consist largely of ornamental trees, which would provide limited additional screening. More specific landscaping plans will be subject to City review and approval as a part of its Site Plan and Architectural Review process.

Response 5D: As discussed on page 3-15 of the Draft EIR, the project would include the construction of a 14-foot masonry wall along the site boundary shared with the adjacent NCPA station, to function as a noise barrier. The wall will be designed to conform to adopted building code requirements; the wall finish or appearance will be subject to City review during its Site Plan and Architectural Review process. NCPA may submit architectural requests to the City during its Site Plan and Architectural Review process.

Response 5E: The commenter is correct in indicating that the chain link fence along Turner Road is not slatted, allowing views through the fence. Views through the Turner Road fence are, however, not scenic or, aside from whatever open space value exists, of notable aesthetic value. In fact, the foreground views of the site can only marginally be considered "green space." For most of the year, ground cover is weedy and dry. Remaining trees in the vicinity of Turner Road are mostly dead and dying. Consequently, the City stands by its assessment in the DEIR that development of the proposed project would improve the appearance of the project site from Turner Road.

Response 5F: See Response 4C regarding tree removal near the project boundary. The Landscaping plantings will be professionally designed using species compatible with City landscaping guidelines; landscaping plans will be and subject to City review and approval as a part of its Site Plan and Architectural Review process. NCPA's species selection suggestions will be considered.

Response 5G: Updated CHRIS and SLF record searches were performed during preparation of the Final EIR. No new cultural resource information related to the project site was revealed by these searches

Response 5H: The Draft EIR acknowledges the potential for buried prehistoric resources on pages 7-2, 7-7, 7-9, 7-10. This sensitivity is based on the Solano Archaeology report, tribal outreach performed by Solano and AB 52 outreach performed by the City. The Solano report is incorporated into the FEIR by this reference and is available for review by qualified reviewers at the City of Lodi Community Development Department. Proposed mitigation measures provide for construction monitoring by a professional archaeologist and/or tribal representative, sensitivity training of construction workers with respect to cultural resources and stop-work, consultation with Native American representatives, and further study and mitigation provisions that would apply in the event that archaeological materials or human burials are encountered during construction. These measures would be effective in reducing potential cultural resources effects to a less than significant level. In addition to the City's 2018 efforts at tribal notification, the Native American Heritage Commission (NAHC) was again consulted for updated information Sacred Land listings and a list of tribes with potential interest in the project. AB 52 notification letters were sent to each of the tribes identified by the NAHC in 2022. To date, no response has been received from any of the entities contacted.

Response 5I: Chapter 7.0 of the Draft EIR described the general methodology utilized by Solano, including the search of available records and an on-the-ground field survey of the site; the Draft EIR reported the research and field survey results, which were that the site does not contain any archaeological resources that would be considered unique and could therefore involve significant effects under CEQA if disturbed during construction. The addition of methodology detail to the EIR would not make a substantial contribution to the understanding of the cultural resources of the project site; however, this information is available in the Solano report, which is in the custody of the City of Lodi and is available for review by qualified persons.

Response 5J: See Response 2A with respect to Northern Valley Yokut Tribe. There is no ambiguity in the DEIR that the project site is considered culturally sensitive; see response 5H. The wording of Mitigation Measure CULT-2

has been modified to eliminate ambiguity and clarify proposed mitigation. The mitigation measures specify that archaeological monitoring will occur during construction. Should archaeological resource be encountered during construction, the City, a qualified archaeologist and a qualified Native American tribal representative will determine what mitigation measures will be needed to reflect the discovery in view of the cultural resource sensitivity of the project site.

Response 5K: See Response 5J.

Response 5L: Setback recommendations in the event of cultural resource discoveries may vary from source to source. The City included a setback requirement of 50 feet as recommended by its consulting archaeologist.

Response 5M: See Appendix B of the Final EIR for 2022 tribal contacts and modifications to DEIR Chapter 8.0 Cultural Resources in Chapter 4.0 of the Final EIR.

Response 5N: The noted discrepancies have been corrected in the FEIR.

Response 5O: The procedures to be followed in the event of inadvertent discoveries of archaeological resources were detailed in DEIR Mitigation Measures CULT-4 and CULT-5. Construction within the defined setback area would not be allowed to proceed until the requirements of the applicable mitigation measures, and any additional recommendations arising from involved professional archaeologists and Native American representatives are in the judgment of the City adequately addressed.

Response 5P: Potential quantities of hazardous materials to be used or stored during construction are not expected to exceed reporting thresholds or to be otherwise substantial; however, these needs cannot be reliably determined at this time. Future building contractors, to be selected based on approved plans and specifications, have the responsibility to determine construction methods, equipment to be used and fueling needs, including potential on-site storage, if needed, which will occur at a later date. The requirement for a SPCC Plan will apply, regardless of the type or timing of construction.

Response 5Q: Treated wood waste is hazardous waste in California; these wastes must be stored and manifested as hazardous waste and transported to Class 1 hazardous waste landfills for disposal. **“**Treated wood waste” is defined as old wood that has been treated with chemical preservatives such as arsenic, creosote, chromium and pentachlorophenol, substances which are known to be carcinogenic or toxic.

The Draft EIR stated that agricultural chemicals may have been used as part of past orchard operations, thereby potentially contaminating site soil with pesticide residues. In the Phase I Environmental Site

Assessment of the project site (Stantec 2018) recommended soil sampling to confirm if pesticides or metals associated with herbicides exist in project site soil at levels of concern. The following mitigation measure is added to the Final EIR and included in the MMRP to respond to this recommendation.

> HAZ-2: Prior to construction, the applicant shall retain a qualified environmental professional to obtain, test and make recommendations regarding representative project site soil samples in accordance with an EPA approved methodology for organochlorine pesticides. The applicant shall implement the recommendations of the environmental professional prior to or in conjunction with project construction as appropriate.

Response 5R: This comment does not address the completeness or adequacy of the DEIR, and no response is necessary. The comment will be available to the City's decision-makers for their consideration.

Response 5S: The commenter correctly notes that the Draft EIR's noise analysis is focused on the potential impacts of the project on surrounding land use; based on CEQA refinements resulting from relatively recent case law, and as explained on page 13-7 and 13-8 of the Draft EIR, as excerpted below, this approach to impact analysis is correct under CEQA:

> Environmental Concerns Not Discussed in this Analysis
> The project is subject to noise from the adjacent NCPA power plant and from traffic on Turner Road and Lower Sacramento Road. Potential effects of these conditions on future residents, guests and employees of the project are not considered within the scope of CEQA analysis, as discussed in Section 1.3 of this EIR. The project would not exacerbate these conditions. Potential health risks or hazards associated with these conditions, if any, will be considered by the City of Lodi as necessary in its evaluation of the proposed project. It should be noted that noise studies have been prepared as part of the project application process. The results and recommendations of the studies would be considered by the City in its ultimate decision on the project.

The Enchanted Rock facility was not described in the Draft EIR as it was not understood to be an element of the Environmental Setting at the time. As a (soon to be) "existing noise source," its potential effects on the project, like those of the existing NCPA power plant, are not proper subjects for environmental impact analysis under CEQA. As noted in the above citation from the Draft EIR, any potential effects of the Enchanted Rock facility on future residents or hotel guests of the proposed project will, if substantial, need to be considered by the City in its ultimate decision on the project.

So that the EIR record can be complete with respect to the Enchanted Rock facility, the following description of the facility is hereby

incorporated into the EIR. The Enchanted Rock project's noise impacts are addressed in Response 5T.

> As a part of the California Department of Water Resources (DWR) Strategic Reliability Reserve (SRR) program, DWR is installing new emergency generators, storage systems, and other clean energy generation projects at several sites to help augment the state's energy system under emergency conditions associated with climate-induced drought, wildfires, and heat waves. One of these new generator systems is under construction at the Lodi Surface Water Treatment Facility (SWTF) adjacent to Lodi Lake. The project includes installation of 123 natural gas generators arranged in 25 rows, 25 transformers, and four electric switchgear boxes within a rectangular 140 feet by 440 feet footprint adjacent to the SWTF. A 15-foot-tall concrete wall would be located along the western boundary of the project site. The generators would be operated intermittently under declared emergency conditions up to 300 hours per year. The project will deliver power to the grid via the City of Lodi substation, southwest of the project site.

Response 5T: DWR in preparing to construct the proposed facility has considered its noise effects on existing residences in the vicinity of the project, some closer to the proposed Enchanted Rock facility. A copy of this analysis is provided in Appendix C. Among other things, this analysis considered the potential noise contributions of proposed generators and associated equipment on five existing locations, including four existing residences; the contributions at each location would amount to less than 48.3 decibels, which would, in combination with the measured existing noise levels at these points, not result in a net cumulative increase of more than one decibel, which would be considered undetectable and less than significant.

Response 5U: See the above discussion regarding the inappropriateness under CEQA of analyzing off-site noise sources on the noise-sensitive land uses to be developed on the project.

Response 5V: See Response 5T. The potential safety of future residents and hotel guests on the project site are governed by adopted building codes and related standards, which would be applied to the proposed project during review of proposed plans and construction documents by the City. Both the NCPA and Enchanted Rock facilities would be separated from the proposed residences and hotel by a 14-foot masonry wall to be constructed on 3 sides of the NCPA facility, and a 10-foot masonry or concrete wall to be constructed along the west boundary of the Enchanted Rock site, between the proposed generator equipment and the residential portion of the project. See the description of the Enchanted Rock project in Appendix C.

The commenter has provided no evidence to suggest that the NCPA and the Enchanted Rock facility would combine to result in a significant cumulative effect on the project. See also Response 5S regarding the inappropriateness of such analysis under CEQA.

Response 5W: The proposed project would include improvements to bicycle and pedestrian circulation along both the Lower Sacramento Road and Turner Road frontages of the site. These access ways would be publicly accessible. No other public access is proposed to the developed site, other than for residents and hotel guests. Access to the privately-owned site would be defined or restricted by the property owner as appropriate. Access to the proposed residential area is proposed to be controlled by a security gate; the applicant would work with the fire department to ensure that the department has immediate and full access to this area for public safety, emergency services and fire suppression purposes. Otherwise, public access to the proposed residential area would not be allowed.

Response 5X: Improvements along Turner Road would require approval of the necessary encroachment permit and improvement plans, which would include measures to permit continued access to the transit stop and operation of public transit services during project construction.

Response 5Y: Installation of EV charging stations is required by the current version of the California Green Building Standards Code (CalGreen), which has been adopted by the City. These existing EV charging requirements will apply to the proposed project.

Response 5Z: The proposed project, as described in Chapter 3.0 of the Draft EIR, includes the extension of water, wastewater, storm water and other utilities to serve the project. With the exception of wastewater lines, utility facilities are located at the project boundaries; the potential effects of extending wastewater lines to the site were considered in the Draft EIR.

The project would have no known effect on the adjacent electrical generating facilities, their natural gas supply lines or their ability to fulfill their purposes. These facilities, in that their purpose is to reinforce the supply of electricity to the electrical grid during emergency conditions, would have no direct effect on electrical or gas supply to the project site.

Response 5AA: The City's intent at the time of issuing the Notice of Preparation was to prepare a risk assessment quantifying potential risks to residents and hotel guests associated with operation of the adjacent NCPA facility. In light of CEQA case law that emerged after the Notice of Preparation was circulated that analysis of potential impacts of the environment on the project was no longer required, that intended element of the DEIR was not completed. See also Response 5R.

Response 5BB: As discussed in Chapter 6.0 and the Air Quality section of Chapter 17.0 of the Draft EIR, the project would not result in air quality effects that are considered significant on either a project or cumulative level. Whether emissions of air or noise emitted by the NCPA facilities should be analyzed in the EIR has been considered in several of the responses to this commenter and found to be inappropriate under CEQA. The project incorporates features that will make the project compatible with the adjacent NCPA and nearby Enchanted Rock projects.

4.0 DRAFT EIR ERRATA

This section of the Final EIR identifies corrections and changes to the DEIR that result from agency or public comments, and the addition of any new or revised information. Changes to the DEIR typically reflect the new or updated information that may have become available since publication of the DEIR or minor technical changes to the project that do not entail a significant impact on the environment. Changes to the DEIR described below contribute to information provided in DEIR but do not constitute "significant new information" or identify new or substantially more severe environmental effects than were addressed in the DEIR. Therefore, recirculation of the EIR is not required pursuant to CEQA Guidelines Section 15088.5. Explicit revisions to the DEIR are shown in this chapter in underline and/or strikeout, as appropriate.

ERRATA TO DRAFT EIR CHAPTER 2.0, SUMMARY

Cultural resource mitigation measures shown in Chapter 7.0 of the DEIR are revised as shown below in errata pertaining to Chapter 7.0. Mitigation Measure HAZ-2, described below as a change to Chapter 10.0 Hazards and Hazardous Materials, is added to Table 2-1 under Impact HAZ-3: Hazardous Material Sites and Contamination. Both changes re shown in FEIR Table 2-1 as well as in the CEQA Findings and the Mitigation Monitoring and Reporting Plan for the project.

ERRATA TO DRAFT EIR CHAPTER 7.0, CULTURAL RESOURCES

In order to reduce ambiguity and clarify the EIR's cultural resource mitigation measures, DEIR Mitigation Measures CULT-1, CULT-2, CULT-3, CULT-5 and CULT-6 are modified to read as follows:

> CULT-1: The applicant shall retain a qualified professional archaeologist to monitor ground-disturbing activities within the project site, to halt construction as required, and to take action to minimize the potential damage to ~~undiscovered~~ archaeological and/or tribal cultural resources. ~~The City may determine, based on pre-construction testing that indicates the site is not culturally sensitive and, in consultation with the archaeologist, that further testing or construction monitoring is not necessary.~~
>
> CULT-2: ~~Unless the City determines that the site is not culturally sensitive as provided in Mitigation Measure CULT-1,~~ Native American monitors from the Northern Valley Yokuts and/or UAIC ~~culturally affiliated Native American Tribes~~ will be invited to monitor the vegetation grubbing, stripping, grading or other ground-disturbing activities in the project area to determine the presence or absence of any cultural resources. Native American monitors shall have the authority to identify sites or objects of significance to Native Americans and to

request that work be stopped, diverted or slowed if such sites or objects are identified within the direct impact area.

CULT-3: All construction personnel shall receive "tailgate" training by a qualified archaeologist in the identification of paleontological resources and buried cultural resources, including human remains, and in the notification protocol should such resources be discovered during construction work.

A minimum of seven days prior to beginning earthwork or other soil disturbance activities, the project applicant shall notify the Lodi Community Development Department of the proposed earthwork start-date, in order to provide adequate time to contact Native American monitors. ~~, if they are needed. Unless the City determines that the site is not culturally sensitive as provided in Mitigation Measure CULT-1, a q~~Qualified Native American monitors shall be invited to inspect project excavation work, including any soil piles, trenches, or other disturbed areas. During the inspection, a site meeting of construction personnel shall also be held to afford the tribal representative the opportunity to provide tribal cultural resources awareness information.

CULT-5: If evidence of human burial or scattered human remains is encountered, all construction activity within a 50-foot radius of the encounter shall be immediately halted, and the County Coroner, the Lodi Community Development Department, and tribal representative(s) shall be immediately notified. The applicant will be responsible for compliance with the requirements of CEQA Guidelines Section 15064.5 as to the proper treatment of human remains ~~as defined in CEQA Guidelines Section 15064.5~~, with California Health and Safety Code Section 7050.5, and as directed by the County Coroner. If the human remains are determined to be Native American, the County Coroner is required to notify the Native American Heritage Commission (NAHC), and the NAHC is required to notify and appoint a Most Likely Descendant. The Most Likely Descendant has the opportunity to work with the archaeologist to decide the proper treatment of the human remains and any associated funerary objects.

CULT-6: If potential tribal cultural resources, archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered during implementation of Mitigation Measures CULT-1 through CULT-~~3~~5, construction activities will cease within a 50-foot radius of the encounter. A qualified cultural resources specialist in consultation with invited Native American representatives will assess the significance of the find and make recommendations for further evaluation and treatment documented in a written report to the Lodi Community Development Department. The contractor shall implement any measures deemed by City staff to be necessary and feasible to avoid or minimize significant effects to the cultural resources.

ERRATA TO DRAFT EIR CHAPTER 8.0, GEOLOGY AND SOILS

The last paragraph of the discussion of Impact GEO-1, which begins at the bottom of page 8-8 of the DEIR, is modified to read as follows:

> Conformance with Construction General Plan Permit requirements, with preparation and submittal of the required Erosion Control Plan and incorporation of other BMPs outlined in the City of Lodi's Storm Water Development Standards would control potential soil erosion during and after construction, thereby reducing impacts to a level that would be less than significant.

The discussion of paleontological impacts and mitigation include references to cultural resources mitigation measures, which are corrected below.

> ***Impact GEO-2: Paleontological Resources and Unique Geological Features***
>
> Geological materials underlying the site consist of mixed alluvial deposits. There are no unique geological features located on the project site that would be indicative of any special resources.
>
> No known paleontological resources are located on the project site. Nevertheless, it is conceivable that excavation associated with project development could unearth paleontological materials, especially since the project site is underlain by the Modesto Formation. Mitigation Measures CULT-~~1~~3 and CULT-~~2~~4, described in Chapter 7.0, Cultural Resources, would require interruption of construction if a resource is encountered, inspection of the resource by a qualified paleontologist, and mitigation as recommended by the paleontologist, along with worker training. These mitigation measures would reduce potential impacts on paleontological resources to a level that would be less than significant.
>
> Level of Significance: Potentially significant
>
> Mitigation Measures: Implementation of Mitigation Measures CULT-~~1~~3 and CULT-~~2~~4.
>
> Significance After Mitigation: Less than significant

ERRATA TO DRAFT EIR CHAPTER 10.0, HAZARDS AND HAZARDOUS MATERIALS

The following mitigation measure HAZ-2 is added to the discussion of Impact HAZ-3: Hazardous Material Sites and Contamination. Addition of this mitigation measure would further reduce the significance of Impact HAZ-3, described in the Draft EIR as being reduced to less than significant by mitigation measures HAZ-1.

> HAZ-2: Prior to construction, the applicant shall retain a qualified environmental professional to obtain, test and make recommendations regarding representative project site soil samples in accordance with an EPA approved methodology for organochlorine pesticides. The applicant shall implement the recommendations of

the environmental professional prior to or in conjunction with project construction as appropriate.

This change is also reflected in Table 2-1 of the Final EIR, as well as in the CEQA Findings and MMRP for the project.

ERRATA TO DRAFT EIR CHAPTER 12.0, HYDROLOGY AND WATER QUALITY

The discussion of Impact HYDRO-3 Drainage Patterns and Runoff is hereby modified to more accurately reflect the Draft EIR's description of Impact GEO-1 Soil Erosion as shown below.

Impact HYDRO-3: Drainage Patterns and Runoff

Development of the project site and construction of a new storm drainage collection system consisting of pipelines, inlets, gutters, and curbs would increase the amount of impervious surface and alter the existing drainage pattern on the site. The volume of surface runoff would also increase. However, the alteration of the drainage and increase in runoff would not cause substantial erosion or siltation on-or off-site with implementation of existing City storm water requirements, including preparation of an Erosion Control Plan, which would adequately control erosion and runoff. As noted, the project would be required to prepare a Project Stormwater Plan that meets the requirements of the City's Multi-Agency Post-Construction Stormwater Standards Manual applicable to the project. This would reduce water quality impacts of the runoff collected on the project site and reduce the volume of runoff discharged to the municipal storm drainage system, offsetting project-related reductions in recharge.

Stormwater on the project site would be collected and discharged to the City's existing 42-inch diameter storm drain pipeline along Turner Road and 30-inch diameter pipeline along Lower Sacramento Road. The City's existing storm drainage system has adequate capacity to accommodate the increase in stormwater from the project; new stormwater drainage structures would not be required. Therefore, impacts would be less than significant.

Level of Significance: Potentially significant

Mitigation Measures: Implementation of Mitigation Measure GEO-1.

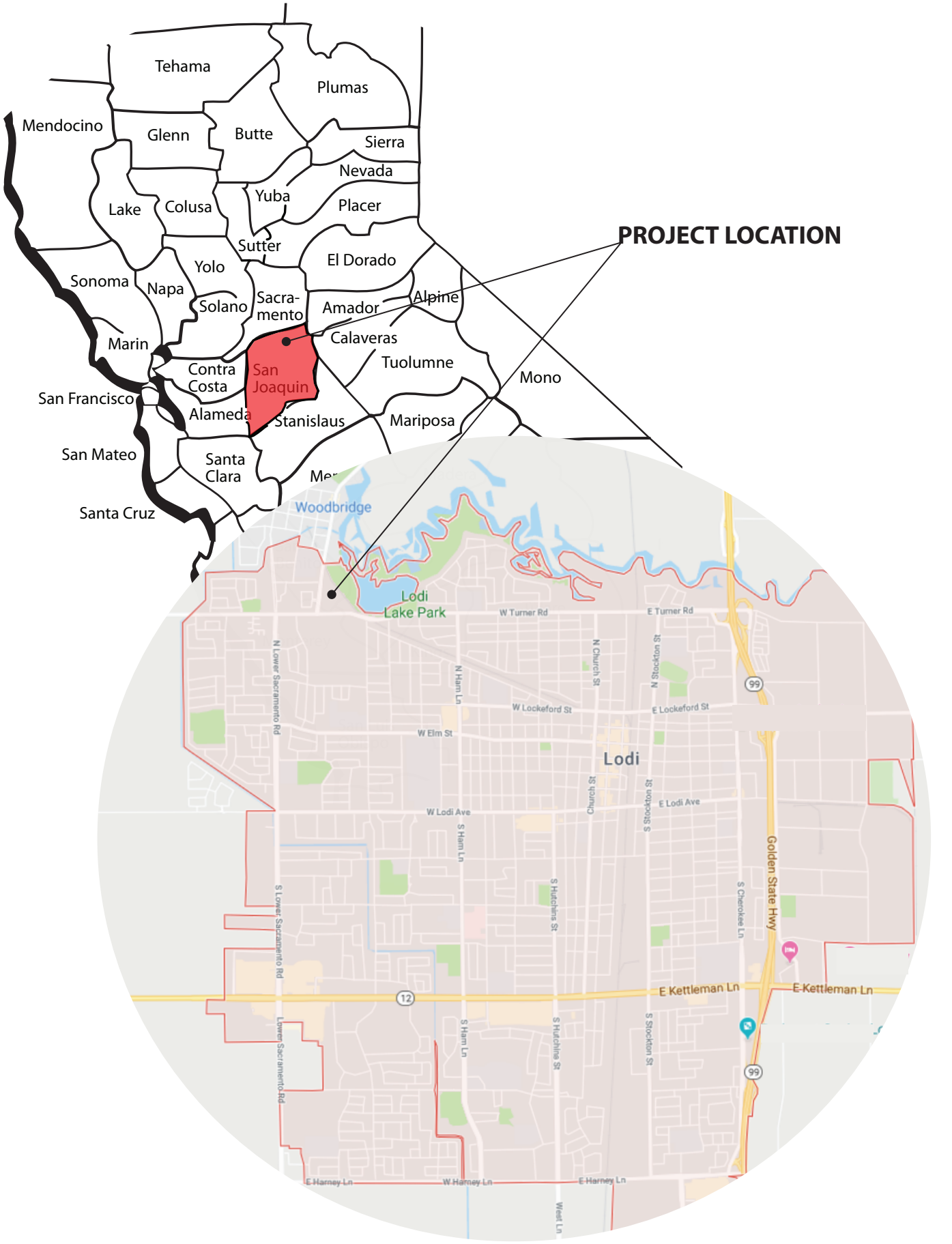
Significance After Mitigation: Less than significant

The following text is added to the discussion of Impact HAZ-3:

As a part of the California Department of Water Resources (DWR) Strategic Reliability Reserve (SRR) program, DWR is installing new emergency generators, storage systems, and other clean energy generation projects at several

sites to help augment the state's energy system under emergency conditions associated with climate-induced drought, wildfires, and heat waves. One of these new generator systems is under construction at the Lodi Surface Water Treatment Facility (SWTF) adjacent to Lodi Lake. The project includes installation of 123 natural gas generators arranged in 25 rows, 25 transformers, and four electric switchgear boxes within a rectangular 140 feet by 440 feet footprint adjacent to the SWTF. A 15-foot-tall concrete wall would be located along the western boundary of the project site. The generators would be operated intermittently under declared emergency conditions up to 300 hours per year. The project will deliver power to the grid via the City of Lodi substation, southwest of the project site.

DRAFT EIR
FIGURES

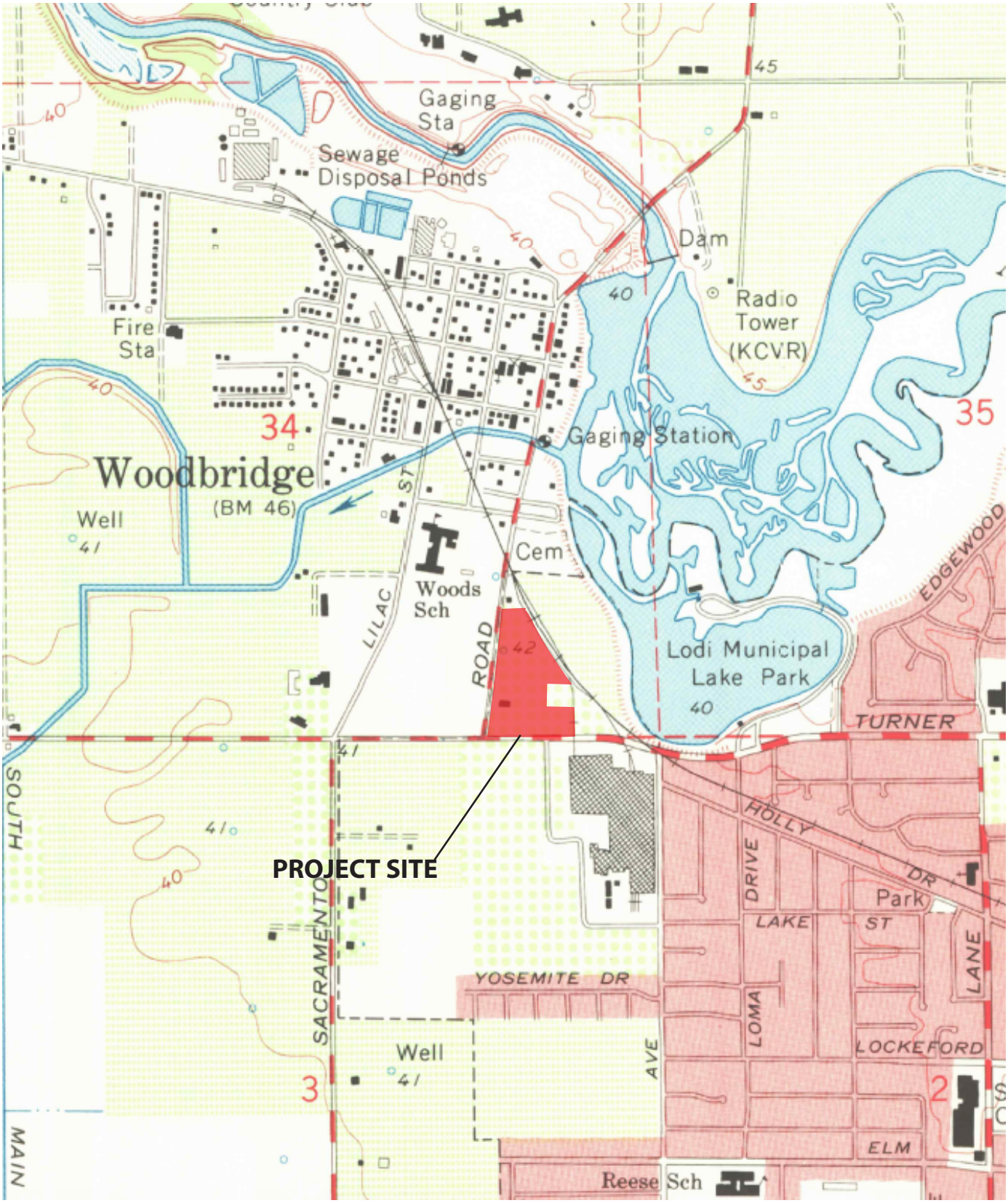


BaseCamp Environmental

Figure 1-6
REGIONAL LOCATION MAP

SOURCE: Google Maps

Figure 1-7
STREET MAP



SOURCE: Lodi North Quadrangle, United States Department of the Interior Geological Survey, 1968

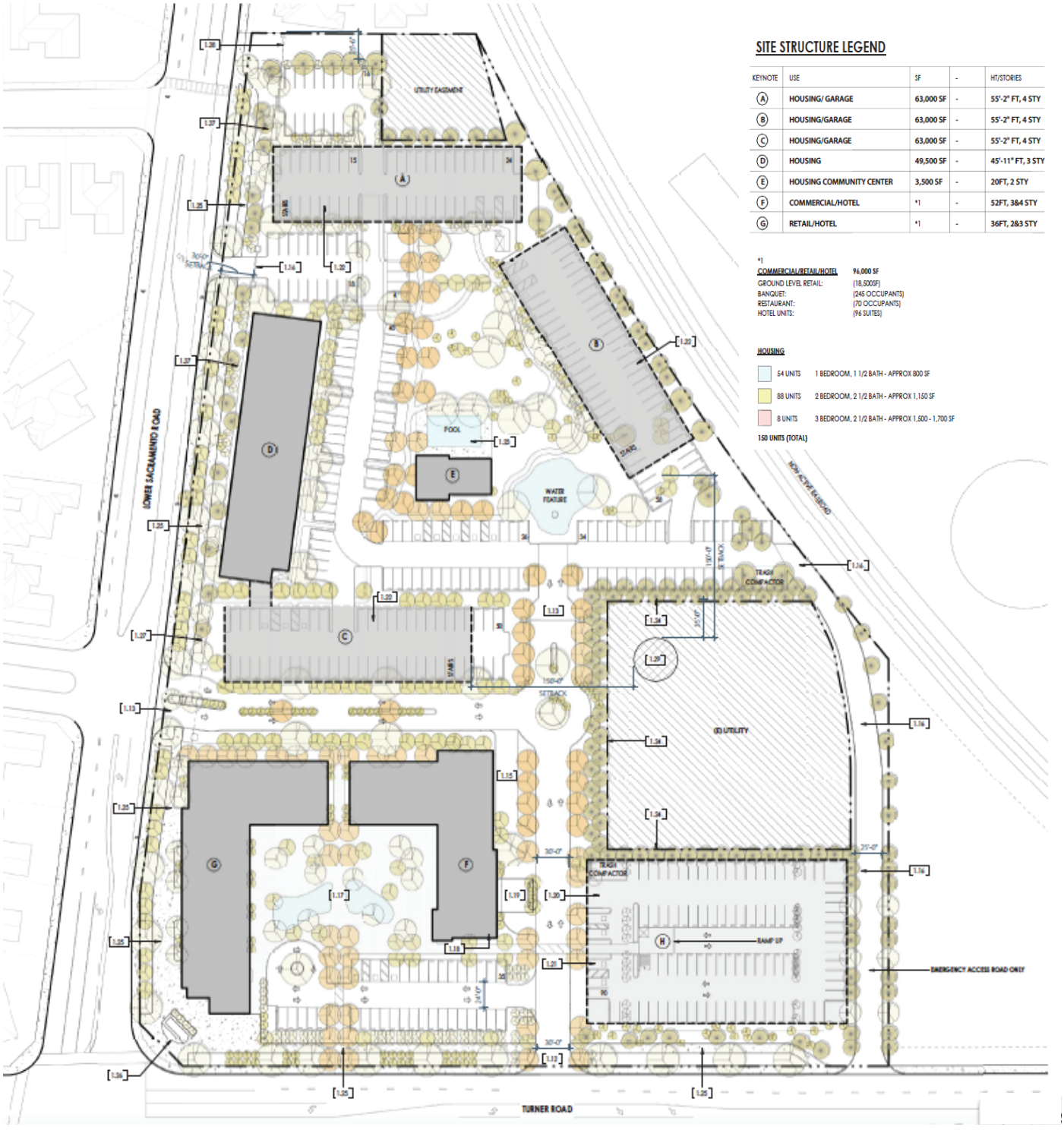
Note: Property boundaries are being adjusted as shown on official map pending City approval.

BaseCamp Environmental

Figure 1-9
ASSESSOR PARCEL MAP

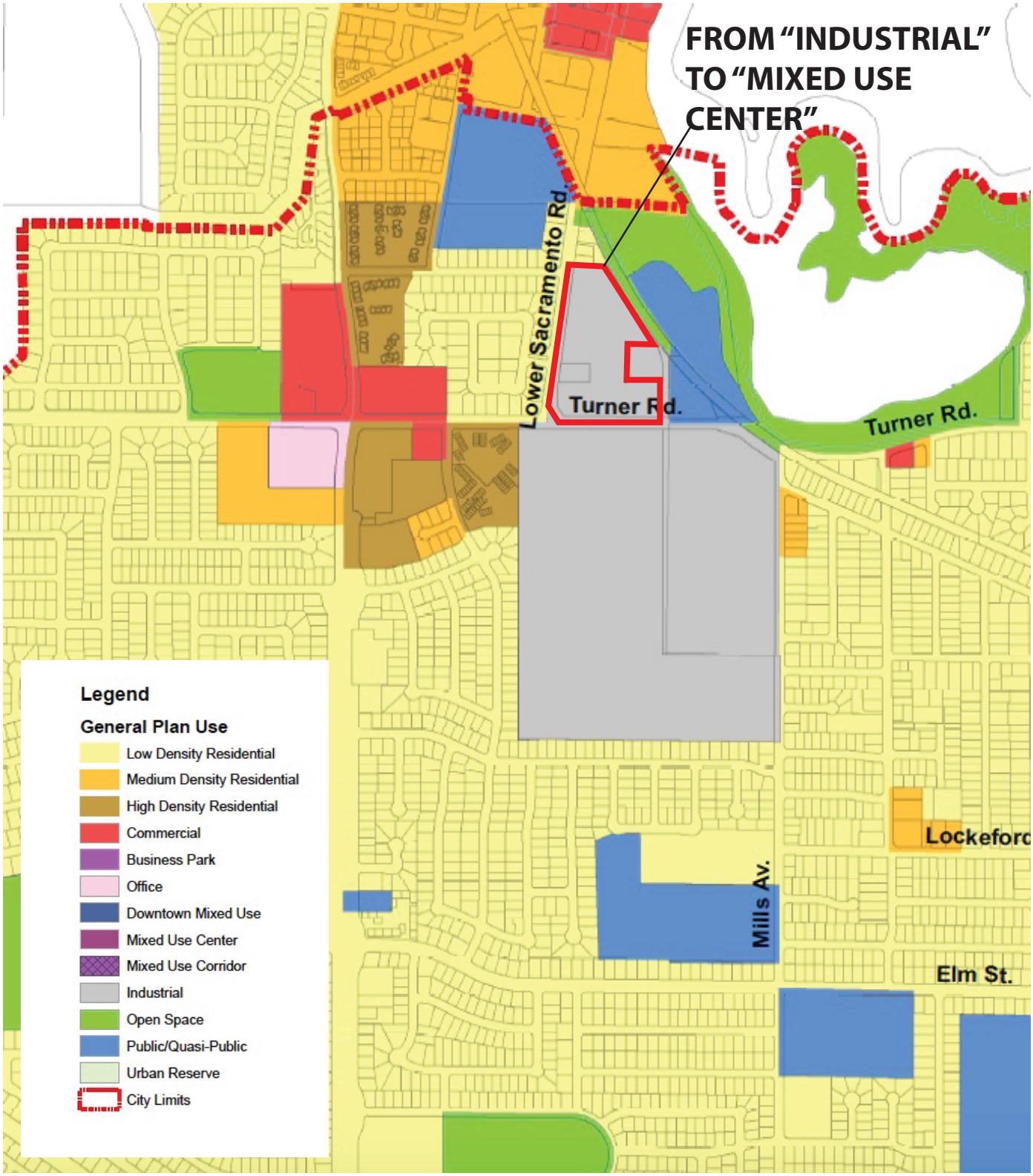
BaseCamp Environmental

Figure 1-10
AERIAL PHOTO



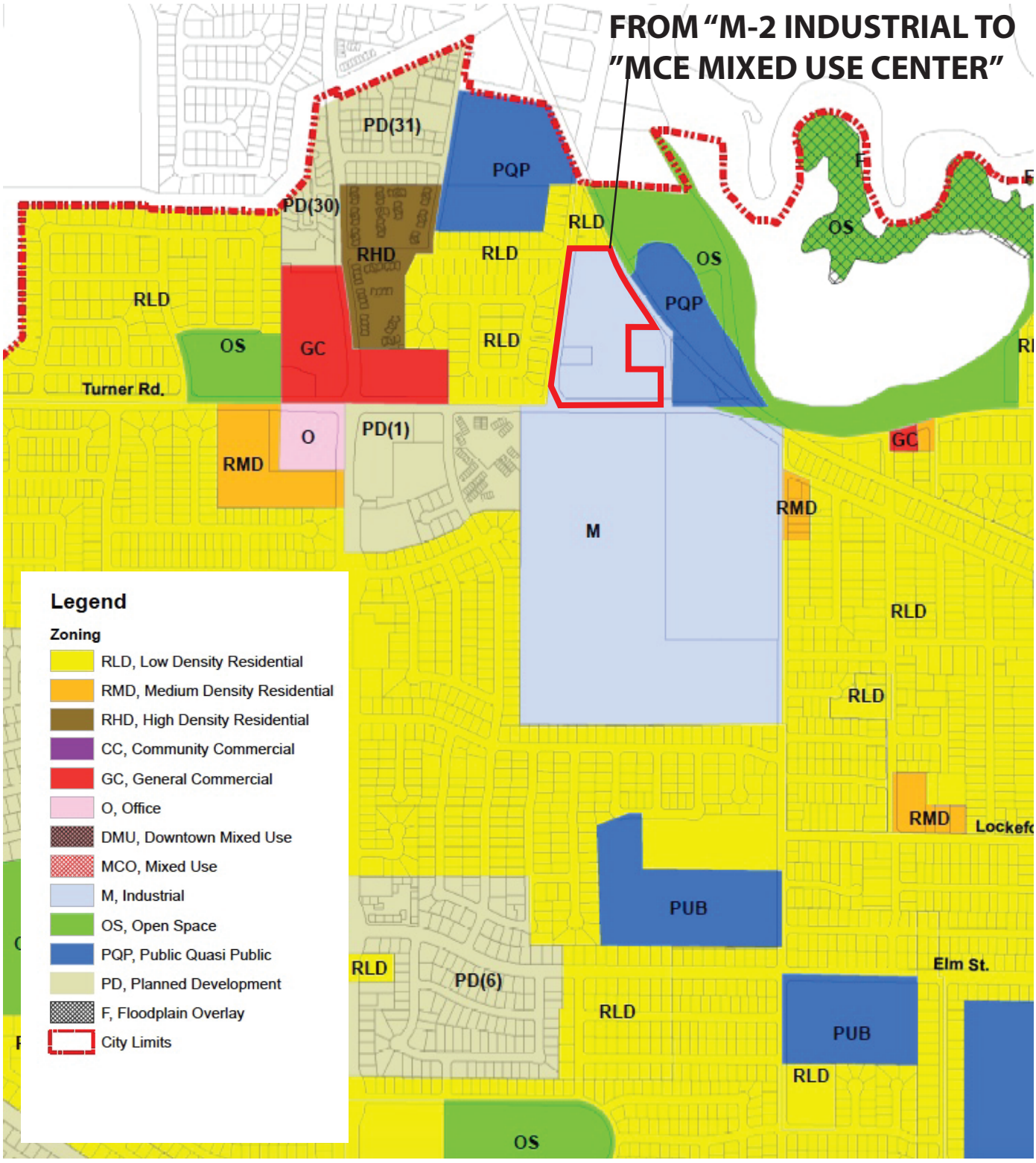
SOURCE: NJA Architecture

Figure 1-11
OVERALL SITE PLAN



SOURCE: Lodi General Plan

Figure 1-12
PROPOSED GENERAL PLAN AMDNDMENT



SOURCE: Lodi Zoning Map

APPENDIX A
PUBLIC REVIEW DOCUMENTATION

BaseCamp Environmental, Inc.

PUBLIC REVIEW INITIATION REPORT

PROJECT: Lodi Lakehouse

BASECAMP JOB NUMBER: 3028

DOCUMENT TYPE: EIR

LEAD AGENCY: City of Lodi

LEAD AGENCY CONTACT: Eric Norris, John Della Monica (209) 333-6711,

REVIEW PERIOD: 45 Days

REVIEW DATES: August 9, 2023 **TO** September 22, 2023

NOI/NOA APPROVED BY LEAD AGENCY: August 7, 2023

NOI/NOA DISTRIBUTION LIST APPROVED BY LEAD AGENCY: August 7, 2023

COUNTY CLERK NOI/NOA FILED ON: August 8, 2023

NEWSPAPER NOI/NOA PUBLICATION DATE: August 8, 2023

NOI/NOA PUBLISHED: August 8, 2023

PDF DOCUMENT TO LEAD AGENCY FOR UPLOAD TO WEB SITE: August 8, 2023

DOCUMENT, NOC, NOI/NOA, SUMMARY FORM UPLOADED TO SCH: August 8, 2023

SCH CEQANET POSTING CONFIRMATION RECEIVED: August 8, 2023

HARD COPIES PROVIDED TO LEAD AGENCY AND LOCATIONS (IF REQUESTED): N/A

NOI/NOA DISTRIBUTED BY US MAIL OR EMAIL, PER LIST: August 8, 2023

INITIATION REPORT SENT TO LEAD AGENCY: August 10, 2023

PREPARER: Rayanna Beck

Attachments:

Notice of Availability
Distribution
County Clerk Receipt and Date-Stamped NOA
Newspaper Proof of Publication
State Clearinghouse Notification and CEQANet Posting

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

The City of Lodi Community Development Department has completed, independently reviewed and analyzed the following Environmental Impact Report: Draft Environmental Impact Report (DEIR) SCH #2019029095 for the **Lakehouse Mixed Use Development** project. The City of Lodi is the Lead Agency for this project under the California Environmental Quality Act (CEQA). The project applicant proposes the development of 9.75 acres of undeveloped land with a resort hotel, 150-unit residential apartment complex and retail commercial space. The project site is immediately north of Turner Road and immediately east of Lower Sacramento Road in northwest Lodi.

The Draft EIR discusses the range of environmental concerns listed in the latest CEQA Environmental Checklist and identifies significant environmental effects in the following issue areas: Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Transportation. There are no sites identified under Section 65962.5 of the Government Code located on or near the project site.

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

City of Lodi City Hall
221 West Pine Street
Lodi, CA 95240

and

Lodi Public Library
201 West Locust Street
Lodi, CA 95240

and at the City's website: https://www.lodi.gov/1263/Environmental-Other-Plans-Projects .

The City will accept public and agency comments on the Draft EIR during a 45-day review period that will begin on August 9, 2023 and end on September 22, 2023. Comments may be submitted by mail or e-mail to the City at the address shown below or to jdellamonica@lodi.gov.

City of Lodi
Community Development Department
221 West Pine Street
Lodi, Ca. 95240
Attn: John Della Monica, Director

In addition, notice is hereby given that the City of Lodi will provide an opportunity for public comment on the Draft EIR on Thursday, September 14, 2023 from 5:00 to 7:00 PM in the Cottage/Pisano Rooms at Hutchins Street Square, 125 South Hutchins Street, Lodi, CA 95240.

DISTRIBUTION LIST –
LODI LAKEHOUSE EIR

ALL STATE AGENCIES: DISTRIBUTION THROUGH STATE CLEARINGHOUSE, CEQA SUBMIT SYSTEM	HIGHLIGHTED ADDRESSEES VIA US MAIL
SJC Administration Office 44 N. San Joaquin St. Stockton, Ca. 95202 jwilverding@sjgov.org	Pacific Gas & Electric Attn: Land Agents P.O. Box 930 Stockton, Ca. 95201
Executive Director San Joaquin COG 555 E. Weber Ave Stockton, Ca. 95202 nguyen@sjcog.org	Comcast 6505 Tam O'Shanter Dr Stockton, Ca. 95210
Native American Heritage Commission 1550 W Harbor Blvd, Suite 100 West Sacramento, Ca. 95671 nahc@nahc.ca.gov	AT&T California Attn: Engineering 2300 E. Eight Mile Rd Stockton, Ca. 95210
SJ County CDD 1810 E. Hazelton Ave Stockton, Ca. 95205 planning@sjgov.org	NCPA 651 Commerce Drive Roseville, Ca. 95678 (916) 781-3636
Samir Sheikh SJVAPCD 1990 Gettysburg Ave. Fresno, Ca. 93726 Samir.sheikh@valleyair.org	Kuldeep S. Garcha Postmaster U.S. Government Post Office 120 S. School St Lodi, Ca. 95240 Kuldeep.s.garcha@usps.gov
Steve Mayo Habitat Program Manager 555 W. Weber Ave. Stockton, Ca. 95202 mayo@sjcog.org	Adams Broadwell 601 Gateway Blvd, Suite 1000 South San Francisco, CA 94080 msmith@adamsbroadwell.com

Press Release Lodi New Sentinel 125 N. Church St Lodi, Ca. 95240 news@lodinews.com	LIUNA, Local Union 73 3984 Cherokee Road Stockton, Ca. 95215 (209) 466-3356 shollingsworth@liuna73.org
Lodi Unified School District 1305 E. Vine St. Lodi, Ca. 95240 nyoung@lodiusd.net	J. Michael Goolsby Better Neighborhoods 17901 Von Karman Ave, Suite 600 Irvine, CA 92614
The Record P.O. Box 900 Stockton, Ca. 95201 Aaron Leathley aleathly@recordnet.com	Bond Manufacturing 2000 W Turner Road Lodi, Ca. 95242
Woodbridge Fire District 400 E. Augusta Woodbridge, CA 95258 Chief: Darin Downey Darin.downey@woodbridgefire.org	John Vierra NJA Architecture 212 W Pine Street Lodi, CA 95240 john@njaarchitecture.com
Woodbridge Irrigation District 18750 N. Lower Sacramento Rd Woodbridge, Ca. 95285 widirrigation@gmail.com	Northern Valley Yokuts Tribe 990 North Fine Rd Linden, Ca. 95236 canutes@verizon.net
Buena Vista Rancheria Me-Wuk Indians 1418 20th St, Suite 200 Sacramento, Ca. 95811 (916) 491-0011 rhonda@buenavistatribe.com	Torres Martinez Desert Cahuilla Indians PO Box 1160 Thermal, Ca. 92274 rpowell@tmtanf.org
Ione Band of Miwok Indians P.O. Box 699 Plymouth, Ca. 95236 (209) 245-5800 consultation@ionemiwok.net	United Auburn Indian Community of the Auburn Rancheria 10720 Indian Hill Rd Auburn, Ca 95603 bguth@auburnrancheria.com

State of California - Department of Fish and Wildlife

2023 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT

DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

RECEIPT NUMBER: 39-08082023-228

STATE CLEARINGHOUSE NUMBER *(If applicable)*

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEADAGENCY EMAIL	DATE
CITY OF LODI COMMUNITY DEVELOPMENT		08/08/2023

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
SAN JOAQUIN	39-08082023-228

PROJECT TITLE

LAKEHOUSE MIXED USE DEVELOPMENT PROJECT

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
CITY OF LODI COMMUNITY DEVELOPMENT		00

PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
221 WEST PINE ST	LODI	CA	95240

PROJECT APPLICANT *(Check appropriate box)*

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$3,839.25	$
☐ Mitigated/Negative Declaration (MND)(ND)	$2,764.00	$
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	$1,305.25	$

☐ Exempt from fee

- ☐ Notice of Exemption (attach)
- ☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	$850.00	$
☐ County documentary handling fee		$
☐ Other		$

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☐ Other

TOTAL RECEIVED $ $0.00

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X	Rosa Arceo ,Deputy

ORIGINAL - PROJECT APPLICANT | COPY - CDFW/ASB | COPY - LEAD AGENCY | COPY - COUNTY CLERK

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

The City of Lodi Community Development Department has completed, independently reviewed and analyzed the following Environmental Impact Report: Draft Environmental Impact Report (DEIR) SCH #2019029095 for the **Lakehouse Mixed Use Development** project. The City of Lodi is the Lead Agency for this project under the California Environmental Quality Act (CEQA). The project applicant proposes the development of 9.75 acres of undeveloped land with a resort hotel, 150-unit residential apartment complex and retail commercial space. The project site is immediately north of Turner Road and immediately east of Lower Sacramento Road in northwest Lodi.

The Draft EIR discusses the range of environmental concerns listed in the latest CEQA Environmental Checklist and identifies significant environmental effects in the following issue areas: Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Transportation. There are no sites identified under Section 65962.5 of the Government Code located on or near the project site.

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

City of Lodi City Hall
221 West Pine Street
Lodi, CA 95240

and

Lodi Public Library
201 West Locust Street
Lodi, CA 95240

and at the City's website: https://www.lodi.gov/1263/Environmental-Other-Plans-Projects .

The City will accept public and agency comments on the Draft EIR during a 45-day review period that will begin on August 9, 2023 and end on September 22, 2023. Comments may be submitted by mail or e-mail to the City at the address shown below or to jdellamonica@lodi.gov.

City of Lodi
Community Development Department
221 West Pine Street
Lodi, Ca. 95240
Attn: John Della Monica, Director

In addition, notice is hereby given that the City of Lodi will provide an opportunity for public comment on the Draft EIR on Thursday, September 14, 2023 from 5:00 to 7:00 PM in the Cottage/Pisano Rooms at Hutchins Street Square, 125 South Hutchins Street, Lodi, CA 95240.

LODI NEWS-SENTINEL
P. O. BOX 1360
LODI CA 95241-1360
(209)369-2761

ORDER CONFIRMATION

Salesperson: SAMANTHA MECKLE — Printed at 08/04/23 13:43 by smeck-bk

---

Acct #: 330412 — Ad #: 232204 — Status: New CHOLD

BASECAMP ENVIRONMENTAL, INC
802 W LODI AVE
LODI CA 95240

Start: 08/08/2023 — Stop: 08/08/2023
Times Ord: 1 — Times Run: ***
9STD 2.00 X 6.61 — Words: 336
Total 9STD 13.22
Class: L0080 PUBLIC NOTICES
Rate: OR — Cost: 195.00

Contact:
Phone: (209)224-8213
Fax#:
Email:
Agency:

Ad Descrpt: PUBLIC NOTICE OF AVAILABI
Given by: *
P.O. #:
Created: smeck 08/04/23 13:36
Last Changed: smeck 08/04/23 13:43

PUB	ZONE	EDT	TP	RUN DATES
L010	A	97	S	08/08
L050	A	97	S	08/08

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

_____ _____
Name (print or type) Name (signature)

(CONTINUED ON NEXT PAGE)

LODI NEWS-SENTINEL
P. O. BOX 1360
LODI CA 95241-1360
(209)369-2761

ORDER CONFIRMATION (CONTINUED)

Salesperson: SAMANTHA MECKLE Printed at 08/04/23 13:43 by smeck-bk

Acct #: 330412 Ad #: 232204 Status: New CHOLD CHOL

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

The City of Lodi Community Development Department has completed, independently reviewed and analyzed the following Environmental Impact Report: Draft Environmental Impact Report (DEIR) SCH #2019029095 for the **Lakehouse Mixed Use Development** project. The City of Lodi is the Lead Agency for this project under the California Environmental Quality Act (CEQA). The project applicant proposes the development of 9.75 acres of undeveloped land with a resort hotel, 150-unit residential apartment complex and retail commercial space. The project site is immediately north of Turner Road and immediately east of Lower Sacramento Road in northwest Lodi.

The Draft EIR discusses the range of environmental concerns listed in the latest CEQA Environmental Checklist and identifies significant environmental effects in the following issue areas: Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Transportation. There are no sites identified under Section 65962.5 of the Government Code located on or near the project site.

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

City of Lodi City Hall
221 West Pine Street
Lodi, CA 95240
and
Lodi Public Library
201 West Locust Street
Lodi, CA 95240

and at the Citys website: https://www.lodi.gov/1263/Environmental-Other-Plans-Projects .

The City will accept public and agency comments on the Draft EIR during a 45-day review period that will begin on August 9, 2023 and end on September 22, 2023. Comments may be submitted by mail or e-mail to the City at the address shown below or to jdellamonica@lodi.gov.

City of Lodi
Community Development Department
221 West Pine Street
Lodi, Ca. 95240
Attn: John Della Monica, Director

In addition, notice is hereby given that the City of Lodi will provide an opportunity for public comment on the Draft EIR on Thursday, September 14, 2023 from 5:00 to 7:00 PM in the Cottage/Pisano Rooms at Hutchins Street Square, 125 South Hutchins Street, Lodi, CA 95240.

8/8/23 - 232204

From: **Rayanna Beck** rbeck@basecampenv.com
Subject: Fwd: SCH Number 2019029095
Date: August 8, 2023 at 2:41 PM
To: Eric Norris enorris@interwestgrp.com

RB

Good Afternoon,

This forwarded email confirmation and the attached filed SJ County filed NOA receipt are for your records.

Thank you,

Rayanna

On Tue, Aug 8, 2023, 2:02 PM Daunte Arriaga <Daunte.Arriaga@opr.ca.gov> wrote:

> Your project is published and is available for review. Please note the review 'start' and 'end' period.
>
> You can use the "navigation" and select "published document" to view your project and any attachments on CEQAnet.
>
> **Closing Letters**: The State Clearinghouse (SCH) would like to inform you that at this time, our office has transitioned from providing close of review period acknowledgement on your CEQA environmental document. During the phase of not receiving notice on the close of review period, comments submitted by state agencies at the close of review period (and after) are available on CEQAnet.
>
> Please visit: https://ceqanet.opr.ca.gov/Search/Advanced
>
> - Type in the SCH# of your project
>
> - If filtering by "Lead Agency"
>
> - Select the correct project
>
> - Only State Agency comments will be available in the "attachments" section. Note: Refer to the bold and highlighted agencies.
>
> **Daunte A. Arriaga** |He/Him|
>
> CEQA Technician-State Clearinghouse Unit
>
> Governor's Office of Planning and Research
>
> SCH Phone Number: (916) 445-0613
>
>

To view your submission, use the following link.
https://ceqasubmit.opr.ca.gov/Document/Index/100521/5

Filed Lakehouse NOA.pdf
104 KB

SCH Number 2019029095

Project Info

Title Turner Road - Lake House Mixed Used Development

Description The proposed project involves development of a resort hotel, residential apartment complex and retail commercial space. The four-story hotel would include 92 guest suites with a 80-seat restaurant, 18,500 sf of retail commercial space and a banquet room for approx 240 guests. A total of 220 parking spaces would be provided in surface lots and a 165-space parking garage and surface parking areas. The proposed residential apartment complex would include 150 1-bedroom, 2-bedroom and 3-bedroom apartment units, varying in size from 800 to 1,700 sf, and a 3,000 sf administrative/community building, gym and pool. The residential development would include a total of 280 residential parking spaces, including 130 covered spaces, plus 30 guest spaces

Download CSV New Search

4 documents in project

Type	Lead/Public Agency	Received	Title
EIR	City of Lodi	8/8/2023	Turner Road - Lake House Mixed Used Development
NOP	City of Lodi	11/10/2021	Turner Road - Lake House Mixed Use Development Project
NOP	City of Lodi	11/8/2021	*Project Withdrawn* Turner Road- Lake House Mixed Use Development Project
MND	City of Lodi	2/15/2019	Turner Road - Lake House Mixed Use Development Project

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

SCH # 2019029095

Project Title: Turner Road - Lake House Mixed Use Development Project

Lead Agency: City of Lodi | Contact Person: John Della Monica
Mailing Address: 221 West Pine Street | Phone: (209) 333-6711
City: Lodi | Zip: 95240 | County: San Joaquin

Project Location: County: San Joaquin | City/Nearest Community: Lodi
Cross Streets: Lower Sacramento Road / Turner Road | Zip Code: 95242
Longitude/Latitude (degrees, minutes and seconds): 38 ° 08 ′ 48 ″ N / 121 ° 18 ′ 05 ″ W Total Acres: 9.75
Assessor's Parcel No.: 015-64-003 , -009 | Section: 34 | Twp.: 4N | Range: 6E | Base: MDBM
Within 2 Miles: State Hwy #: 99 | Waterways: Mokelumne River / Lodi Lake
Airports: None | Railways: UP Spur | Schools: Woodbridge ES, LUSD

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: _____ | ☐ FONSI

Local Action Type:

☐ General Plan Update | ☐ Specific Plan | ☒ Rezone | ☐ Annexation
☒ General Plan Amendment | ☐ Master Plan | ☐ Prezone | ☐ Redevelopment
☐ General Plan Element | ☐ Planned Unit Development | ☒ Use Permit | ☐ Coastal Permit
☐ Community Plan | ☒ Site Plan | ☐ Land Division (Subdivision, etc.) | ☐ Other: _____

Development Type:

☒ Residential: Units 150 Acres 9
☐ Office: Sq.ft. _____ Acres _____ Employees _____ | ☐ Transportation: Type _____
☒ Commercial: Sq.ft. 18500 Acres _____ Employees _____ | ☐ Mining: Mineral _____
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____ | ☐ Power: Type _____ MW _____
☐ Educational: _____ | ☐ Waste Treatment: Type _____ MGD _____
☐ Recreational: _____ | ☐ Hazardous Waste: Type _____
☐ Water Facilities: Type _____ MGD _____ | ☐ Other: _____

Project Issues Discussed in Document:

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

Present Land Use/Zoning/General Plan Designation:

Vacant/Industrial/Industrial

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

The primary objective of the proposed project is to develop 150 apartment units, a 96-suite "boutique"-style hotel, associated hospitality-related facilities and 18,500 square feet of retail commercial space.

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

Reviewing Agencies Checklist

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

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

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

Starting Date August 9, 2023 Ending Date September 22, 2023

Lead Agency (Complete if applicable):

Consulting Firm: BaseCamp Environmental, Inc
Address: 802 West Lodi Ave
City/State/Zip: Lodi Ca 95240
Contact: Charlie Simpson
Phone: 661-224-8213

Applicant: City of Lodi
Address: 221 West Pine Street
City/State/Zip: Lodi CA 95240
Phone: 209-333-6711

Signature of Lead Agency Representative: Rayanna Beck **Date:** 08/08/2023

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

APPENDIX B
2022 AB 52 NOTIFICATION RECORDS

CITY OF LODI

Community Development Department
CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910

January 26, 2022

To: Buena Vista Rancheria
Roselynn Lwenya, Ph.D.
1418 20th Street STE 200
Sacramento, CA 95811

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Roselynn Lwenya, Ph.D.,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the Buena Vista Rancheria notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

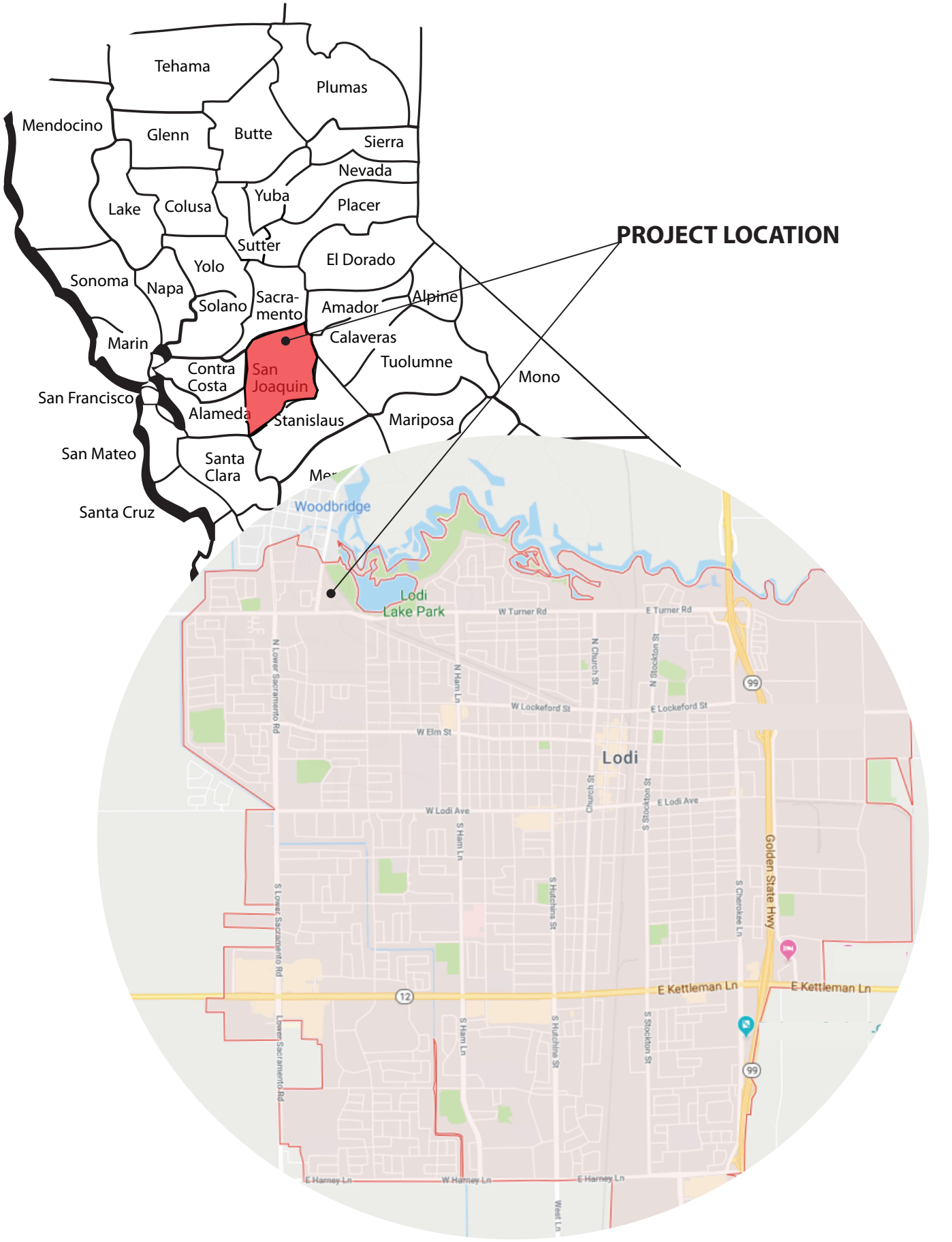
environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe.

The tribe has 30 days from receipt of this letter under AB 52 (90 days under SB 18) to indicate if it wishes to consult on this project. If no response is received within 90 days, it will be assumed that the tribe declines the opportunity to consult. If the tribe desires to consult on this project, please send a letter response to Eric Norris, Contract Planner, City of Lodi Community Development Department, 221 West Pine Street, Lodi, CA 95241. In your response, please designate the lead contact person for this consultation, along with contact information. If you have any questions, please contact Eric Norris at (209) 574-4875.

Sincerely,

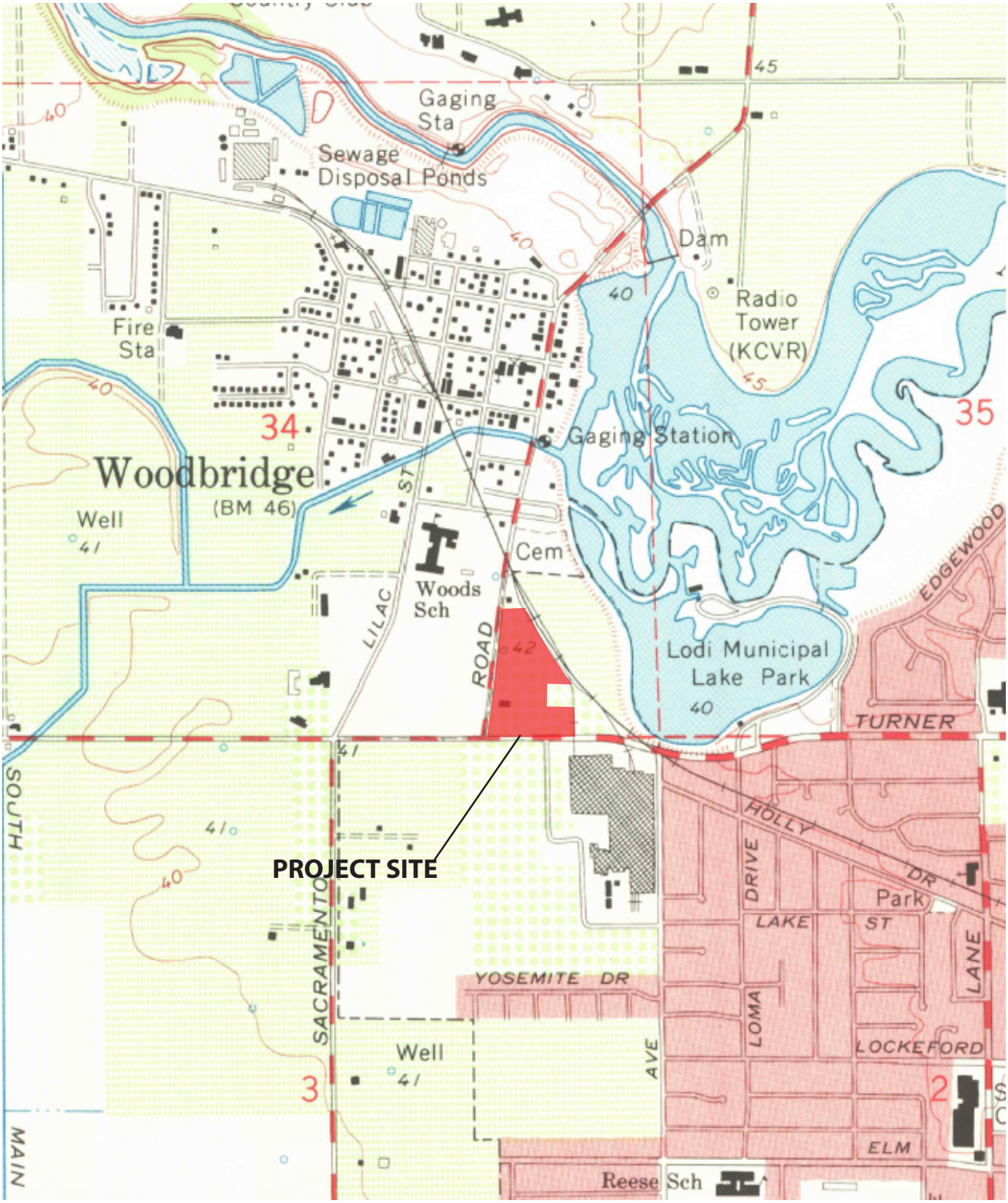
John Della Monica
Director, Community Development Department

Attachment: Location map



BaseCamp Environmental

Figure 1-1
REGIONAL LOCATION MAP



SOURCE: Lodi North Quadrangle, United States Department of the Interior Geological Survey, 1968

CITY OF LODI

Community Development Department
CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910

January 26, 2022

To: Ione Band of Miwok Indians
Randy Yonemura
P.O. Box 699
Plymouth, CA 95669

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Randy Yonemura,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the Ione Band of Miwok Indians notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

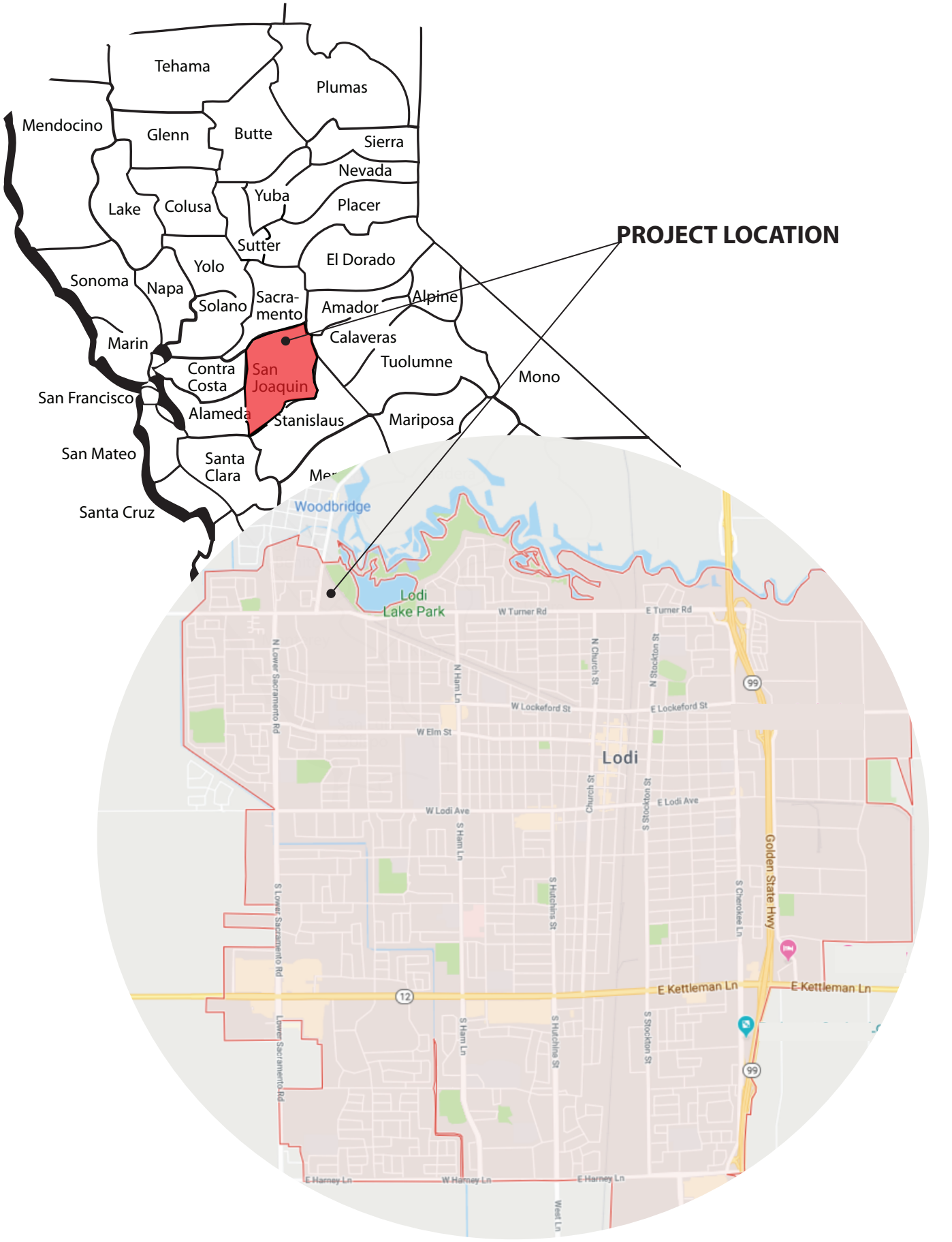
environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe.

The tribe has 30 days from receipt of this letter under AB 52 (90 days under SB 18) to indicate if it wishes to consult on this project. If no response is received within 90 days, it will be assumed that the tribe declines the opportunity to consult. If the tribe desires to consult on this project, please send a letter response to Eric Norris, Contract Planner, City of Lodi Community Development Department, 221 West Pine Street, Lodi, CA 95241. In your response, please designate the lead contact person for this consultation, along with contact information. If you have any questions, please contact Eric Norris at (209) 574-4875.

Sincerely,

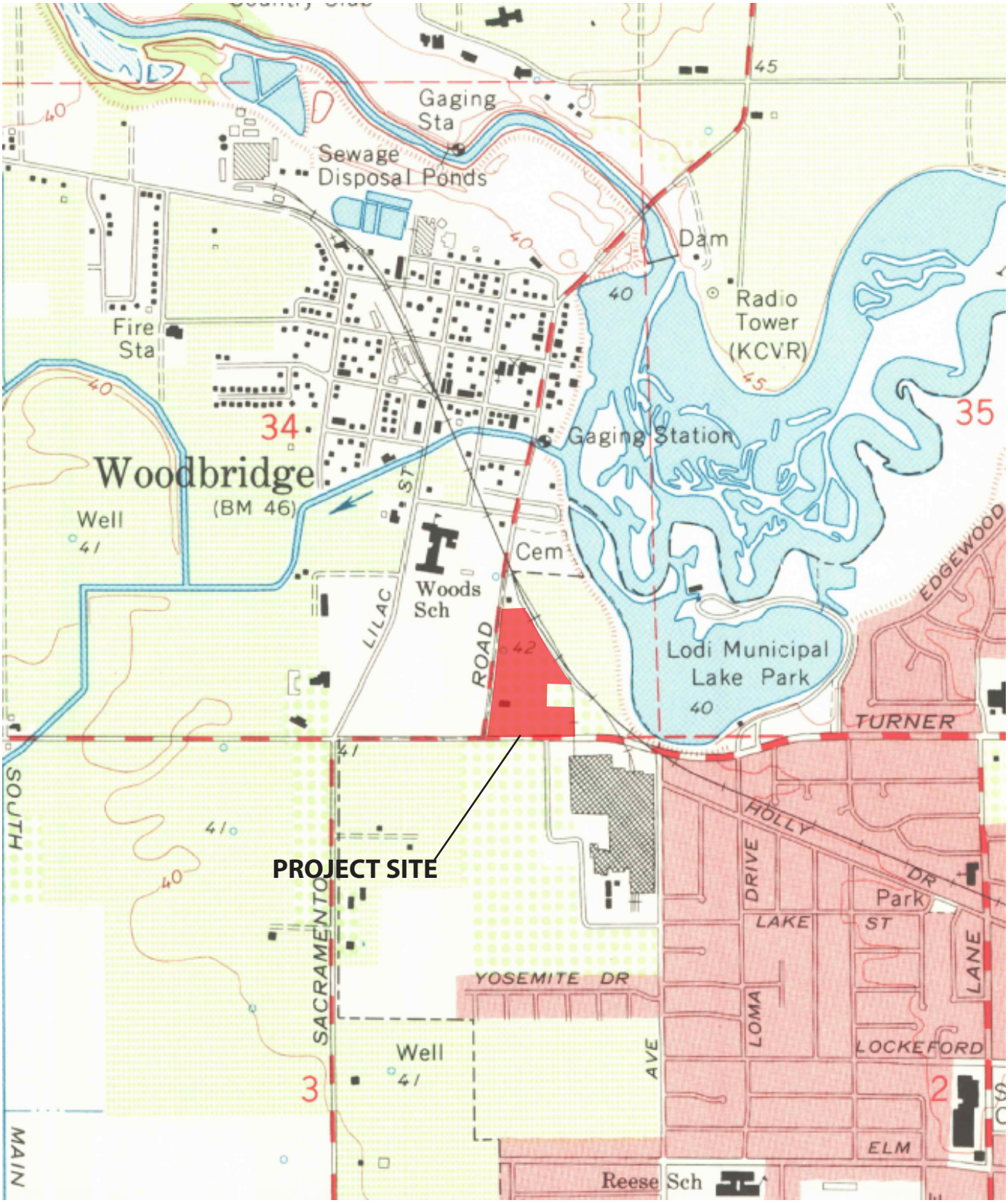
John Della Monica
Director, Community Development Department

Attachment: Location map



BaseCamp Environmental

Figure 1-1
REGIONAL LOCATION MAP



SOURCE: Lodi North Quadrangle, United States Department of the Interior Geological Survey, 1968

CITY OF LODI
Community Development Department
CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910

January 26, 2022

To: Northern Valley Yokuts
Katherine Erolinda Perez MLD
990 North Fine Rd.
Linden, CA 95236

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Katherine Erolinda Perez MLD,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the Northern Valley Yokuts notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

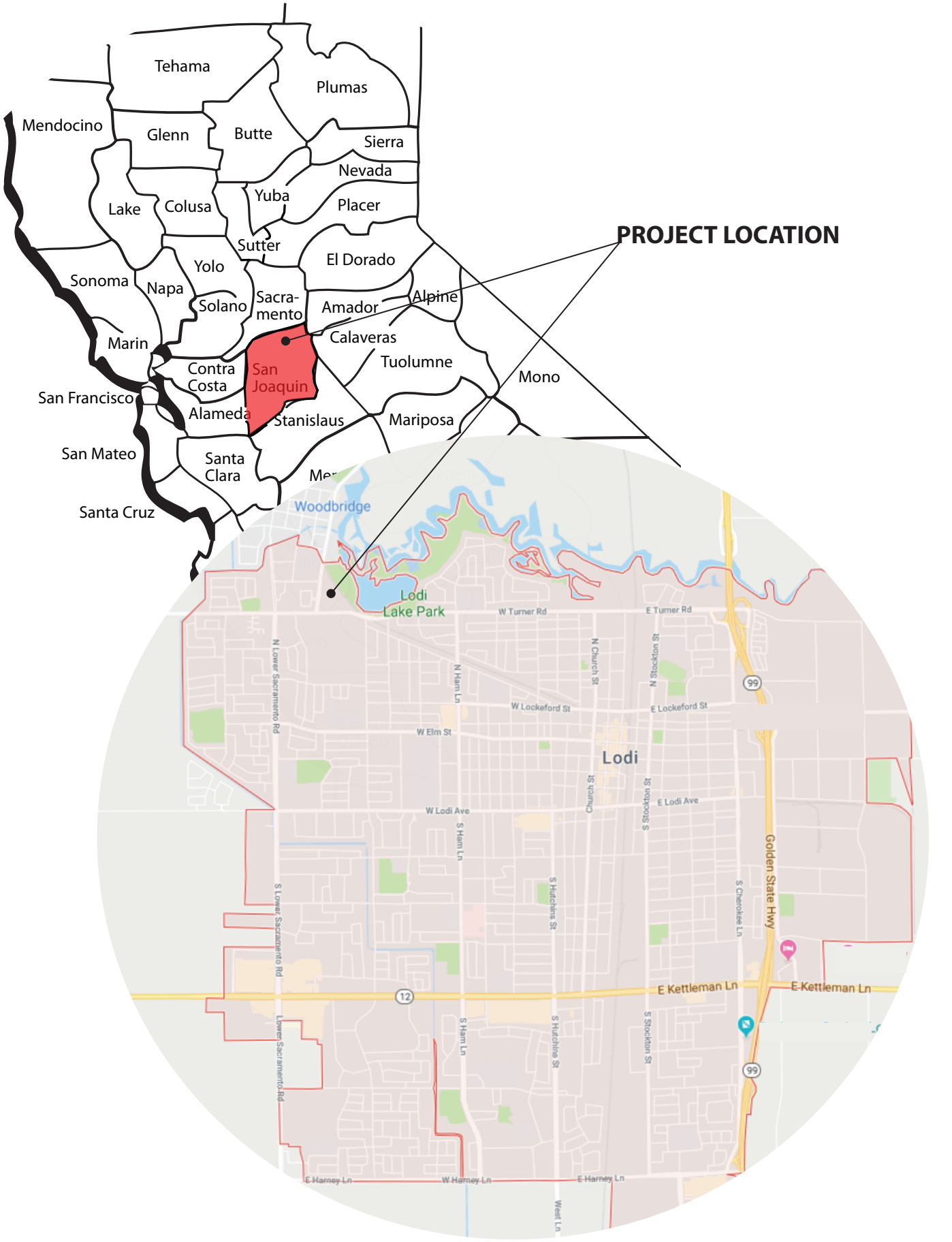
environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe.

The tribe has 30 days from receipt of this letter under AB 52 (90 days under SB 18) to indicate if it wishes to consult on this project. If no response is received within 90 days, it will be assumed that the tribe declines the opportunity to consult. If the tribe desires to consult on this project, please send a letter response to Eric Norris, Contract Planner, City of Lodi Community Development Department, 221 West Pine Street, Lodi, CA 95241. In your response, please designate the lead contact person for this consultation, along with contact information. If you have any questions, please contact Eric Norris at (209) 574-4875.

Sincerely,

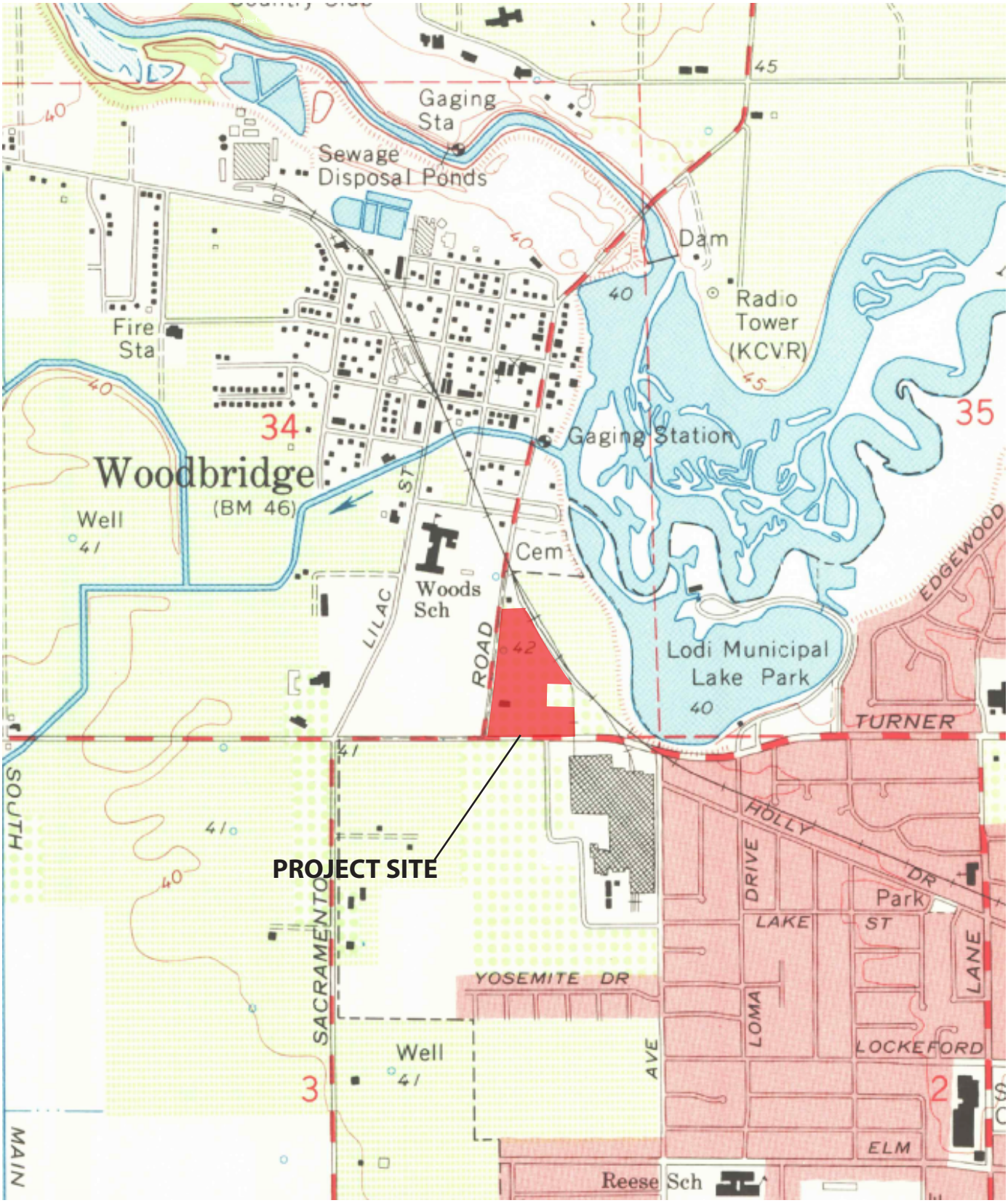
John Della Monica
Director, Community Development Department

Attachment: Location map



BaseCamp Environmental

Figure 1-1
REGIONAL LOCATION MAP



SOURCE: Lodi North Quadrangle, United States Department of the Interior Geological Survey, 1968

CITY OF LODI

Community Development Department
CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910

January 26, 2022

To: Torres Martinez Desert Cahuilla Indians
Michael Mirelez
P.O. Box 1160
Thermal, CA 92274

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Michael Mirelez,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the Torres Martinez Desert Cahuilla Indians notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

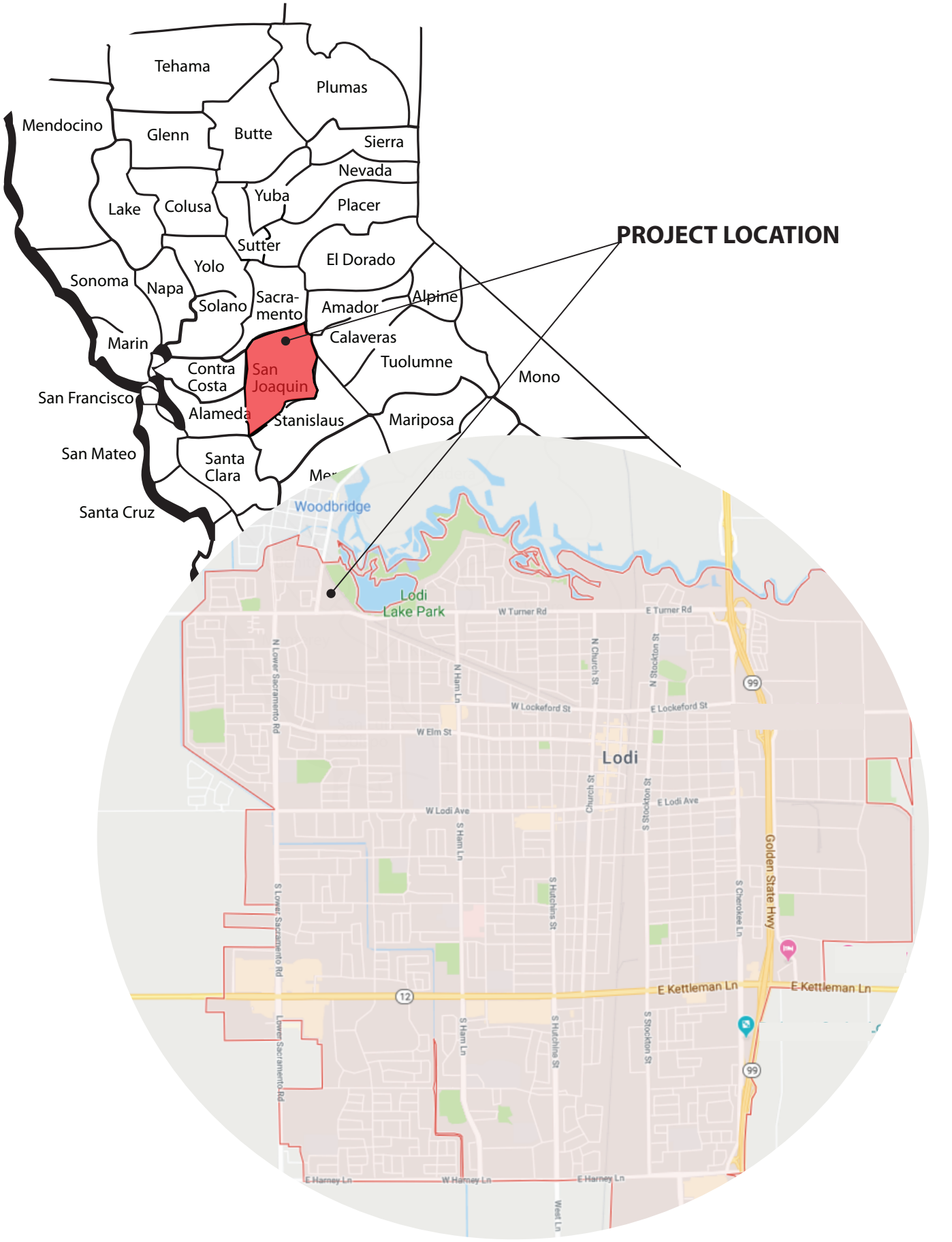
environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe.

The tribe has 30 days from receipt of this letter under AB 52 (90 days under SB 18) to indicate if it wishes to consult on this project. If no response is received within 90 days, it will be assumed that the tribe declines the opportunity to consult. If the tribe desires to consult on this project, please send a letter response to Eric Norris, Contract Planner, City of Lodi Community Development Department, 221 West Pine Street, Lodi, CA 95241. In your response, please designate the lead contact person for this consultation, along with contact information. If you have any questions, please contact Eric Norris at (209) 574-4875.

Sincerely,

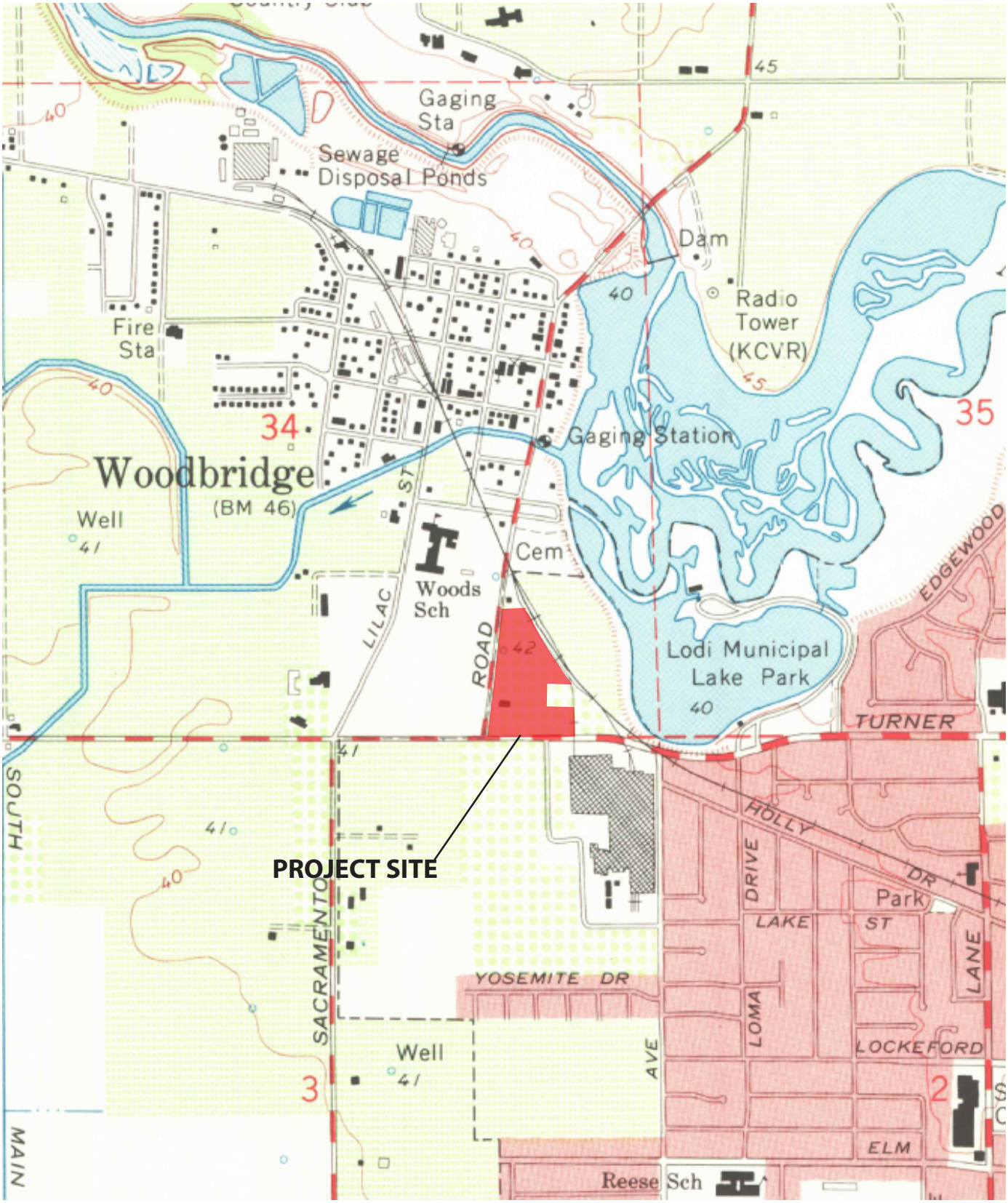
John Della Monica
Director, Community Development Department

Attachment: Location map



BaseCamp Environmental

Figure 1-1
REGIONAL LOCATION MAP



SOURCE: Lodi North Quadrangle, United States Department of the Interior Geological Survey, 1968

CITY OF LODI

Community Development Department
CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910

January 26, 2022

To: United Auburn Indian Community of the Auburn Rancheria
Jason Camp
10720 Indian Hill Rd
Auburn, CA 95603

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Jason Camp,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the United Auburn Indian Community of the Auburn Rancheria notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

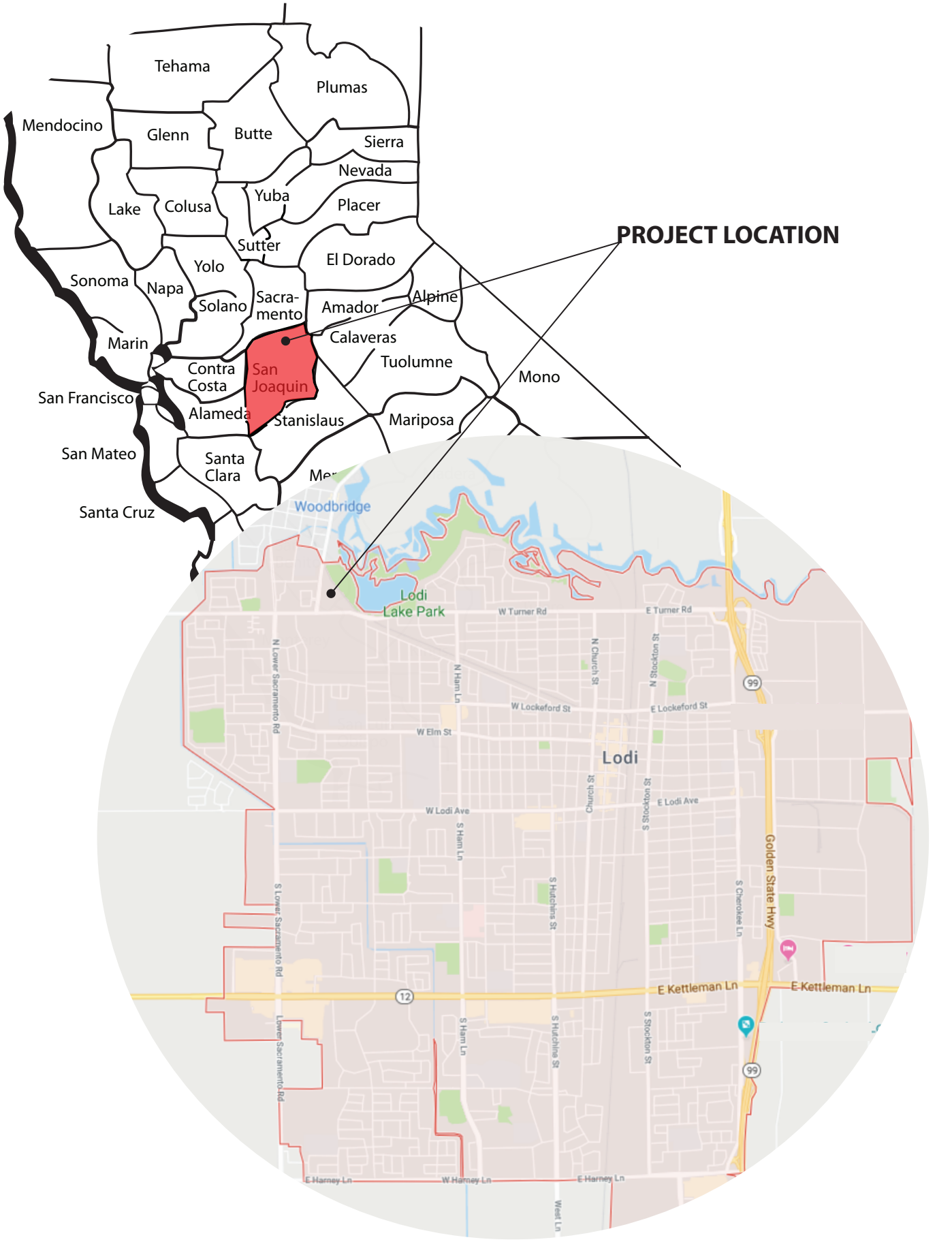
environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe.

The tribe has 30 days from receipt of this letter under AB 52 (90 days under SB 18) to indicate if it wishes to consult on this project. If no response is received within 90 days, it will be assumed that the tribe declines the opportunity to consult. If the tribe desires to consult on this project, please send a letter response to Eric Norris, Contract Planner, City of Lodi Community Development Department, 221 West Pine Street, Lodi, CA 95241. In your response, please designate the lead contact person for this consultation, along with contact information. If you have any questions, please contact Eric Norris at (209) 574-4875.

Sincerely,

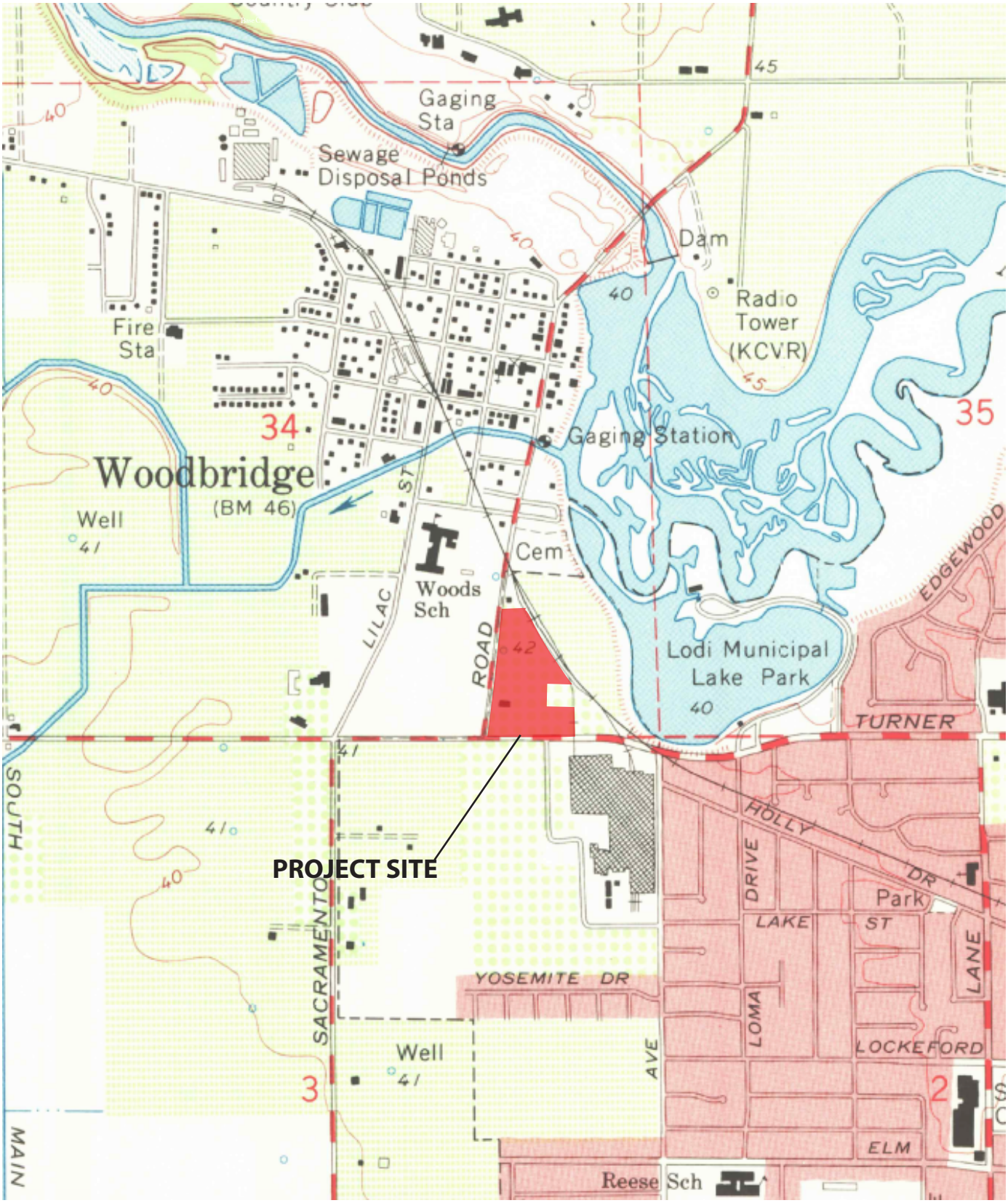
John Della Monica
Director, Community Development Department

Attachment: Location map



BaseCamp Environmental

Figure 1-1
REGIONAL LOCATION MAP



SOURCE: Lodi North Quadrangle, United States Department of the Interior Geological Survey, 1968

CITY OF LODI
Community Development Department
CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910

January 26, 2022

To: United Auburn Indian Community of the Auburn Rancheria
Marcos Guerrero
10720 Indian Hill Rd
Auburn, CA 95603

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Marcos Guerrero,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the United Auburn Indian Community of the Auburn Rancheria notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

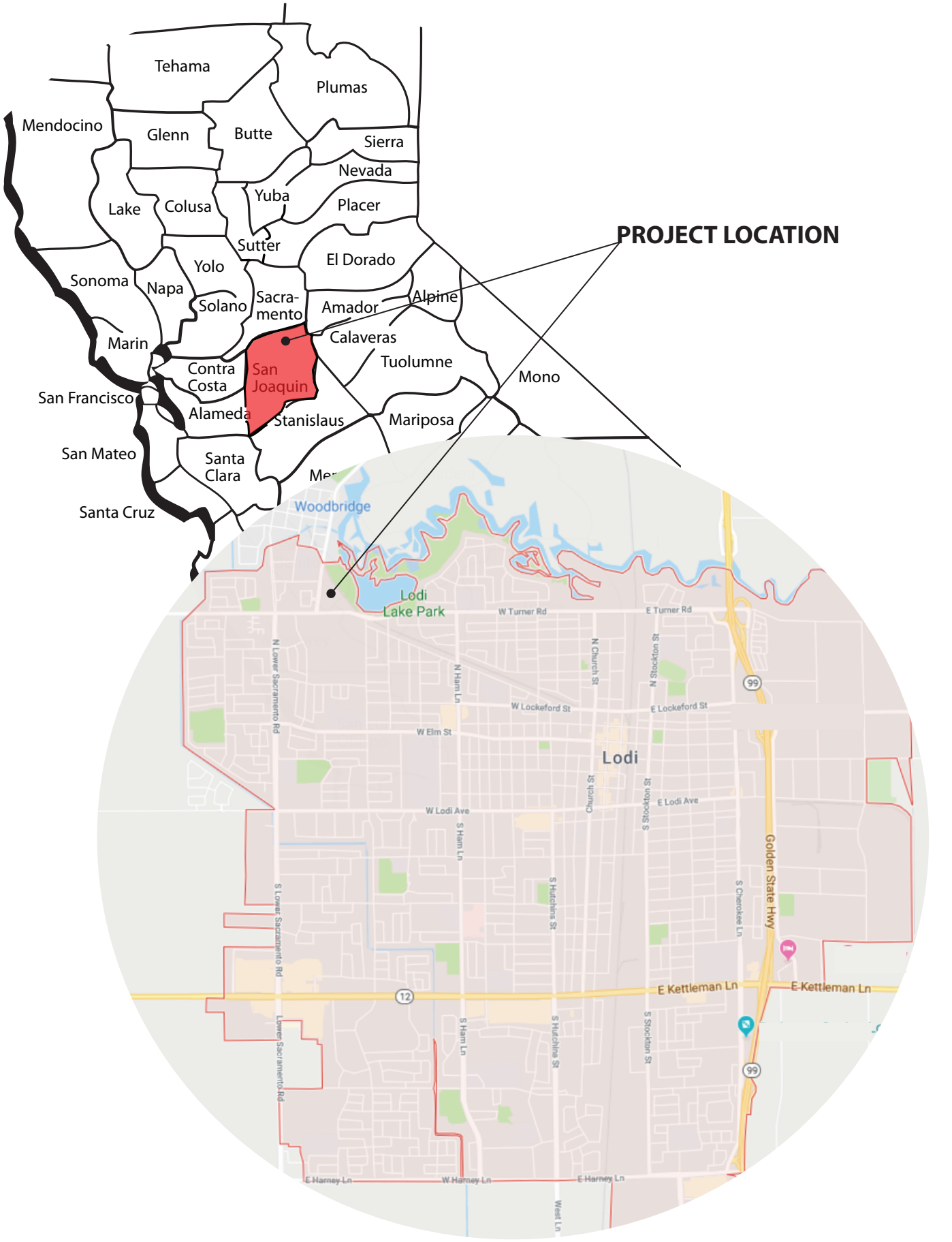
environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe.

The tribe has 30 days from receipt of this letter under AB 52 (90 days under SB 18) to indicate if it wishes to consult on this project. If no response is received within 90 days, it will be assumed that the tribe declines the opportunity to consult. If the tribe desires to consult on this project, please send a letter response to Eric Norris, Contract Planner, City of Lodi Community Development Department, 221 West Pine Street, Lodi, CA 95241. In your response, please designate the lead contact person for this consultation, along with contact information. If you have any questions, please contact Eric Norris at (209) 574-4875.

Sincerely,

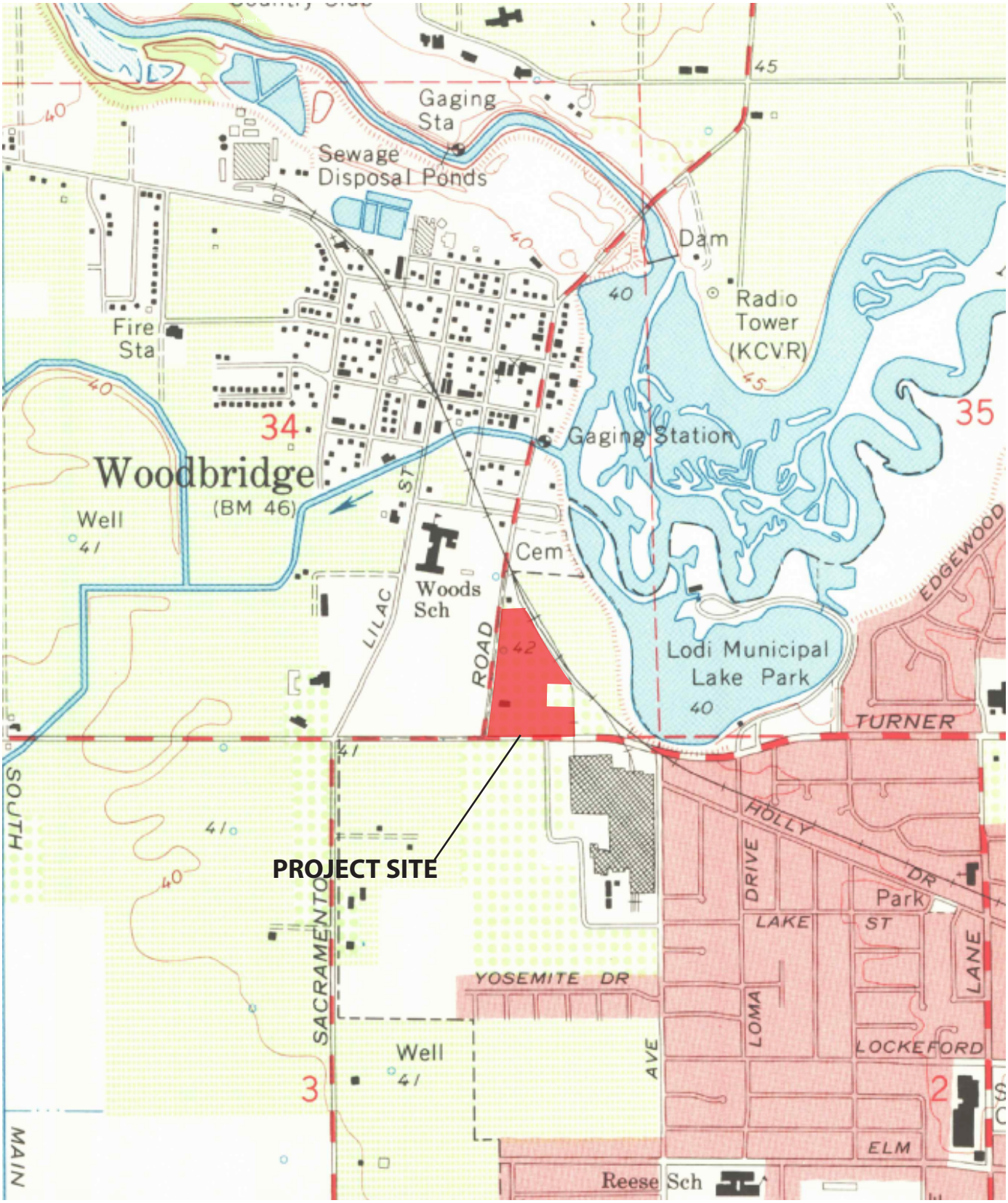
John Della Monica
Director, Community Development Department

Attachment: Location map



BaseCamp Environmental

Figure 1-1
REGIONAL LOCATION MAP



SOURCE: Lodi North Quadrangle, United States Department of the Interior Geological Survey, 1968

CITY OF LODI

Community Development Department
CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910

January 26, 2022

To: Wilton Rancheria
Steven Hutchason
9728 Kent St
Elk Grove, CA 95624

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Steven Hutchason,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the Wilton Rancheria notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

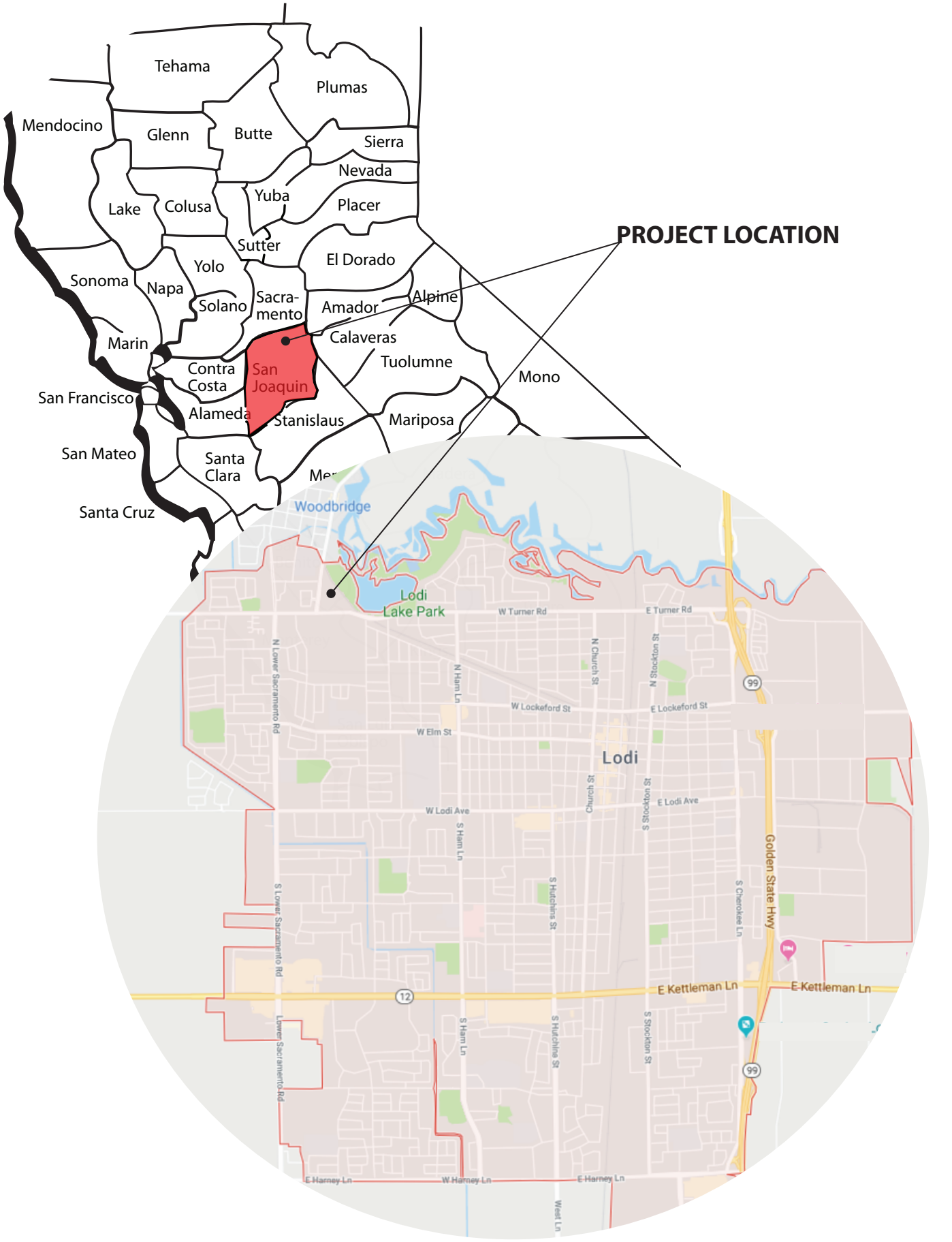
environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe.

The tribe has 30 days from receipt of this letter under AB 52 (90 days under SB 18) to indicate if it wishes to consult on this project. If no response is received within 90 days, it will be assumed that the tribe declines the opportunity to consult. If the tribe desires to consult on this project, please send a letter response to Eric Norris, Contract Planner, City of Lodi Community Development Department, 221 West Pine Street, Lodi, CA 95241. In your response, please designate the lead contact person for this consultation, along with contact information. If you have any questions, please contact Eric Norris at (209) 574-4875.

Sincerely,

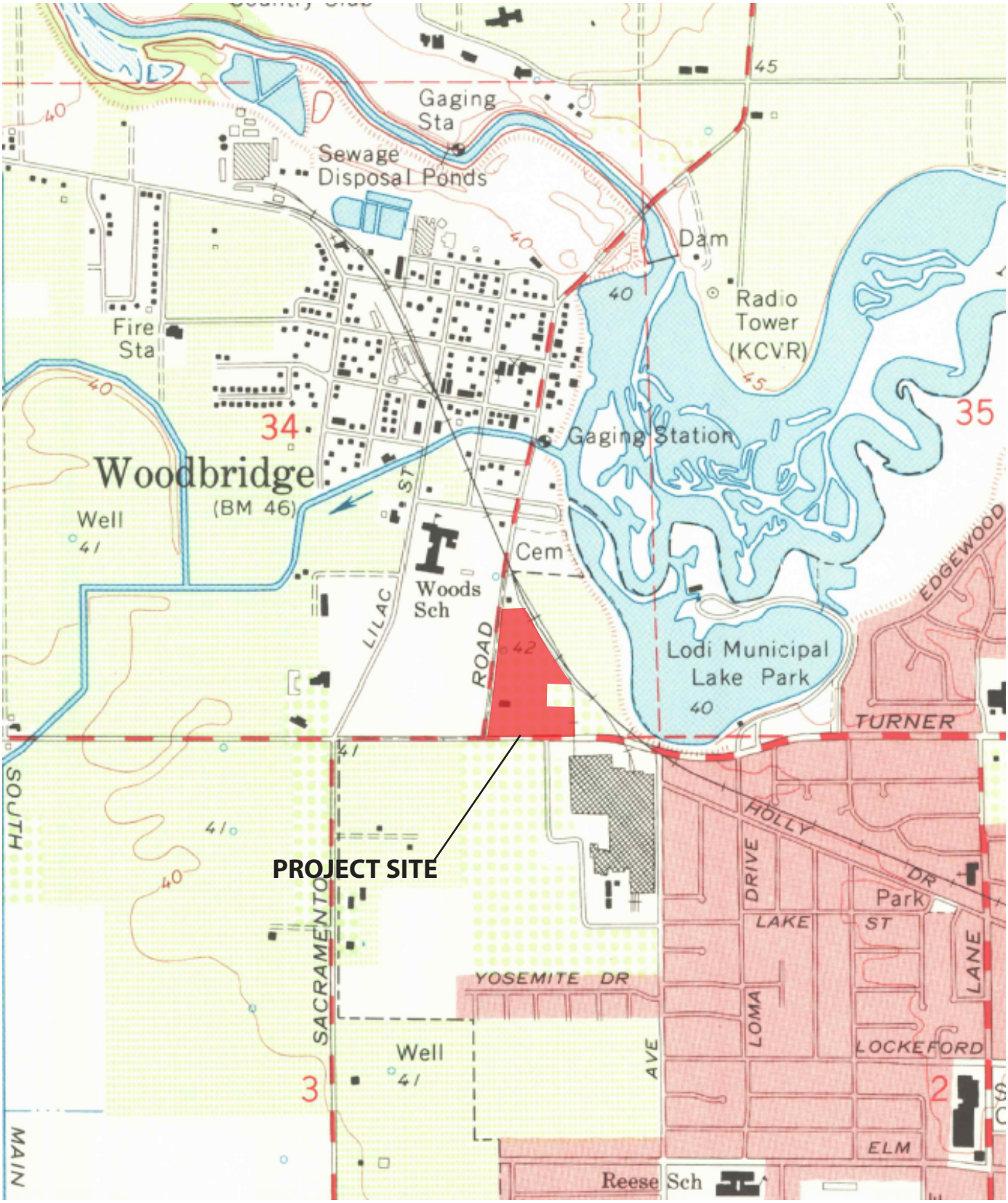
John Della Monica
Director, Community Development Department

Attachment: Location map



BaseCamp Environmental

Figure 1-1
REGIONAL LOCATION MAP



SOURCE: Lodi North Quadrangle, United States Department of the Interior Geological Survey, 1968

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Attn: Planning

Sent To
Buena Vista Rancheria, Roselynn Lwenya, Ph.D.
Street and Apt. No., or PO Box No.
1418 20th Street STE 200
City, State, ZIP+4®
Sacramento, CA 95811

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0140 0000 7445 4406

Y OF LODI
y Development Department
LL, 221 WEST PINE STREET
P.O. BOX 3006
CALIFORNIA 95241-1910

STEPHEN SCHWABAUER
City Manager

PAM FARRIS
Assistant City Clerk

JANICE D. MAGDICH
City Attorney

January 26, 2022

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Roselynn Lwenya, Ph.D.,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the Buena Vista Rancheria notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Attn: Planning

Sent To
Ione Band of Miwok Indians, Randy Yonemura

Street and Apt. No., or PO Box No.
P.O. Box 699

City, State, ZIP+4®
Plymouth, CA 95669

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0140 0000 7445 4390

Y OF LODI
Development Department
., 221 WEST PINE STREET
P.O. BOX 3006
:ALIFORNIA 95241-1910

STEPHEN SCHWABAUER
City Manager

PAM FARRIS
Assistant City Clerk

JANICE D. MAGDICH
City Attorney

January 26, 2022

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Randy Yonemura,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the Ione Band of Miwok Indians notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

7019 0140 0000 7445 4345

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Attn Planning

Sent To Native American Heritage Commission

Street and Apt. No., or PO Box No. 1550 Harbor Blvd Suite 100

City, State, ZIP+4® West Sacramento CA 95501

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Y OF LODI
Development Department
L, 221 WEST PINE STREET
P.O. BOX 3006
CALIFORNIA 95241-1910

STEPHEN SCHWABAUER
City Manager

PAM FARRIS
Assistant City Clerk

JANICE D. MAGDICH
City Attorney

January 25, 2022

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Sacred Lands File and Native American Contacts List Request for the Lodi Lakehouse Project, Lodi, San Joaquin County, California

To the Native American Heritage Commission:

The City of Lodi (City) is requesting a Sacred Lands File search and Native American contact list for the Lodi Lakehouse project. The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on a 10 -acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. Parking spaces would be available for the hotel and for the residential complex.

As a part of meeting its CEQA environmental review obligations, the City is seeking information on any previously documented cultural resources within the proposed project site. The project site is located in the City of Lodi in San Joaquin County on the U.S. Geological Survey's Lodi North, CA 7.5-minute quadrangle map within Township 1 N, Range 6 E, Section 34. Attached to this request is a portion of the referenced USGS map.

The City also requests a list of tribes whose traditionally and culturally affiliated tribal area includes the project site. This list is for the purposes of consultation as required by AB 52 and SB 18.

Please direct your response to me at the address above and feel free to contact Eric Norris, Contract Planner at (209) 574-4875 with any questions regarding this request.

Sincerely,

John Della Monica
Director, Community Development Department

CITY OF LODI

Community Development Department
CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910

January 25, 2022

To: Native American Heritage Commission
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95501

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Sacred Lands File and Native American Contacts List Request for the Lodi Lakehouse Project, Lodi, San Joaquin County, California

To the Native American Heritage Commission:

The City of Lodi (City) is requesting a Sacred Lands File search and Native American contact list for the Lodi Lakehouse project. The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on a 10 -acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. Parking spaces would be available for the hotel and for the residential complex.

As a part of meeting its CEQA environmental review obligations, the City is seeking information on any previously documented cultural resources within the proposed project site. The project site is located in the City of Lodi in San Joaquin County on the U.S. Geological Survey's Lodi North, CA 7.5-minute quadrangle map within Township 1 N, Range 6 E, Section 34. Attached to this request is a portion of the referenced USGS map.

The City also requests a list of tribes whose traditionally and culturally affiliated tribal area includes the project site. This list is for the purposes of consultation as required by AB 52 and SB 18.

Please direct your response to me at the address above and feel free to contact Eric Norris, Contract Planner at (209) 574-4875 with any questions regarding this request.

Sincerely,

John Della Monica
Director, Community Development Department

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Attn: Planning

Sent To
Northern Valley Yokuts, Katherine Erolinda Perez MLD

Street and Apt. No., or PO Box No.
990 North Fine Rd

City, State, ZIP+4®
Linden, CA 95236

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0140 0000 7445 4383

Linden, CA 95236

Y OF LODI
/ Development Department
.L, 221 WEST PINE STREET
P.O. BOX 3006
CALIFORNIA 95241-1910

STEPHEN SCHWABAUER
City Manager

PAM FARRIS
Assistant City Clerk

JANICE D. MAGDICH
City Attorney

January 26, 2022

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Katherine Erolinda Perez MLD,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the Northern Valley Yokuts notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Attn: Planning

Sent To
Michael Mirelez
Torres Martinez Desert Cahuilla Indians

Street and Apt. No., or PO Box No.
P.O. Box 11600

City, State, ZIP+4®
Thermal, CA 92274

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0140 0000 7445 4376

Y OF LODI

y Development Department
LL, 221 WEST PINE STREET
P.O. BOX 3006
CALIFORNIA 95241-1910

STEPHEN SCHWABAUER
City Manager

PAM FARRIS
Assistant City Clerk

JANICE D. MAGDICH
City Attorney

January 26, 2022

ians

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Michael Mirelez,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the Torres Martinez Desert Cahuilla Indians notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

Y OF LODI
Development Department
L, 221 WEST PINE STREET
P.O. BOX 3006
CALIFORNIA 95241-1910

STEPHEN SCHWABAUER
City Manager

PAM FARRIS
Assistant City Clerk

JANICE D. MAGDICH
City Attorney

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To: Jason Camp
United Auburn Indian Community of the Auburn Rancheria
Street and Apt. No., or PO Box No.: 10720 Indian Hill Rd
City, State, ZIP+4®: Auburn, CA 95603

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 0140 0000 7445 4352

January 26, 2022

Attn: Planning

f the Auburn Rancheria

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Jason Camp,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the United Auburn Indian Community of the Auburn Rancheria notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA


U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
OFFICIAL USE
Certified Mail Fee
$
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) $
☐ Return Receipt (electronic) $
☐ Certified Mail Restricted Delivery $
☐ Adult Signature Required $
☐ Adult Signature Restricted Delivery $
Postage
$
Total Postage and Fees
$
Sent To
Attn: Planning
Marcos Guerrero
United Auburn Indian Community of the Auburn Rancheria
Street and Apt. No., or PO Box No.
10720 Indian Hill Rd
City, State, ZIP+4®
Auburn, CA 95603
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
7020 1810 0000 8887 1867

OF LODI
Development Department
, 221 WEST PINE STREET
P.O. BOX 3006
ALIFORNIA 95241-1910

STEPHEN SCHWABAUER
City Manager

PAM FARRIS
Assistant City Clerk

JANICE D. MAGDICH
City Attorney

January 26, 2022

the Auburn Rancheria

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Marcos Guerrero,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the United Auburn Indian Community of the Auburn Rancheria notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Attn: Planning

Sent To: Wilton Rancheria, Steven Hutchason
Street and Apt. No., or PO Box No.: 9728 Kent St
City, State, ZIP+4®: Elk Grove, CA 95624

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0140 0000 7445 4413

Y OF LODI
Development Department
-, 221 WEST PINE STREET
P.O. BOX 3006
CALIFORNIA 95241-1910

STEPHEN SCHWABAUER
City Manager

PAM FARRIS
Assistant City Clerk

JANICE D. MAGDICH
City Attorney

January 26, 2022

From: City of Lodi
Community Development Department
221 W. Pine Street
Lodi, CA 95241

RE: Tribal Cultural Resource Consultation, Lodi Lakehouse Project

Dear Steven Hutchason,

In accordance with the provisions of AB 52 (Public Resources Code 21080.3.1) and SB 18 (Government Code 65352), the City of Lodi hereby provides the Wilton Rancheria notification that the City is considering approval of the proposed Lodi Lakehouse hotel and residential project. The City is the lead agency and is preparing and Environmental Impact Report for the project under the California Environmental Quality Act (CEQA). The project is within a geographical area that has been identified as being traditionally and culturally affiliated with the tribe, and the tribe has previously indicated its desire to consult on projects that may affect its tribal cultural resources.

The project proposes the development of a resort hotel, residential apartment complex, and retail commercial space on an approximately 10-acre site located at 1018 Lower Sacramento Road in Lodi. The four-story hotel would include 92 guest suites with a restaurant, retail commercial space, and a banquet room. The proposed residential apartment complex would include 143 apartment units from one to three bedrooms, along with a manager's office/community building. The project would include parking areas for both the hotel and the residential complex. The project requires discretionary approvals from the City of Lodi that consist of a General Plan Amendment, rezoning, and site plan approval.

Consultation, if requested, may include discussion concerning the type of CEQA environmental review necessary, the significance of tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. Any information on tribal cultural resources, including but not limited to location, description, and use, submitted by the tribe during the environmental review process will not be included in the CEQA

APPENDIX C
SWRCB ENCHANTED ROCK ENVIRONMENTAL STUDY

Strategic Reliability Reserve Environmental Review for the Lodi Surface Water Treatment Facility Site

Prepared for:

Department of Water Resources
715 P Street, 5th Floor
Sacramento, California 95814
Contact: Shelly Amrhein

Prepared by:

DUDEK
Contact: Andrew Talbert, AICP
Email: atalbert@dudek.com

JANUARY 2023

Printed on 30% post-consumer recycled material.

Table of Contents

TABLES

APPENDICES

Acronyms and Abbreviations

Acronym	Definition
AAQA	ambient air quality analysis
APN	Assessor's Parcel Number
BACT	best available control technology
BMP	best management practice
CAISO	California Independent System Operator
CBC	California Building Code
CEQA	California Environmental Quality Act
CO	carbon monoxide
CO_2e	carbon dioxide equivalent
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
DWR	California Department of Water Resources
L_{eq}	equivalent continuous sound level
MS4	Municipal Separate Storm Sewer System
NOx	oxides of nitrogen
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PM_{10}	particulate matter 10 microns in diameter or smaller
$PM_{2.5}$	particulate matter 2.5 microns in diameter or smaller
RTP/SCS	Regional Transportation Plan and Sustainable Communities Strategy
SJVAPCD	San Joaquin Valley Air Pollution Control District
SO_2	sulfur dioxide
SR	State Route
SRR	Strategic Reliability Reserve
SWRCB	State Water Resources Control Board
SWTF	Surface Water Treatment Facility
VMT	vehicle miles traveled

INTENTIONALLY LEFT BLANK

1 Introduction

California Assembly Bill 205 and Assembly Bill 209 created a state-led Strategic Reliability Reserve (SRR) program to be developed by the California Department of Water Resources (DWR) in conjunction with its sister state agencies, the California Energy Commission and the California Air Resources Board. As part of the SRR program, DWR is looking to develop new emergency and temporary generators, new energy storage systems, and clean energy generation projects, and generate funding for an extension of existing generation operations. This effort is just one part of California's broader effort to safeguard the state's energy system in the face of climate-induced drought, wildfires, and heat waves that are impacting the state's energy grid. The equipment installed as part of the SRR program would be used only in extreme peak-demand events to provide temporary power generation to stabilize and supplement existing grid-tied power supplies to avoid grid failures.

DWR is currently procuring, installing, and licensing emergency generator units at existing facilities (proposed project). The units would be placed at a developed facility to feed directly into the grid as needed and at the direction of the California Independent System Operator (CAISO) in response to an emergency event when supplemental power supply is required. The units would be operational by summer 2023.

Assembly Bill 205 establishes a process to streamline approval and construction of new energy projects by exempting the projects from the California Environmental Quality Act (CEQA) and establishing a streamlined California Energy Commission review and certification process for applications for new energy generation projects. In the interest of addressing the need for immediate additional power generation capacity to provide adequate power supply throughout California during peak-demand events, Assembly Bill 205 also provides for DWR to self-certify certain temporary energy generation projects. This document analyzes the potential environmental impacts of SRR temporary energy generation facilities proposed by DWR under the self-certification process.

INTENTIONALLY LEFT BLANK

2 Project Design, Operation, and Location

A. A detailed description, including drawings of the project's major structures, of the design, methods of construction and operation of the facilities

Project Design

As shown in Figure 2-1, Project Location (all figures can be found in Appendix A), the proposed project would be northeast of the Lodi Surface Water Treatment Facility (SWTF) within a parcel owned by the City of Lodi. The proposed project would include installation of 123 natural gas generators. The generators would be arranged in 25 rows on the project site; 24 rows would contain five generators, and one row would contain three generators (see Figure 2-2, Project Site Layout). Associated infrastructure proposed for installation adjacent to the generators would include 25 transformers, and four electric switchgear boxes. Each generator would be housed in an enclosure with maximum dimensions of 120 inches by 96 inches by 142 inches (length by width by height). The overall footprint of the proposed generators would be a rectangle measuring approximately 140 feet by 440 feet, oriented northwest/southeast, directly adjacent to the SWTF. The southern and eastern boundaries of the project site would be enclosed by an 8-foot-tall chain-link fence; the western boundary of the project site would be bordered by the SWTF and a 15-foot-tall concrete wall; and the northern boundary of the project site would be enclosed by a 15-foot-tall concrete wall.

All 123 generators would be identical and have an engine rating of 673 horsepower. Collectively, the generators would be capable of producing up to 48 megawatts of electricity. When in operation, the generators would operate in grid synchronous mode at 480 volts. The generator facility would be operated temporarily to provide emergency power in the event the CAISO-controlled grid cannot support periods of peak demand, or to prevent grid failure as a result of extreme weather events or other power disruptions. The installed generators would be capable of delivering emergency power at any time, but annual operations are not expected to exceed 300 hours per year. This would include operation and monthly tests that are required as part of standard operations.

The Enchanted Rock generators use an efficient, ultra-low-emissions natural gas engine; permanent magnet generator alternator with electronic voltage regulator; isochronous electronic governor; sound attenuated enclosure; smart battery charter; and motorized synchronizing circuit breaker. Each generator would have a dual exhaust, with each exhaust having its own emissions point/stack. The stacks would feature rain flaps and would extend 2 inches above the generator enclosure. Each stack would have an inner stack diameter of 5 inches. Total absolute volumetric flow rate from each engine would be 2,754 cubic feet per minute and a maximum exhaust temperature of 1,193°F. The units would be air cooled. Fuel for the generators would be pipeline-quality natural gas from Pacific Gas & Electric delivered to the site via Pacific Gas & Electric pipeline infrastructure. A natural gas meter would be located in the northwestern corner of the project site. The system would not require energy storage. Emissions from combustion would be controlled via non-selective catalytic reduction.

The generators would deliver power to the grid via a connection to the City of Lodi substation, southwest of the project site, on the southwestern side of the Lodi SWTF. Work required to connect the generator facility

to the substation would include excavating and trenching for installation of a distribution line from the switchgear to new circuit breakers at the substation to be installed alongside the existing substation bay.

Construction

Construction of the proposed project is expected to begin in March 2023 and have a duration of 4 to 6 months. Construction would include site preparation and grading of approximately 61,000 square feet of land for installation of the generators. No demolition would be required as part of site preparation. There would be approximately 900 feet of trenching for pipe and electric conduit on the project site. Proposed trenches would range from 3 feet wide by 3 feet deep, to 6 feet wide by 6 feet deep. All displaced soil from trenching would be reused on site to the extent feasible, and no import or export of soil is anticipated; however, some soil import/export may occur, and associated haul truck trips have been incorporated into the analysis contained in Chapter 3, Environmental Information. The area proposed for installation of the generators would be surfaced with several inches of compacted crushed concrete base rock. The anticipated schedule, vehicle trips, and equipment that would be used to construct the project are identified in Table 1.

Table 1. Construction Activities, Schedule, Vehicle Trips, and Equipment

Construction Phase	Start Date*	End Date*	One-Way Vehicle Trips			Equipment		
			Ave. Daily Worker Trips	*Ave. Daily Vendor Truck Trips*	*Total Haul Truck Trips*	*Equipment Type*	*Quantity*	*Usage Hours*
Site Preparation	3/15/2023	3/29/2023	10	4	16	Graders	1	8
						Scrapers	1	8
						Tractors/Loaders /Backhoes	1	8
Grading	3/30/2023	05/9/2023	10	4	30	Graders	1	8
						Rubber-Tired Dozers	1	8
						Tractors/Loaders /Backhoes	2	8
Trenching	5/10/2023	5/24/2023	10	0	0	Default Equipment		
Civil Construction /Generator Installation	5/10/2023	7/31/2023	50	10	65	Cranes	1	8
						Forklifts	2	8
						Generator Sets	1	8
						Tractors/Loaders /Backhoes	1	8
						Welders	3	8
Energization	8/1/2023	N/A	10	0	0	N/A	0	0

*Start and end dates are estimated based on best available information at the time of preparation this document and provide a conservative estimate for technical modeling and analysis.

Operation

The proposed project is anticipated to be operational by July 2023. Personnel would not be required on site regularly for operation; the generators would be operated remotely. Personnel would visit the site periodically throughout the year for scheduled maintenance, and the generators would be test-operated approximately once per month during daylight hours; up to 200 operational trips per year are anticipated. The generator facility would initially be available for emergency use for a 5-year timeframe, ending in July 2028. After 5 years, the property owner would have the option of purchasing the generator facility. Operation of the generator facility after the initial 5-year term would be subject to subsequent certification of the generator facility by the California Energy Commission.

Decommissioning

If, after 5 years, the generator facility is not purchased by the property owner, the units would be decommissioned and removed. Infrastructure related to utilities (i.e., gas, electricity, and water) at the site would remain, but all detachable items would be removed from site. As such, underground cabling and piping would be left in place, and only aboveground items would be removed.

B. A detailed description of the design, construction, and operation of any electric transmission facilities.

See Section 2(A). Project Description.

C. An explanation of the site selection criteria establishing whether the location selected for the proposed site and related facilities is an optimal location based on the potential to improve reliability, reduce the occurrence of public safety power shutoffs, decrease the use of high-emission backup power, minimize air pollution, and avoid impacts on disadvantaged communities, as identified pursuant to Section 39711 of the Health and Safety Code.

The project site was selected based on a rigorous site selection process with three tiers of screening totaling 39 separate screening criteria. The criteria considered location, existing capacity, climate/environmental conditions, economic impacts, and more. The project site scored high when all potential criteria were considered, and was ultimately selected due to its ability to meet DWR's objectives for this SRR effort.

The project site is strategically located adjacent to an existing energy infrastructure site and would therefore serve to improve local electric grid reliability in existing service areas and prevent power shutoffs and other interruptions of power provision during emergency events. The potential impact to disadvantaged communities was considered as one of the criteria for site selection and location, and it was determined that no impacts to disadvantaged communities would occur with project implementation.

D. A narrative that describes whether the proposed site and related facilities would be capable of delivering energy during net peak hours in response to a dispatch by the Independent System Operator during extreme events and would have access to the infrastructure and resources needed to operate.

The generator facility would feed into the grid as needed in response to a CAISO-declared emergency event. The generator facility would be brought online to prevent grid failure during extreme weather events. When in operation, the generator facility would be capable of delivering 48 megawatts of additional Peaker energy during such an event. The installed generators would be capable of delivering temporary power at any time, but annual operations are not expected to exceed 300 hours per year.

2.1 Project Schedule

A. Proposed dates of initiation and completion of construction, initial start-up, and full-scale operation of the proposed facilities. Include a discussion of anticipated project duration and potential operation beyond initial term of operation and/or decommissioning, as applicable.

See Table 1 for the anticipated construction schedule and associated activities. Construction would occur over 6 months, beginning in March 2023 and ending in July 2023. Once operational, the project is intended to remain operational as temporary emergency generators for an initial term of approximately 5 years. After this initial term, the property owner would have the option of purchasing the emergency generator units for continued use, or the generator units would be decommissioned, as described in Section 2(A).

2.2 Project Ownership

A. A list of all owners and operators of the site(s) and the facilities.

The property containing the project site is owned by the City of Lodi and the proposed facility would be owned by DWR once constructed. The facility would be maintained and operated by Enchanted Rock, who would have a site License Agreement with the City of Lodi for use of the land. The City of Lodi substation is owned and operated by the City of Lodi.

3 Environmental Information

3.1 Air Quality and Greenhouse Gas Emissions

A. ***A description of how the proposed facility meets the requirements of the applicable new source review rule and all other applicable district regulations.***

The San Joaquin Valley Air Pollution Control District (SJVAPCD) regulates air quality in eight counties: Fresno, Kern (western and central), Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare. The SJVAPCD is the regional agency responsible for the regulation and enforcement of federal, state, and local air pollution control regulations in the San Joaquin Valley Air Basin. The project site is in the City of Lodi and under the jurisdiction of the SJVAPCD. As shown in Appendix B, Air Quality and Greenhouse Gases Technical Memorandum, the project would comply with applicable regulations and would meet SJVAPCD thresholds for new source review. The project has submitted an Authority to Construct to the SJVAPCD for review and approval. As shown in Appendix B, the project's estimated annual construction and operational emissions would be below the applicable SJVAPCD's thresholds of significance, which are based on new source review offset thresholds. Pursuant to SJVAPCD Rule 2201, New and Modified Stationary Source Review Rule, best available control technology (BACT) requirements are triggered on a pollutant-by-pollutant basis and on an emissions-unit-by-emissions-unit basis. Any new emissions unit with a potential to emit more than 2 pounds per day of criteria air pollutant is subject to BACT. The SJVAPCD does not currently have an approved BACT guideline for this source category (natural-gas-fired internal combustion engines powering electrical generators); therefore, a project-specific BACT determination will be made for the project during the SJVAPCD permitting process. Additionally, through the permitting process, the SJVAPCD will conduct an ambient air quality analysis (AAQA) and health risk assessment. Pursuant to SJVAPCD policies, the project would not be permitted if it causes a violation of an ambient air quality standard or an increase in cancer risk greater than the SJVAPCD's thresholds. Accordingly, the project would be in compliance with new source review and SJVAPCD regulations.

B. ***A description of the control technologies proposed to limit the emission of criteria pollutants.***

The proposed generators would have non-selective catalytic reduction to reduce oxides of nitrogen (NO_x) emissions.

C. ***Representative meteorological data approved by the California Air Resources Board or the local air pollution district.***

A summary of climate and topography is provided in Appendix B. The information is excerpted from the 2015 SJVAPCD's Guide for Assessing and Mitigation Air Quality Impacts (SJVAPCD 2015a).

D. An evaluation of the project's air quality impacts, consisting of the following:

- *An analysis of the criteria pollutant impacts of project construction activities, including fugitive dust (PM_{10}) emissions from grading, excavation and site disturbance, as well as the combustion emissions [nitrogen oxides (NOx), sulfur dioxide (SO_2), carbon monoxide (CO), and particulate matter less than 10 microns in diameter (PM_{10}) and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$)] from construction-related equipment according to local air district requirements;*

- *A screening level air quality modeling analysis of the direct criteria pollutant (NOx, SO_2, CO, and PM_{10} and $PM_{2.5}$) impacts on ambient air quality during project operation.*

Appendix B provides a summary of the project's potential construction and operational impacts relative to estimated annual emissions and applicable SJVAPCD regional thresholds established for the protection of air quality and attainment of air quality standards. As shown in Tables 4 and 5 of Appendix B, the project's estimated construction and operational emissions of NO_x, sulfur dioxide (SO_2), carbon monoxide (CO), particulate matter less than 10 microns in diameter (PM_{10}), and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) would be below the SJVAPCD thresholds.

For projects subject to CEQA, the SJVAPCD provides an ambient air quality screening level to determine if refined dispersion modeling through an AAQA is recommended. The SJVAPCD recommends an AAQA when a stationary source project would result in an increase of 100 pounds per day screening level of any criteria pollutant for construction, operational permitted sources, and/or operational non-permitted source.

The project's construction emissions of NO_x, SO_2, CO, PM_{10}, and $PM_{2.5}$ would be less than the SJVAPCD's screening level thresholds of 100 pounds per day (see Table 6 in Appendix B). The project's operational emissions of NO_x and SO_2 would not exceed the SJVAPCD's screening thresholds; however, CO, PM_{10}, and $PM_{2.5}$ would exceed 100 pounds per day. Pursuant to the SJVAPCD's permitting process, the SJVAPCD will perform an AAQA to determine whether a new or modified stationary source would cause or make worse a violation of a federal or state ambient air quality standard (SJVAPCD 2019). The project would be required to comply with SJVAPCD permitting requirements, and as such, if the AAQA determines that an ambient air quality standard violation could result, refinements to the project operations would be required to ensure no violation of ambient air quality standards would occur. Accordingly, compliance with SJVAPCD permitting requirements would reduce potential localized air quality impacts, and no violation of SJVAPCD standards would occur.

E. A detailed description of the mitigation, if any, which an applicant may propose, for all project impacts from criteria pollutants that currently exceed state or federal ambient air quality standards, but are not subject to offset requirements under the district's new source review rule.

The project would not require mitigation beyond compliance with SJVAPCD's new source review permitting process.

F. A discussion of project consistency with Greenhouse Gas Emissions Reduction Plan

As discussed in Appendix B, the project would be consistent with applicable greenhouse gas reduction measures included in DWR's Greenhouse Gas Emissions Reduction Plan (DWR 2020). The project's estimated GHG construction emissions would total approximately 132 metric tons of carbon dioxide

equivalent (CO_2e), which is well below DWR's Extraordinary Construction Project Determination thresholds of 25,000 metric tons of CO_2e for the entire phase of construction, or 12,500 metric tons of CO_2e for any single year of construction.

DWR has adopted best management practices (BMPs) for construction and maintenance activities, and made significant changes to its construction project specification requirements to help reduce construction emissions. Construction BMPs apply to all construction and maintenance projects that DWR completes or for which DWR issues contracts. The following is a list of potential BMPs that would be incorporated into the project:

- Minimize idling time by requiring that equipment be shut down after 5 minutes when not in use (as required by the state airborne toxics control measure [13 CCR Section 2485]). Provide clear signage that posts this requirement for workers at the entrances to the project site, and provide a plan for the enforcement of this requirement.
- Maintain all construction equipment in proper working condition and perform all preventive maintenance. Required maintenance includes compliance with all manufacturer's recommendations, proper upkeep and replacement of filters and mufflers, and maintenance of all engine and emissions systems in proper operating condition. Maintenance schedules will be detailed in an Air Quality Control Plan prior to commencement of construction.
- Implement a tire inflation program on jobsite to ensure that equipment tires are correctly inflated. Check tire inflation when equipment arrives on site and every 2 weeks for equipment that remains on site. Check vehicles used for hauling materials off site weekly for correct tire inflation. Procedures for the tire inflation program will be documented in an Air Quality Management Plan prior to commencement of construction.
- Develop a project-specific ride share program to encourage carpools and shuttle vans, and provide transit passes and secure bicycle parking for construction worker commutes.
- For deliveries to project sites where the haul distance exceeds 100 miles and a heavy-duty class 7 or class 8 semi-truck or 53-foot or longer box-type trailer is used for hauling, use a SmartWay[1] certified truck to the maximum extent feasible.
- Develop a project-specific construction debris recycling and diversion program to achieve a documented 50% diversion of construction waste.
- Evaluate the feasibility of restricting all material hauling on public roadways to off-peak traffic congestion hours. During construction scheduling and execution, minimize, to the extent possible, uses of public roadways that would increase traffic congestion.

The project would implement construction BMPs through the contracting process. As such, construction of the project would be consistent with, and would not impede, DWR's implementation of its Greenhouse Gas Emissions Reduction Plan.

There are no Greenhouse Gas Emissions Reduction Plan (DWR 2020) operation or maintenance measures that would apply to the project. As discussed in Appendix B, the project would be consistent with, and would not impede, DWR's implementation of its Greenhouse Gas Emissions Reduction Plan.

[1] The U.S. Environmental Protection Agency has developed the SmartWay truck and trailer certification program to set voluntary standards for trucks and trailers that exhibit the highest fuel efficiency and emissions reductions (www.epa.gov/smarway).

3.2 Biological Resources

A. A regional overview and discussion of terrestrial and aquatic biological resources, with particular attention to sensitive biological resources. In the discussion include a list of the USGS topographic quadrangle(s) utilized to search records from the California Natural Diversity Database (CNDDB), and a citation which includes the date the CNDDB was accessed. Include a map showing sensitive biological resource location(s) in relation to the project site and any boundaries of a local Habitat Conservation Plan or similar open space land use plan or designation.

The potential for special-status species to occur within the project site was determined by analyzing identified species against available information on preferred habitats and vegetation communities, soil substrates, and known geographic and elevation ranges. Special-status species potentially present within the project site were identified through a literature search of the following databases conducted on October 21, 2022: U.S. Fish and Wildlife Service's Information for Planning and Consultation (IPaC) (USFWS 2022), California Department of Fish and Wildlife's California Natural Diversity Database (CDFW 2022), and the California Native Plant Society's Inventory of Rare and Endangered Plants of California (CNPS 2022). Searches of the above-referenced databases were completed for Lodi North and the following eight surrounding U.S. Geological Survey 7.5-minute quadrangles: Bruceville, Galt, Clay, Lockeford, Waterloo, Lodi South, Terminous, and Thornton (see Appendix C, Biological Compendium and Potential to Occur Tables).

Vegetation communities present within the project site fall under the following general habitat types: oak woodland, upland mustards, and ornamental plantings. A large portion of the project site is also developed. Outside of the developed areas within the project site, both native and naturalized vegetation communities are present. Additional detail is provided in Section 3.2(C).

For this analysis, special-status plant and wildlife species are defined as those that are (1) listed, proposed for listing, or candidates for listing as threatened or endangered under the federal Endangered Species Act; (2) listed or candidates for listing as threatened or endangered under the California Endangered Species Act; (3) designated as Fully Protected under the California Fish and Game Code; (4) designated as a California Species of Special Concern by California Department of Fish and Wildlife; and/or (5) assigned a California Rare Plant Rank of 1A, 1B, or 2B by the California Native Plant Society.

Results of the California Natural Diversity Database, Inventory for Planning and Consultation (IPaC), and California Native Plant Society searches are discussed further in Section 3.2(C). See also Figure 3.2-1, Soil Types; Figure 3.2-2, Land Cover Types; and Figure 3.2-3, California Natural Diversity Database.

B. A description and results of all field studies and specialized surveys (e.g., focused and protocol) used to provide biological baseline information about the project site.

After reviewing the database results, Dudek biologist Paul Keating visited the site on November 8, 2022, to assess current conditions and evaluate the site's potential to support sensitive natural communities and special-status plant and wildlife species. Mr. Keating conducted the field survey from 1:10 p.m. to 2:00 p.m. There was 100% cloud cover with a slight drizzle; visibility was still clear, with an ambient temperature of approximately 59°F and wind in the range of 2 to 5 miles per hour. The visit was conducted on foot to ensure visual coverage of the entire site. ArcGIS Field Maps with an overlay of the site boundary were used to map vegetation communities and record any sensitive biological resources. All plant and wildlife species

observed during the survey were recorded. Wildlife species detected by sight, calls, tracks, scat, or other signs were recorded into an electronic form.

The field survey also served to identify potential jurisdictional aquatic resources that occur within the site. Jurisdictional aquatic resources include wetlands, streams, and creeks, among other aquatic features, that are subject to regulation under the federal Clean Water Act (CWA), California Porter–Cologne Water Quality Act, and/or California Fish and Game Code, discussed further in Section 3.13, Water Resources. No formal wetland delineation was conducted at the site.

No focused or protocol-level surveys for special-status species were performed as part of this assessment. Observations of plant and wildlife species, vegetation communities, and other observations are described further in Section 3.2(C).

C. Include a list of the species and habitat(s) actually observed and those with a potential to occur.

Vegetation Communities and Land Cover Types

Land Cover Types

Three land cover types were documented at the project site and within the 100-foot survey buffer (study area): interior live oak wood land (*Quercus wislizeni* woodland alliance), star thistle fields (*Centaurea solstitalis* semi-natural alliance), and ornamental plantings (Figure 3.2-2). The oak woodland land cover is dominated with interior live oaks with few valley oaks (*Quercus lobata*) and an herbaceous understory. The star thistle fields are dominated by yellow star thistle mixed with non-native annual grasses, such as wild oats (*Avena* spp.) and bromes (*Bromus* spp.). Ornamental plantings include native species, such as valley oaks and deergrass (*Muhlenbergia rigens*). A fourth non-natural, developed land cover type makes up most of the site. The developed land cover is graded and currently used for event parking and a spoils (dirt) storage area.

Plant and Wildlife Species Observed

A total of 10 plant species were recorded within the project site and 50-foot survey buffer during the site survey. Plant species observed include interior live oak, valley oak, deergrass, yellow starthistle, and non-native grasses such as slender oat (*Avena barbata*) and ripgut brome (*Bromus diandrus*). Dudek biologists directly observed (or documented via scat, sign, or call) 10 wildlife species on the project site during the site visit. Observed wildlife primarily included bird species such as California scrub-jay (*Aphelocoma californica*) and northern flicker (*Colaptes auratus*). Other wildlife species directly observed or detected via scat or other sign included domestic dog (*Canis lupus familiaris*). Nesting birds protected by the federal Migratory Bird Treaty Act and the California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513) may be in and around the project site. Refer to Sections 3.2(D) and 3.2(E) for additional discussion regarding the Migratory Bird Treaty Act.

Potentially Occurring Special-Status Plant and Wildlife Species

The site is highly disturbed and does not provide suitable habitat for special-status plant or wildlife species. Additionally, the project site does not occur within any designated Critical Habitat boundaries by the U.S. Fish and Wildlife Service for listed plant or wildlife species.

Swainson's hawks (*Buteo swainsoni*) have potential to nest in trees on adjacent properties within visual and auditory range of the site. Potential nesting habitat is present 50 to 300 feet east of the project boundary along the riparian corridor of Lodi Lake. There are 15 documented occurrences for Swainson's hawk within 5 miles of the site, with the nearest occurrences 1.3 and 1.9 miles south and west of the project site, respectively (Figure 3.2-3) (CDFW 2022). No Swainson's hawks or their nests were observed during the site survey.

Although the site is highly developed, other nesting and migratory birds protected by the federal Migratory Bird Treaty Act and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513) use human-made structures and areas. Thus, there is low potential for common bird species, such as killdeer (*Charadrius vociferus*), to be present if work is conducted during the nesting bird season (generally February through August). Refer to Sections 3.2(D) and 3.2(E) for additional discussion regarding the Migratory Bird Treaty Act.

D. A discussion of all impacts (direct, indirect, and cumulative) to biological resources from project site preparation, construction activities, plant operation, maintenance, closure, and decommissioning.

Tree removal, increased activity, noise, and vibration associated with construction of the proposed project has the potential to impact nesting birds protected by the federal Migratory Bird Treaty Act and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513) should they be nesting in or within visual and auditory range of project activities. With implementation of the measures described in Section 3.2(E), potential impacts would be avoided.

E. A discussion of all feasible mitigation measures and an evaluation of their anticipated efficacy in reducing the level of impacts.

Nesting Birds. To avoid potential direct and indirect impacts to nesting birds, activities will be conducted outside of the nesting season (September through February). If not feasible and construction occurs during the nesting season (February through August), the following measures will be implemented to avoid or minimize impacts to nesting birds:

- A qualified biologist will conduct a pre-construction survey for nesting birds no more than 2 days prior to ground-disturbing activities and tree removal during the nesting season (February through August). The survey will cover the limits of construction and suitable nesting habitat within 500 feet of the project site for raptors and 100 feet for other nesting birds, as feasible and accessible.
- If any active nests are observed during surveys, a qualified biologist will establish a suitable avoidance buffer from the active nest. The buffer distance will range from 50 to 500 feet and be determined based on factors such as the species of bird, topographic features, intensity and extent of the disturbance, timing relative to the nesting cycle, and anticipated ground disturbance schedule. Limits of construction to avoid active nests will be established in the field with flagging, fencing, or other appropriate barriers, and will be maintained until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist. Removal of any tree with an active nest will be delayed until the nests are no longer active, as determined by the qualified biologist.
- If project activities are delayed, additional nest surveys will be conducted such that no more than 7 days elapse between the prior survey and vegetation removal activities.
- If an active nest is identified in or adjacent to the construction limits after construction has started, work in the vicinity of the nest will be halted until the qualified biologist can provide appropriate

avoidance and minimization measures to ensure that the nest is not disturbed by construction. Appropriate measures may include a no-disturbance buffer until the birds have fledged and/or full-time monitoring by a qualified biologist during construction activities conducted near the nest.

F. A discussion of compliance and monitoring programs to ensure the effectiveness of impact avoidance and mitigation measures incorporated into the project.

Based on the existing conditions and developed nature of the project site, no potential for impacts to sensitive vegetation communities or special-status plant species are anticipated. Implementation of the recommended avoidance measures provided in Section 3.2(E) would ensure no impacts to special-status wildlife species occur as a result of construction activities.

3.3 Cultural Resources and Tribal Cultural Resources

A cultural resources memorandum was prepared for the project and is provided as Appendix D. The following section summarizes Appendix D.

Cultural resources and tribal cultural resources together comprise objects, buildings, structures, sites, features, areas, places, records, sacred places, cultural landscapes, or manuscripts.

A. Locate and provide all relevant existing data: Undertake and submit the results of a records search to identify cultural resources and tribal cultural resources at the appropriate information center(s) of the California Historical Resources Information System (CHRIS). Define the project Area of Potential Effect (APE) (including depth). The records search shall cover the project site and a 1-mile buffer around the project site and 0.25 mile on each side of any linear facilities. Identify any cultural resources or tribal cultural resources listed pursuant to ordinance by a city or county or recognized by any local historical or archaeological society or museum.

Provide copies of California Department of Parks and Recreation (DPR) 523 forms for all cultural resources and tribal cultural resources identified in the records search.

On October 14, 2022, a California Historical Resources Information System records search was completed on behalf of Dudek by staff at the Central California Information Center. The records search request included the project footprint with a 1-mile radius buffer. Two previously recorded resources are mapped as intersecting the project site but outside the area of direct project disturbance: a prehistoric habitation and burial site that overlaps a historic-era cemetery (P-39-000172), and the historic-era town of Woodbridge (P-39-000528). An additional 19 resources have been previously recorded within the 1-mile buffer.

The prehistoric resource overlaps the northern edge of the project site. This resource, the Woodbridge Cemetery Site or Schenck-Dawson 36 (P-39-000172), was recorded as a large midden site with prehistoric burials overlapping a historic-era Euro-American cemetery, the Woodbridge Cemetery. Although the resource was reported as destroyed in 1929, several flaked stone artifacts and debitage, as well as a possible milling stone and baked clay, were identified during a site survey in 1977. This resource does not overlap the project footprint or installation area, which represents the area of direct impacts.

The historic built-environment resource overlapping the project site, the "Town of Woodbridge" (P-39-000528), is a California State Historical Landmark originally described in 1939. As such, the record and boundary for the site include general information only, and is broadly inclusive of the entire town, with no

research-based justification for the boundary. The landmark has been coded "7L," which indicates that it is an older landmark and would not meet the threshold for listing in the California Register of Historical Resources. Additional research indicates that there are buildings and structures described in this record that are potentially individually eligible; however, none of them overlap, are adjacent to, or are within visual distance of the project site. Another resource, Lodi Lake Park (P-39-005402), was recorded adjacent to the project site; however, no Building/Structure/Object form was attached to the site record, and no evaluation was attempted by the recorders.

B. Conduct and provide result of pedestrian archaeological and built environment surveys, as applicable, inclusive of the project site and project linear facility routes.

An intensive pedestrian survey of all accessible portions of the project site was conducted on November 11, 2022, by Dudek archaeologist Walter Tovar-Saldana. The existing surface water treatment facility was not accessible, but all undeveloped portions of the project site were surveyed. During the survey, exposed soils were inspected for prehistoric artifacts, evidence of buried deposits, soil discoloration that might indicate the presence of midden-like soils, and/or possible prehistoric or historic-era features and historic-era artifacts. Ground disturbances, including subsurface soils exposed by burrowing animals, were also visually inspected for cultural materials.

During the survey, surface visibility was good (50% to 100%), with some areas obscured by vegetation and leaf litter. Exposed soils consisted of dark brown, clay loam and were previously disturbed. No resources were identified within the project site, including in areas associated with the previously recorded prehistoric site (P-39-000172).

C. (1) a copy of the applicant's request to the Native American Heritage Commission (NAHC) for information on Native American sacred sites and lists of California Native American tribes interested in the project vicinity, and copies of any correspondence received from the NAHC. (2) A copy of all correspondence sent to Native American individuals and groups listed by the NAHC and copies of all responses. Notification to Native Americans shall include a project description and map. (3) A written summary of any oral responses.

DWR is committed to coordination with all traditionally culturally affiliated tribes, consistent with its Tribal Engagement Policy and the California Natural Resources Agency's Tribal Consultation Policy. On October 26, 2022, a request was sent to the Native American Heritage Commission for a search of its Sacred Lands File and an updated contact list of traditionally culturally affiliated Native American representatives associated with the area. Results were received on December 9, 2022, indicating that a search of the Native American Heritage Commission's Sacred Lands File were negative in the project vicinity. Tribal engagement letters were mailed to tribal groups traditionally and culturally affiliated with the project site on December 16, 2022.

D. Summarize mitigation and management recommendations:

Although resources were not identified during the pedestrian survey for the project site, and the proposed project footprint (area of direct disturbance) is outside of the mapped resource boundaries, there is the possibility for undisturbed buried deposits to be present in the area. Given the high archaeological sensitivity of the project site, archaeological monitoring of trenching and other ground disturbance would be implemented during construction. An archaeological monitoring and discovery plan would be developed with DWR under the oversight of a qualified archaeological principal investigator. Prior to the initiation of

ground-disturbing work, construction crews would be made aware of the potential to encounter cultural resources and the requirement for cultural monitors to be present during these activities. The requirement for a Native American monitor will be determined by the results of consultation and tribal engagement between DWR and traditionally culturally affiliated tribes.

In the event that unanticipated cultural resources are encountered during construction activities, all construction work will immediately stop until DWR staff is notified and a qualified archaeologist can evaluate the sensitivity of the find and determine whether or not additional study is warranted. The level of sensitivity of the find will be assessed, and if warranted, additional efforts, such as preparation of an archaeological treatment plan, testing, and/or data recovery, may be recommended prior to allowing construction to proceed in this area. The potential for avoidance and/or preservation will be the primary consideration. Should human remains be uncovered, all work must stop immediately, and the county coroner must be contacted pursuant to California Health and Human Safety Code Section 7050.5(b). The requirement for Native American monitoring to occur will be determined by DWR based on the results of tribal engagement.

In addition to archaeological monitoring, visually screening of the project is recommended along its eastern boundary using vegetation and creative plantings so as not to introduce modern features in view of the potential adjacent historic property, Lodi Lake Park (P-39-005402).

3.4 Hazardous Materials

A. A summary of hazardous materials sites records searches and applicable hazardous materials site surveys. Include a description of areas of concern or sites within the project boundary or that could be reasonably affected by project implementation.

A hazardous materials assessment was completed to determine if there are any potential environmental concerns on the project site related to hazardous materials and/or waste. The hazardous materials assessment consisted of a review and summary of regulatory agency records, historical aerial photographs, historical topographic maps, historical city directories, and historical fire insurance maps; interviews with site representatives; and a site reconnaissance. The full hazardous materials assessment is provided as Appendix E. A summary of site features identified during research and site reconnaissance is shown in Figure 3.4-1, Project Site Features. No potential hazardous materials impacts were identified.

3.5 Land Use

A. List current assessor's parcel numbers and owners' names and addresses for all parcels within 1000 feet of the site and related facilities. Provide the direct mailing addresses for the owners and occupants of properties contiguous to the proposed site and related facilities as shown on the latest equalized assessment roll. Send notification letters to property owners and occupants within 1000 feet of the site and related facilities.

The project site is on a parcel of land owned by the City of Lodi. Assessor's Parcel Number (APN) 01564008 is 6.79 acres and contains open space and a paved trail along the northern border (City of Lodi 2022a). Associated work, such as connections to existing infrastructure, may occur on adjacent parcels south of the project site. APN 01564007 is 5.94 acres and contains the City of Lodi SWTF and North Mills Avenue (access to the project site). APN 01564005 is 1.81 acres and contains the Lodi Irrigation District substation.

Contiguous parcel APNs, owners, and direct mailing addresses are included in Appendix F. Notification letters were mailed to these addresses on December 20, 2022, and are also included in Appendix F.

B. A description of existing land uses, general plan land use designations, and current zoning districts (including any overlay districts) at the site and surrounding land uses. Include: an identification of residential, commercial, industrial, recreational, scenic, agricultural, natural resource protection, natural resource extraction, educational, religious, cultural, and historic areas, and any other area of unique land uses.

The proposed generator facility would be installed on APN 01564008 in a northwest/southeast orientation in the open space area adjacently northeast of the water treatment facility and west of Lodi Lake. The parcel containing the open space has a land use designation of Open Space (OS). The parcels containing the SWTF and the substation are zoned as Public and Community Facilities Zoning District (PF) and have a land use designation of Public/Quasi-Public (PQP) (City of Lodi 2022b). Refer to Figure 3.5-1, Existing General Plan Land Use Designations, and Figure 3.5-2, Existing Zoning, for land use designations and zoning of the site and surroundings.

Adjacent land uses surrounding the project site contain public land, residential, utility, and recreational open space uses. Adjacently north is the Woodbridge Cemetery and a mobile home community. Adjacently northeast and east is the Mokelumne River and Lodi Lake, including areas for recreation facilities along the bank. Adjacently south of the project site is a railroad track, a substation, West Turner Road, and warehouse facilities. Adjacently west is a railroad track, vegetated land previously used for the cultivation of trees/timber, a cell tower, several single-family homes, Lower Sacramento Road, and residential neighborhoods. Refer to Figure 3.5-3, Existing Surrounding Land Uses, showing these surrounding existing land uses.

C. An explanation of the compatibility of the proposed project with present and expected land uses, and conformity with any long-range land use plans and policies adopted by any federal, state, regional, or local planning agencies.

The proposed project would involve installation of a power generation system, consistent with the adjacent public utility uses to the south and southwest (water treatment plant and substation). Due to the adjacent public utility facilities, the proposed project would be an extension of similar land uses in the project area. The proposed project would not conflict with other adjacent land uses, including recreational, open space, and residential uses.

Applicable long-range land use planning documents include the City of Lodi General Plan and City of Lodi Municipal Code. The General Plan identifies the project site as existing open space (but the parcels containing the Lodi SWTF and Lodi Irrigation District substation are also identified as existing open space). The General Plan does not propose specific future uses for the project site (City of Lodi 2010).

The City of Lodi Municipal Code identifies allowable uses for Public and Open Space Districts. The zoning district symbol for these districts is Public and Community Facility (PF), and utility land uses are allowable in these districts (Section 17.26.030). The Municipal Code also states that standards for development within the Public and Community Facility (PF) zoning district would be determined by the City of Lodi through the project review process. The proposed project does not conflict with allowable uses as established by the Municipal Code.

The City of Lodi website lists trails and pathways in Lodi (City of Lodi 2022c). It identifies the paved trail that runs along the northern border of the project parcel and adjacently west of the project parcel as the Lodi Lake West Trail, and depicts the trail approximately 150 feet from the project's area of disturbance. As such, the proposed project would not conflict with the use of the existing trail.

D. A map and written description of agricultural land uses found within all areas affected by the proposed project. The description shall include:

- *Land classifications as shown on the Farmland Mapping and Monitoring Program's Important Farmland maps; and*
- *Whether agricultural land affected by the project was historically classified Farmland as defined by the California Department of Conservation (Prime Farmland, Farmland of Statewide Importance, or Unique Farmland).*
- *Adverse effects on agricultural land uses. If the proposed site or related facilities are subject to an Agricultural Land Conservation contract, provide a written copy and a discussion of the status of the expiration or canceling of such contract.*

As shown in Figure 3.5-4, Existing Farmland, Mapping, and Monitoring Program Designations, the project site is mapped as Urban and Built Up Land. The SWTF and the Lodi Irrigation District substation are also designated as Urban and Built Up Land. The area east and northeast of the project site, associated with Lodi Lake and recreation areas, is designated as Nonagricultural or Natural Vegetation. Areas to the northwest, west, and south are designated as Urban and Built Up Land. There are no lands defined by the California Department of Conservation as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland on the project site or in the vicinity. There are no identified Agricultural Land Conservation contracts on the project site or in the vicinity. Therefore, the project would not adversely affect agricultural land.

3.6 Noise

A. On a map, identify noise sensitive land uses (i.e. residences, hospitals, libraries, schools, places of worship, or other facilities where quiet is an important attribute of the environment) within the area impacted by the proposed project.

Noise-sensitive land uses in the project vicinity consist of a single-family residential neighborhood along the west and east sides of Lower Sacramento Road, adjacent to the west side of the project site, and a single-family residential neighborhood along the north side of Holly Drive, southeast of the project site, across Turner Road. Refer to Figure 3.6-1, Noise-Sensitive Receivers and Ambient Sound Level Measurement Locations, which illustrates the locations of the closest residences to the project site, as well as the locations of the 25-hour and short-term (sub-hour) sound pressure level measurements conducted to characterize the ambient noise levels in the project vicinity. Long-term (LT) measurement location LT1 was on the western project site boundary, east of residences along Lower Sacramento Road. Short-term (ST) location ST1 was east of the northern residence on the eastern side of Lower Sacramento Road (identified as sensitive receiver A). Short-term measurement location ST2 was adjacent to a covered picnic table along Lodi Lake, adjacent to the southeastern extension of the project site. ST3 was along the north side of Turner Road, east of the project site and south of the rental boating building. ST4 was on Holly

Avenue, adjacent to the closest residence to the southeast of the project site (identified as sensitive receiver B). Finally, ST5 was adjacent to a residence on the west side of Lower Sacramento Road, west of the project site. The sound pressure level measurements were completed using SoftdB Piccolo II sound level meters, which are classified as an ANSI Type 2 meter (general purpose sound level meter suitable for all environmental noise surveys). The sound level meters were calibrated before conducting the measurements with a Reed Instruments R8090 calibrator. Appendix G contains the field noise measurement data sheets generated for the project, which include photographs and measured levels at each measurement location.

B. A description of the existing ambient noise levels at those sites identified above. The results of the noise level measurements shall be reported as hourly averages in L_{eq} (equivalent sound or noise level), L_{dn} (day-night sound or noise level) or CNEL (Community Noise Equivalent Level) in units of dB(A).

Table 2 and Table 3 provide a summary of the ambient noise level survey results for the project vicinity. LT1 was in a location without direct exposure to roadway traffic noise, and the short-term measurement locations generally had varying degrees of direct exposure to a nearby roadway. As shown in Table 2, daytime (7 a.m. to 7 p.m.) ambient noise levels are generally in the 47–51 A-weighted decibel (dBA) equivalent continuous sound level (L_{eq}) range; evening noise levels (7 p.m. to 10 p.m.) are in the 48–50 L_{eq} range, and nighttime noise levels (10 p.m. to 7 a.m.) are in the 39–53 dBA L_{eq} range. These fluctuations in the levels between the periods of the day, evening, and night suggest that although LT1 was not directly exposed to roadway traffic noise sources, traffic noise still appears to have an influence on the ambient noise level patterns in the vicinity.

Table 2. Long-Term Measurement Results (LT1); 25-Hour Monitoring Period

Hour of Day	Energy-Averaged Noise Level ($L_{eq\ 1\text{-}hour}$) dBA	Statistical Noise Level (L_{10}) dBA	Statistical Noise Level (L_{50}) dBA	Statistical Noise Level (L_{90}) dBA
12:00 PM	49	50.1	46.8	44.2
1:00 PM	47	49.3	46.4	44.2
2:00 PM	52	50.8	48.2	46.0
3:00 PM	50	51.4	48.4	46.1
4:00 PM	49	51.2	48.9	46.6
5:00 PM	51	52.1	49.9	47.8
6:00 PM	51	52.3	50.1	47.8
7:00 PM	50	51.8	49.3	46.5
8:00 PM	50	51.6	48.5	45.9
9:00 PM	48	50.2	47.1	44.0
10:00 PM	47	49.6	46.0	41.1
11:00 PM	44	47.6	42.3	38.3
12:00 AM	43	46.2	40.5	36.1
1:00 AM	39	41.9	36.7	34.6
2:00 AM	42	45.8	39.2	35.7
3:00 AM	41	43.6	38.3	35.6
4:00 AM	44	46.8	42.2	37.4
5:00 AM	47	50.3	46.0	41.9
6:00 AM	53	54.0	50.1	47.4
7:00 AM	50	52.0	49.6	47.4
8:00 AM	50	51.1	48.4	46.2

Table 2. Long-Term Measurement Results (LT1); 25-Hour Monitoring Period

Hour of Day	Energy-Averaged Noise Level ($L_{eq\ 1\text{-}hour}$) dBA	Statistical Noise Level (L_{10}) dBA	Statistical Noise Level (L_{50}) dBA	Statistical Noise Level (L_{90}) dBA
9:00 AM	47	48.9	46.1	42.9
10:00 AM	47	48.7	45.6	42.8
11:00 AM	48	48.4	45.6	42.5
12:00 PM	47	48.8	45.7	42.9
Calculated CNEL (dBA)	*54*	*N/A*	*N/A*	*N/A*

dBA = A-weighted decibel; L_{eq} = equivalent continuous sound level; CNEL = Community Noise Equivalent Level; N/A = not applicable

As shown in Table 3, the 1-minute average noise levels during the short-term measurement at ST1 ranged from 48 to 56 dBA L_{eq}, those at ST2 ranged from 56 to 69 dBA L_{eq}, those at ST3 ranged from 67 to 71 dBA L_{eq}, those at ST4 ranged from 53 to 61 dBA L_{eq}, and those at ST5 ranged from 65 to 69 dBA L_{eq}. These short-term levels were higher at locations with direct exposure to roadways carrying a substantial number of vehicles, and lower where the measurement locations were adjacent to less busy roadways or considerably farther from busy roadways.

Table 3. Short-Term Measurements Results Summary; 1-Minute Measurement Interval Periods

Location ST1				
Time	*Energy-Averaged Noise Level (L_{eq}) dBA*	*Statistical Noise Level (L_{10}) dBA*	*Statistical Noise Level (L_{50}) dBA*	*Statistical Noise Level (L_{90}) dBA*
1:24 PM	51	53.4	50.2	45.0
1:25 PM	51	53.4	49.1	46.1
1:26 PM	53	55.8	50.8	46.4
1:27 PM	50	51.8	49.6	45.6
1:28 PM	55	58.2	52.7	43.8
1:29 PM	53	56.5	51.7	46.8
1:30 PM	52	55.5	50.9	42.0
1:31 PM	50	53.0	48.7	46.0
1:32 PM	50	52.0	49.0	44.3
1:33 PM	52	54.1	51.4	47.7
1:34 PM	56	60.3	50.5	45.3
1:35 PM	51	54.4	48.9	42.1
1:36 PM	52	56.7	49.8	46.8
1:37 PM	48	51.7	45.5	42.2
1:38 PM	51	54.2	45.9	45.3
Calculated L_{eq} for ST1 Duration	52	N/A	N/A	N/A
Location ST2				
Time	*Energy-Averaged Noise Level (L_{eq}) dBA*	*Statistical Noise Level (L_{10}) dBA*	*Statistical Noise Level (L_{50}) dBA*	*Statistical Noise Level (L_{90}) dBA*
2:14 PM	60	63.8	58.2	53.8
2:15 PM	59	61.5	57.7	51.4
2:16 PM	60	63.9	58.6	52.7

Table 3. Short-Term Measurements Results Summary; 1-Minute Measurement Interval Periods

Location ST1				
2:17 PM	61	63.8	58.7	54.3
2:18 PM	59	62.1	57.5	53.4
2:19 PM	69	73.9	58.0	49.4
2:20 PM	56	59.1	55.1	46.7
2:21 PM	58	62.6	54.6	50.0
2:22 PM	59	63.4	56.4	52.5
2:23 PM	60	60.8	58.5	56.9
Calculated L_{eq} for ST2 Duration	**62**	N/A	N/A	N/A
Location ST3				
Time	*Energy-Averaged Noise Level (Leq) dBA*	*Statistical Noise Level (L10) dBA*	*Statistical Noise Level (L50) dBA*	*Statistical Noise Level (L90) dBA*
2:27 PM	70	72.9	67.5	63.4
2:28 PM	71	73.4	70.4	66.3
2:29 PM	67	71.4	64.2	59.7
2:30 PM	69	72.0	67.9	60.2
2:31 PM	69	71.5	66.9	61.9
2:32 PM	69	72.4	69.0	61.0
Calculated L_{eq} for ST3 Duration	**69**	N/A	N/A	N/A
Location ST4				
Time	*Energy-Averaged Noise Level (Leq) dBA*	*Statistical Noise Level (L10) dBA*	*Statistical Noise Level (L50) dBA*	*Statistical Noise Level (L90) dBA*
2:40 PM	53	56.4	51.4	47.0
2:41 PM	54	55.5	49.5	42.5
2:42 PM	56	61.8	50.3	46.4
2:43 PM	58	62.7	54.7	44.0
2:44 PM	61	64.8	58.0	46.7
2:45 PM	55	58.4	53.8	49.2
Calculated L_{eq} for ST4 Duration	**57**	N/A	N/A	N/A
Location ST5				
Time	*Energy-Averaged Noise Level (Leq) dBA*	*Statistical Noise Level (L10) dBA*	*Statistical Noise Level (L50) dBA*	*Statistical Noise Level (L90) dBA*
1:45 PM	66	69.4	66.1	57.1
1:46 PM	66	70.4	61.6	54.9
1:47 PM	69	71.8	66.5	62.2
1:48 PM	67	72.0	64.3	49.8
1:49 PM	69	72.8	68.3	62.4
1:50 PM	67	70.0	66.8	62.8
1:51 PM	69	72.9	65.0	58.4
1:52 PM	68	71.2	66.9	57.6

Table 3. Short-Term Measurements Results Summary; 1-Minute Measurement Interval Periods

Location ST1				
1:53 PM	66	70.1	63.0	55.4
1:54 PM	65	69.6	62.1	53.8
Calculated L_{eq} for ST5 Duration	**67**	**N/A**	**N/A**	**N/A**

dBA = A-weighted decibel; L_{eq} = equivalent continuous sound level; N/A = not applicable

C. A description of the major noise sources of the project.

Construction of the project would result in the temporary generation of noise at the project site, with the primary construction noise generation occurring at the project site during trenching and site preparation. Construction would involve the use of heavy equipment and machinery, such as loaders, cranes, temporary generators, scrapers, and other equipment. Construction noise would generate levels of noise that can vary from hour to hour and day to day depending on the equipment in use, the operations being performed, and the distance between the source and receptor.

Operationally, the primary noise sources of the project would be the 123 gas-powered generators. Associated noise-producing mechanical infrastructure would also be installed, including 25 transformers. Each of the generator sets would be identical and have an engine rating of 673 horsepower. Operations of the generators would be installed to provide back-up emergency power in the event the CAISO-controlled grid cannot support periods of peak demand, or to prevent grid failure during emergency periods, such as extreme weather events. When in operation, the generators would operate in grid synchronous mode at 400 kilowatt electric. The installed generators would be capable of delivering emergency power at any time, but annual operations are not expected to exceed 300 hours per year. This would include monthly tests that are included as part of standard operations. Table 4 contains the octave band center frequency power levels for the operational equipment.

Table 4. Modeled Stationary Operational Sound Sources

Equipment Type	Unweighted Sound Power Level in Hertz (Hz)									
	31.5	*63*	*125*	*250*	*500*	*1000*	*2000*	*4000*	*8000*	*Overall*
Generator Unit[1]	84.1	85.5	85.2	86.7	86.3	86.6	90.0	92.8	92.5	98.3
Transformer (3 units)[2]	67.9	73.9	75.9	70.9	70.9	64.9	59.9	54.9	47.9	79.9
Transformer (5 units)[2]	71.1	77.1	79.1	74.1	74.1	68.1	63.1	58.1	51.1	83.1

1 Values are based on CadnaA reference data for a fuel-burning engine with turbocharger and exhaust silencer that yield overall A-weighted sound levels considered sufficiently comparable to supplier proprietary test data.

2 Calculated from the Electric Power Plant Environmental Noise Guide (Teplitzky 2005).

D. An estimate of the project noise levels, during both construction and operation, at noise sensitive land uses (e.g., residences, hospitals, libraries, schools, places of worship, or other facilities where quiet is an important attribute of the environment), within the area impacted by the proposed project.

Construction

The typical maximum noise levels for various pieces of construction equipment at a distance of 50 feet are presented in Table 5. Note that the equipment noise levels presented in Table 5 are maximum noise levels (L_{max}). Typically, construction equipment operates in alternating cycles of full power and low power, producing average noise levels less than the maximum noise level. The average sound level of construction activity also depends on the amount of time that the equipment operates and the intensity of construction activities during that time.

Table 5. Construction Equipment – Typical Maximum Noise Levels

Equipment Type	Typical Equipment (dBA at 50 Feet)
Air Compressor	80
Backhoe	80
Compactor	82
Crane	83
Drill Rig	95
Dozer	85
Generator	82
Grader	85
Loader	80
Scraper	85
Truck	84

Source: FTA 2018
dBA = A-weighted decibels.

Aggregate noise emission from proposed project construction activities, broken down by sequential phase, was predicted at two evaluation distances to the nearest existing noise-sensitive receptor: (1) from the nearest position of the construction site boundary, and (2) from the geographic center of the construction site, which serves as the time-averaged location or geographic acoustical centroid of active construction equipment for the phase under study. Table 6 summarizes these two distances to the apparent closest noise-sensitive receptor for each of the four sequential construction phases. At the site boundary, this analysis assumes that up to only one piece of equipment of each listed type per phase would be involved in the construction activity for a limited portion of the 1-hour period. In other words, at such proximity, the operating equipment cannot "stack" or crowd the vicinity and still operate. For the acoustical centroid case, which intends to be a geographic average position for all equipment during the indicated phase, this analysis assumes that the equipment may be operating up to 1 hour per day.

Table 6. Estimated Distances Between Construction Activities and the Nearest Noise Sensitive Receptors

Construction Phase (and Equipment Types Involved)	Distance from Nearest Noise-Sensitive Receptor to Construction Site Boundary (Feet)	Distance from Nearest Noise-Sensitive Receptor to Acoustical Centroid of Site (Feet)
Site preparation (graders, scrapers, tractors/loaders/backhoes)	290	450
Grading (graders, rubber-tired dozers, tractors/loaders/backhoes)	290	450
Trenching (equipment >5 horsepower [hp], flatbed truck)	290	450
Civil Construction/generator installation (cranes, forklifts, generator sets, tractors/loaders/backhoes, welders)	290	450
Energization (equipment >5 hp, flatbed truck)	290	450

Construction noise in a well-defined area typically attenuates at approximately 6 decibels (dB) per doubling of distance. Project construction would take place approximately 290 feet from the nearest existing noise-sensitive uses (residence east of the project site). The results in Table 7 display the predicted noise levels for each construction phase with respect to the distance from the nearest noise-sensitive receptor to the construction site boundary, and the distance to the acoustical centroid of the site. Appendix G contains the construction noise modeling worksheets used to predict construction noise for the project.

Table 7. Predicted Construction Noise Levels per Activity Phase

Construction Phase (and Equipment Types Involved)	1-Hour L_{eq} at Nearest Noise-Sensitive Receptor to Construction Site Boundary (dBA)	1-Hour L_{eq} at Nearest Noise-Sensitive Receptor to Acoustical Centroid of Site (dBA)
Site preparation (graders, scrapers, tractors/loaders/backhoes)	61.1	60.3
Grading (graders, rubber tired dozers, tractors/loaders/backhoes)	61.1	61.1
Trenching (equipment >5 horsepower [hp], flat bed truck)	60.6	57.1
Civil construction/generator installation (cranes, forklifts, generator sets, tractors/loaders/backhoes, welders)	57.3	58.8
Energization (equipment >5 hp, flatbed truck)	62.1	57.9

L_{eq} = equivalent noise level; dBA = A-weighted decibels.

Although nearby off-site residences would be exposed to elevated construction noise levels, the increased noise levels would typically be short term. Noise levels associated with construction are predicted to be up to 11 dB higher than ambient noise levels measured at LT1 (as shown in Table 2). It is also anticipated that construction activities associated with the proposed project would take place primarily within the allowable hours per the County of San Joaquin. Therefore, construction noise is not anticipated to adversely affect the nearest sensitive receptors.

Operation

Long-term operational noise associated with the project would include noise from the gas-powered generators and transformers associated with the operation of the project.

Sound Propagation Prediction

The aggregate noise emission from these outdoor-exposed sound sources has been predicted with the Datakustik CadnaA sound propagation program. CadnaA is a commercially available software program for the calculation, presentation, assessment, and prediction of environmental noise based on algorithms and reference data per International Organization of Standardization (ISO) Standard 9613-2, Attenuation of Sound During Propagation Outdoors, Part 2: General Method of Calculation (ISO 1996). The CadnaA computer software allows sources of sound emission to be positioned in a simulated three-dimensional space atop rendered "blocks" of project building masses having heights and footprints consistent with project architectural plans and elevations. In addition to the above-mentioned sound source inputs and building-block structures that define the three-dimensional sound propagation model space, the following assumptions and parameters are included in this CadnaA-supported stationary noise source assessment:

- Ground effect acoustical absorption coefficient equal to 0.5, which intends to represent an average or blending of ground covers that are characterized largely by hard reflective pavements and existing building surfaces across the project site and the surroundings.
- Reflection order of 1, which allows for a single reflection of sound paths on encountered structural surfaces such as the modeled building masses.
- Calm meteorological conditions (i.e., no wind) with 68°F and 50% relative humidity.
- For purposes of impact assessment as evaluated herein, all modeled equipment is operating concurrently and continuously for a minimum period of 1 hour.

Table 8 presents the predicted aggregate noise level exposures from these systems at each of four nearby off-site receptors (existing single-family homes and positions representing ST1 and LT1). Predicted levels shown in Table 8 range from 42 to 48 dBA hourly L_{eq}. Figure 3.6-2, Aggregate Project Operational Noise Emissions, shows the location of the studied noise-sensitive receptors and noise contours.

Table 8. Stationary Operations Noise Modeling Results

Studied Noise-Sensitive Receptor	Location	Predicted Project Attributed Noise Exposure Level (dBA L_{eq})
R1/ST1	Northwest of the project site; representative of ST1	47.7
R2/LT1	Northwest of the project site; representative of LT1	48.3
R3 (1st Floor)	Single-family residence at 1212 N. Lower Sacramento Road	42.5
R3 (2nd Floor)		48.2
R4	Single-family residence at 1222 N. Lower Sacramento Road	42.1

Source: Appendix G.
Leq = equivalent continuous sound level (time-averaged sound level); dBA = A-weighted decibels.

Stationary operations at R2/LT1 are predicted to exceed the increase-over-ambient threshold of 5 dB for potential impact during the early morning hours (specifically the 1:00 a.m. hour) when compared to the long-term data found in Table 2. Because such potential nighttime operation of the generators during an actual emergency condition would be exempt from normally applicable local noise regulations (consistent with Lodi Municipal Code Sections 9.24.010.E and 9.24.050.D), this increase-over-ambient may still be greater than 5 dB but would be considered in compliance with the local noise ordinance. Regular testing (e.g., once a month or as proposed) would be short term and occur during the daytime without adversely affecting nearby sensitive receptors.

Corona Noise

The effects of potential corona noise (i.e., a crackling or hissing sound commonly associated with transmission lines) were analyzed using an industry-accepted conductor corona audible noise estimation technique based on Bonneville Power Administration (BPA) Technical Report ERJ-77-168. The anticipated audible noise from a three-phase alternating-current conductor connecting the project transformers to the nearest existing substation would be 32.5 dBA L50 at a distance of 25 feet under "foul" (rainy, wet, and/or dusty conductor surface) conditions. Under "fair" conditions, the predicted noise would be 25 dB less. At these magnitudes, and correcting for distance at an attenuation rate of approximately 3 dB per doubling of distance (i.e., a line source of noise), the new conductor would make a negligible acoustic contribution to the aggregate noise from on-site generators and transformers. Consequently, the new conductor is expected to make a negligible change to the pre-existing outdoor ambient sound environment at the relevant boundaries of transmission lines or the nearest receiving off-site noise-sensitive properties.

E. An estimate of the project noise levels within the project site boundary during both construction and operation.

The existing facility is an industrial land use that is not considered noise sensitive. Workers during construction and operation are anticipated to use hearing protection as required by the Occupational Safety and Health Administration (OSHA). During construction, noise levels from the various pieces of heavy equipment would be similar to those listed in Table 5, but would likely be less depending on use and distance. Figure 3.6-2 shows predicted operational noise levels within the project site, ranging from approximately 70 dBA to exceeding 87 dBA.

3.7 Paleontological Resources

A. Identification of the Geomorphic Province, as defined by the California Department of Conservation, California Geologic Survey Note 36, and a brief summary of the geologic setting, formations, and stratigraphy of the project area. The size of the paleontological study area may vary depending on the depositional history of the region.

The City of Lodi, in San Joaquin County, is within the north central San Joaquin Valley, in the Great Valley Geomorphic Province (Great Valley) (CGS 2002; Harden 2004). The Great Valley (also known as the Central Valley) is an extensive, relatively flat valley composed of sedimentary deposits that are thousands of feet thick, adjacent to and west of the Sierra Nevada and east of the Coast Ranges Geomorphic Province (Harden 2004).

A geotechnical report prepared in 2010 described the sediments for this site as being previously disturbed to a depth of 2 to 3 feet. Sediments down to 10 feet were relatively loose, possibly due to reworking, and more compacted at depth. They consist of undifferentiated sediments to a depth of approximately 50 feet (Youngdahl Consulting Group 2010).

The project site is mapped as being underlain by the Pleistocene (approximately 29,500 years old) Modesto Formation (map unit Qm2), according to published, surficial geological mapping at a 1:62,500 scale (Wagner et al. 1981; Marchand and Atwater 1979). Refer to Figure 3.7-1, Underlying Geologic Formations.

B. A discussion of the sensitivity of the project area and the presence and significance of any known paleontologic localities or other paleontologic resources within or adjacent to the project.

The Modesto Formation has a high paleontological resource sensitivity. Paleontological resources have been recovered from correlative Pleistocene sedimentary deposits elsewhere in San Joaquin County (Confidential Appendix H). However, disturbed sedimentary deposits have a low paleontological resource sensitivity.

C. A summary of all local museums, literature searches and field surveys used to provide information about paleontologic resources in the project area

The Pleistocene Modesto Formation, characteristically tan and light gray in color, has been known to contain Ice Age mammals throughout San Joaquin County, as confirmed by a search of the University of California Museum of Paleontology's online database. According to the University of California Museum of Paleontology, the closest fossil locality to the project site is University of California Museum of Paleontology Vertebrate Paleontology locality 4822, which produced a fossil specimen of horse approximately 10 miles south of the project site (Confidential Appendix H).

D. A discussion of any educational programs proposed to enhance employees' awareness of potential impacts to paleontological resources, measures proposed for mitigation of impacts to known paleontologic resources, and a set of contingency measures for mitigation of potential impacts to currently unknown paleontologic resources.

No paleontological resources were identified within the project site as a result of the institutional records searches or desktop geological review (Confidential Appendix H). However, intact paleontological resources may be present below disturbed and/or reworked sedimentary deposits. Given the proximity of past fossil discoveries in the surrounding area and the underlying Pleistocene deposits, the project site ranges from low paleontological resource sensitivity at the surface to high paleontological resource sensitivity at depth.

The project site is potentially underlain by previously undisturbed Pleistocene age Modesto Formation, approximately 29,500 years old, that would require monitoring below a depth of 10 feet. In the event that intact paleontological resources are on the project site, ground-disturbing activities associated with construction of the project, such as grading during site preparation and trenching, have the potential to destroy unique paleontological resources or sites.

The following measure for paleontological resources will be implemented:

> Prior to commencement of any grading activity on site, the California Department of Water Resources will retain a qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP) (2010) guidelines. The paleontologist will prepare a Paleontological Resources Impact

Mitigation Program for the project. The Paleontological Resources Impact Mitigation Program will be consistent with the guidelines of the SVP (2010) and include the following elements: project description, preconstruction worker environmental awareness training, frequency of monitoring, salvage protocols, reporting, and collections management. The qualified paleontologist or a qualified monitor meeting the SVP (2010) guidelines will be on site during all rough grading and other significant ground-disturbing activities below a depth of 10 feet below the existing ground surface in previously undisturbed Pleistocene-age deposits and/or Modesto Formation. If excavations below 10 feet are not impacting previously undisturbed Pleistocene-age deposits and/or Modesto Formation, as determined by the qualified paleontologist, spot-check monitoring will ensue. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor will temporarily halt and/or divert grading activity to allow recovery of the paleontological resources. The area of discovery will be roped off with a 50-foot-radius buffer to document and collect the fossils. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. No monitoring is required during excavations that the paleontologist determines are within artificial fill (i.e., previously disturbed sedimentary deposits).

3.8 Population and Housing

A. Provide an estimate of the potential temporary and permanent population increase caused directly and indirectly by the project. Include applicable impacts to school districts, hospital or ambulance districts, fire districts, parks and recreational districts, etc.

Construction of the project would result in a temporary direct increase in construction jobs in the area. However, given the nature of project construction and schedule anticipated, the demand for construction employment would likely be met within the existing and future labor market in the City of Lodi and surrounding areas. If construction workers live outside of the immediate local area, these workers would likely commute during the temporary construction period and would not need temporary or permanent housing. During construction, there may be a temporary increase in demand for emergency services at the site. However, short-term construction would not impact schools, parks and recreational facilities, or other similar services because no temporary or permanent population increase in the area would occur.

Operationally, the project would not introduce land uses or activities that typically result in direct population growth, such as new homes or large commercial/business centers. The project would not change the use of the existing Lodi SWTF. Upon completion of construction, the project would be operated remotely and would require periodic visits for operational maintenance throughout the year from personnel already in the area. As a source of back-up emergency power, the project would not indirectly contribute to an increase in population in the area. Rather, the project is intended to serve existing areas by improving local electric grid reliability and prevent power shutoffs or other interruptions of power provision during emergency events by siting additional energy generation at an existing energy infrastructure site. Therefore, the project would not result in a direct or indirect permanent population increase, and thus, would not permanently impact school districts, hospital or ambulance districts, fire districts, parks and recreational districts, or other similar services.

3.9 Public Health

A. An assessment of the potential risk to human health from the project's hazardous air emissions using the Air Resources Board Hotspots Analysis and Reporting Program (HARP) (Health and Safety Code §§ 44360-44366) or its successor and Approved Risk Assessment Health Values. These values shall include the cancer potency values and noncancer reference exposure levels approved by the Office of Environmental Health Hazard Assessment (OEHHA Guidelines, Cal-EPA 2005).

Construction

The primary pollutant of concern related to exposure of sensitive receptors is diesel particulate matter generated by construction-related vehicles and equipment. The actual risk of adverse air quality effects depends on a person's current health status, the pollutant type and concentration, and the length of exposure to the polluted air. Health risk is a function of the concentration of contaminants in the environment and the duration of exposure to those contaminants. Health effects from toxic air contaminants are often described in terms of individual cancer risk, which is based on a 30-year lifetime exposure to toxic air contaminants (OEHHA 2015). Construction activities were modeled based on an approximately 5-month construction duration, which would be approximately 1% of the total exposure period used for typical health risk calculations. Additionally, concentrations of mobile-source diesel particulate matter emissions are typically reduced by 70% at a distance of approximately 500 feet (CARB 2005). The nearest sensitive receptor (residence) is approximately 479 feet northwest of the project site. Due to the temporary nature of construction activities and the dispersive properties of diesel particulate matter, the nearest residential receptors would not be impacted regarding construction health risks.

Operations

The project would be subject to SJVAPCD permitting requirements. Pursuant to SJVAPCD Risk Management Policy APR-1905, all projects resulting in increases in hourly, daily, or annual hazardous air pollutants will undergo public health risk evaluation as part of the permit review process prior to any final decision on Authority to Construct or Permits to Operate (SJVAPCD 2015b).

APR-1905 requires implementation of toxic best available control technology (T-BACT) when a new or modified emissions unit results in a greater than de minimus increase in cancer risk (greater than 1 in 1 million) or a greater than de minimus increase in noncancer risk (increase in hazard index of 1). Additionally, the SJVAPCD will not permit a project if the emissions unit results in an increase in the Maximum Excess Cancer Risk of 20 in 1 million or greater.

During the permitting process, the SJVAPCD will conduct a health risk assessment for the project. Compliance with the permitting process will ensure that operational emissions do not exceed applicable thresholds for health risk.

B. A map showing sensitive receptors within the area.

See Figure 3.6-1 and Figure 3.9-1, Surrounding Sensitive Receptors, for locations of sensitive receptors in proximity to the project site.

3.10 Soils and Geology

A. A map and written description of soil types and all agricultural land uses that will be affected by the proposed project.

The project site is underlain primarily by Tokay-Urban land complex, with lesser amounts of Egbert silty clay loam in the northeast corner of the site (see Figure 3.2-1, Soil Types). The Tokay soil series consists of very deep, well-drained soils formed in alluvium, derived primarily from granitic rock sources. Tokay soils are found on low fan terraces on 0% to 2% slopes. These soils consist of brown to dark grayish brown, sandy loam, to a depth of 60 inches. These soils, which are slightly hard in the upper 4 inches, hard from 4 to 19 inches, and very hard from 19 to 60 inches, are well-drained, have slow runoff, and have moderately rapid permeability (National Cooperative Soil Survey 2003). The Urban classification indicates the soils are in a built-up urban environment.

The Egbert soil series consists of very deep, poorly drained soils formed in alluvium from mixed sources. Egbert soils are found in basins of river deltas and have slopes of 0% to 5%. These soils consist of very dark gray, moist, very hard, silty clay loam to a depth of 60 inches. These soils, which are found on nearly level to gently sloping floodplains, are poorly drained, have very slow to slow runoff, and have slow permeability. Levees and drains are required to control both surface and subsurface water in the presence of these soils (National Cooperative Soil Survey 2016).

Tokay series soils are used for irrigated row, field, tree, and vine crops, as well as urban development (National Cooperative Soil Survey 2003); Egbert soils are used for irrigated cropland (National Cooperative Soil Survey 2016). However, as indicated in Figure 3.5-4, the project site is primarily on urban and built up land, with a narrow band of nonagricultural or naturally vegetated land along the northeast boundary. Therefore, the proposed project would not displace existing agricultural land uses. Refer also to Section 3.5, Land Use, for an additional discussion about agricultural land.

B. A summary of the geology, seismicity, and geologic resources of the project site and related facilities.

The project site is within the southern portion of the Sacramento Valley, which constitutes the northern and smaller portion of the Central Valley of California. The Sacramento Valley is underlain by sediments transported from the surrounding mountains by the Sacramento River and its tributaries. The Sacramento Valley occupies the northern part of the Great Valley structural trough, a down-warped basin of deposition filled with approximately 30,000 feet of sedimentary materials that range in age from Cretaceous to Recent (USGS 1961; San Joaquin County 2014).

The project site is between two areas of seismic activity: the San Andreas Fault system to the west, and faults of the eastern Sierras area to the east. No Holocene-active (past 11,700 years) or pre-Holocene/Quaternary (past 1.6 million years) faults are in the vicinity of the project site. The closest Holocene-active fault is the Concord Fault, approximately 40 miles southwest of the site. Regional pre-Holocene/Quaternary faults west of the site include the Midland, Rio Vista, and Davis Faults, approximately 18 miles, 22 miles, and 27 miles from the site, respectively (Figure 3.10-1, Regional Faults). The Foothills Fault system, a wide zone of faulting that is the dominant structural feature of the western Sierra Nevada, is approximately 25 miles northeast of the project site. Although the Foothills Fault system consists

predominantly of pre-Quaternary faults, segments of Quaternary faults are present, including the Bear Mountains Fault Zone, Youngs Creek Fault, Haupt Creek Fault, and Poorman Gulch Fault (CGS 2022).

In general, the earthquake risk in the Sacramento Valley is far less than the San Francisco Bay area to the west. Rather, smaller earthquakes are common in this area. However, the Sacramento area north of Lodi experienced the effects of the magnitude 6.5 Monte Cristo Range earthquake in western Nevada in May 2020, and a magnitude 6.5 earthquake in central Idaho in March 2020. In addition, the project site could be subject to seismically induced ground shaking from an earthquake within the San Andreas Fault system of the San Francisco Bay area to the west. There is a 63% to 77% chance of one or more magnitude 6.7 to 7.0+ earthquakes occurring in the San Francisco Bay area in the next 30 years (California Earthquake Authority 2020; San Joaquin County 2014).

C. ***A map and description of all recognized stratigraphic units, geologic structures, and geomorphic features within two (2) miles of the project site. Include an analysis of the likelihood of ground rupture, seismic shaking, mass wasting and slope stability, liquefaction, subsidence, tsunami runup, and expansion or collapse of soil structures at the facility site.***

Stratigraphy

The project site is underlain by Holocene (past 11,700 years) River deposits and Pleistocene (11,700 to 1.6 million years ago) Victor Formation and related deposits (Figure 3.7-1). The River deposits consist of sand, gravel, silt, and minor amounts of clay along channels; flood plains; and natural levees of major streams. These deposits are highly permeable. The Victor Formation and related deposits consist of lenticular silt, sand, gravel, and clay deposited by streams draining the Sierra Nevada. These sediments are moderately permeable (USGS 1961).

Based on soil borings completed in 2010 for the adjacent Lodi SWTF, on-site soils consist predominantly of medium dense silty sand to a maximum depth of 50 feet. The upper 5 to 10 feet of sediments were relatively loose, with the soils becoming medium dense below a depth of 10 feet. Soils below a depth of 10 feet consisted of interbedded layers of sand, in a medium dense to dense, variably cemented condition. Medium stiff sandy silt was encountered at a depth of 49 feet (Youngdahl Consulting Group 2010).

Seismicity and Seismic Ground Rupture

No Holocene active faults or Alquist-Priolo Earthquake Fault Zones, which mandate completion of a fault investigation for proposed habitable structures or critical infrastructure, traverse the project site (CGS 2022b). The closest Holocene-active fault is the Concord Fault, approximately 40 miles southwest of the site. Therefore, the potential for damage due to fault rupture is considered negligible. In addition, completion of the project would not cause a regional fault to rupture.

As previously discussed, the earthquake risk in the Sacramento Valley is far less than the San Francisco Bay area to the west. Rather, smaller earthquakes are common in this area. However, seismically induced ground shaking can be expected during the life of the project. Proposed improvements would be required to adhere to the seismic design requirements of the most current California Building Code (CBC). Incorporation of the seismic design standards and requirements in accordance with the most current version of the CBC would ensure that the proposed improvements do not result in catastrophic failure during strong seismically induced ground shaking. Although conformance with seismic design criteria does

not constitute a guarantee or assurance that no structural damage would occur in the event of a large earthquake, adherence to seismic design criteria ensures that the potential for catastrophic failure is minimized. In addition, completion of the project would not cause seismic ground shaking to occur.

Liquefaction

Liquefaction occurs when loose, cohesionless, and water-saturated soils (generally coarse-grained sands and silt) are subjected to strong seismic ground motion that exceeds the frictional static forces of the grains within the soil. With such conditions, soils essentially behave more like a fluid than a solid, with a temporary reduction or loss of shear strength between grains. Improvements constructed on these soils may buckle, tilt, or settle when the soils liquefy. Liquefaction more often occurs in earthquake-prone areas underlain by young, sandy alluvium where the groundwater table is less than 50 feet below the ground surface.

Based on soil borings completed for the adjacent Lodi SWTF site in 2007, groundwater was encountered at a depth of 34 feet. However, groundwater was not encountered to a depth of 50 feet in borings drilled in 2010. Based on DWR well data, the average groundwater levels historically fluctuate in the project region from a depth of 24 to 30 feet below ground surface. In addition, based on borings completed for other projects in the area, localized lenses of perched groundwater can occur at varying times of the year (Youngdahl Consulting Group 2010).

Although groundwater has been observed within a depth of 50 feet beneath the site and in the project region, the geotechnical investigation for the adjacent Lodi SWTF concluded that due to the relatively low seismicity of the project area and the cemented and medium dense to dense nature of the on-site sediments, the potential for damage due to liquefaction is considered negligible. As a result, geotechnical mitigation for liquefaction is not typically practiced in the geographic region of the site (Youngdahl Consulting Group 2010). Regardless, project construction would be completed in compliance with provisions of the CBC, which would require completion of a project-specific geotechnical report. In the event that the project-specific geotechnical report concludes that liquefaction is a potential issue, the project would be designed to mitigate any anticipated effects of liquefaction. In addition, completion of the project would not create conditions conducive to liquefaction, and thus cause or exacerbate the potential for liquefaction to occur.

Subsidence

Subsidence is the permanent collapse of the pore space within a soil or rock and downward settling of the earth's surface relative to its surrounding area. Subsidence can result from the extraction of water or oil, the addition of water to the land surface (a condition called "hydrocompaction"), or peat loss. The compaction of subsurface sediment caused by the withdrawal or addition of fluids can cause subsidence. Land subsidence can disrupt surface drainage; reduce aquifer storage; cause earth fissures; damage buildings and structures; and damage wells, roads, and utility infrastructure. Although large areas of the Sacramento–San Joaquin Valley have recorded subsidence due to groundwater pumping and peat loss, there have been no recorded instances of subsidence in the Lodi area (USGS 2022a). Therefore, the potential for damage due to ground subsidence is low.

Expansive Soils

Expansive soils are soils that expand when water is added and shrink when dry. This continuous change in soil volume can cause foundations to move unevenly and crack. Based on soil borings completed for the adjacent Lodi SWTF, on-site soils are non-plastic materials that are considered to be relatively non-expansive. Special design considerations related to expansive soils were not recommended for the SWTF (Youngdahl Consulting Group 2010). Regardless, project construction would be completed in compliance with provisions of the CBC, which would require completion of a site-specific geotechnical report. In the event that expansive soils are encountered during the geotechnical investigation, typical remedial methods include overexcavation of clay-rich expansive soils and replacement with granular sandy soils, or construction with post-tension slabs, thus minimizing the potential for damage due to expansive soils. In addition, completion of the project would not create conditions conducive to soil expansion.

Collapsible Soils

Collapsible or compressible soils typically occur in recently deposited Holocene soils that were deposited in an arid or semi-arid environment. Soils prone to collapse are commonly associated with wind-laid sands, silts, alluvial fan sediments, and mudflow sediments deposited during flash floods. Based on soil borings completed in 2010 for the adjacent Lodi SWTF (Youngdahl Consulting Group 2010), the upper 5 to 10 feet of on-site sediments are relatively loose, with the soils becoming medium dense below a depth of 10 feet. These upper loose sediments could be prone to collapse. The geotechnical report recommended overexcavation of at least the upper 3 feet and recompaction as engineered fill. Similar remedial soil measures would likely be required for the project site. Project construction would be completed in compliance with provisions of the CBC, which would require completion of a site-specific geotechnical report. In the event that collapsible soils are encountered during the geotechnical investigation, typical remedial methods include overexcavation of loose, unconsolidated soils and replacement with compacted, engineered fill, thus minimizing the potential for damage due to collapsible soils. In addition, completion of the project would not create conditions conducive to soil collapse.

Slope Stability

The topography of the project site is relatively flat with an 8- to 10-foot-high levee along the eastern perimeter. The levee slopes are gently sloping and therefore would not likely be prone to failure. Based on the geotechnical report for the adjacent Lodi SWTF (Youngdahl Consulting Group 2010), due to the relatively low seismicity of the area and the cemented and medium dense to dense nature of on-site sediments, potential for damage due to seismically induced slope instability is considered negligible. In addition, project construction would not occur on the levee slopes and would not result in excavations into the slopes. As a result, project construction would not undercut the slopes and cause slope failure.

Work required to connect the generator facility to the substation would include excavating and trenching for foundations and duct banks. There would be approximately 900 feet of trenching for pipe and electric conduit on the project site. Proposed trenches would range from 3 feet wide by 3 feet deep, to 6 feet wide by 6 feet deep. Trenching would be completed in accordance with federal and state OSHA regulations. OSHA requires that all excavations in which employees could potentially be exposed to cave-ins be protected by sloping or benching the sides of the excavation, supporting the sides of the excavation, or placing a shield between the side of the excavation and the work area. With incorporation of proper trenching protocol, slope stability impacts in proposed trenches would be minimized.

Tsunami Runup

The project site is in the Central Valley, not in proximity to the Pacific Ocean. As a result, there is no potential for tsunami runup at the site.

3.11 Traffic and Transportation

A. Discuss the regional transportation setting, identifying the project location and major transportation facilities. Include a reference to the transportation element of any applicable local or regional plan.

Interstate 5, State Route (SR) 99, and SR-12 provide access to Lodi and the project site. SR-99 is approximately 2 miles east of the site and connects Lodi to the Sacramento region to the north and the San Joaquin/Stanislaus County to the south. SR-12 is an east/west highway approximately 2 miles south of the project site. The roadway network in the vicinity of the proposed project consists of Turner Road, Lower Sacramento Road, and Mills Avenue.

Turner Road is an east/west roadway south of the project site. The roadway is classified as a minor arterial in the Lodi General Plan Transportation Element (2010). Near the project site, Turner Road has two travel lanes in each direction. Turner Road provides access to Interstate 5 and SR-99 via freeway interchanges. Per year 2022 data, the average daily traffic volume on Turner Road near its intersection with Lower Sacramento Road is approximately 14,960 vehicles per day (Caltrans 2022). Access to Turner Road from the project site is provided via Mills Avenue. Turner Road is a truck route in Lodi, but trucks over two axles are prohibited along the roadway from Lower Sacramento Road to the SR-99 southbound ramps except for pick-ups and deliveries within city limits.

Lower Sacramento Road is a north/south roadway west of the project site. The segment of Lower Sacramento Road north of Turner Road is designated a minor arterial road in the Lodi General Plan Transportation Element (2010). The roadway generally has one travel lane in each direction, but the roadway segment between Turner Road and Mokelumne Street has a painted median or two-way center left-turn lanes along its stretch. Per year 2022 data, the average daily traffic volume on Lower Sacramento Road north of Turner Road is approximately 9,920 vehicles per day (Caltrans 2022).

Mills Avenue is a north/south roadway that terminates in a cul-de-sac along the eastern boundary of the project site. It is classified as a collector road in the Lodi General Plan Transportation Element (2010). Mills Avenue has one travel lane in each direction. Per year 2022 data, the average daily traffic volume on Mills Avenue south of Turner Road is approximately 5,600 vehicles per day (Caltrans 2022). Mills Avenue would access the project site via the Turner Road/Mills Avenue intersection. The Turner Road/Mills Avenue intersection is signalized and also includes a railroad crossing.

Near the project site is an existing Class I bike path along the western shore of Lodi Lake, an existing Class II bike lane along Mills Avenue south of Turner Road, and an existing Class II bike lane along Lower Sacramento Road north of Turner Road. Existing sidewalk is present along the Turner Road frontage of Lodi Lake Park. Bikeways and roads within Lodi Lake Park are available for pedestrian use. There are paved and unpaved trails in the Lodi Lake Nature Area, which is accessible from Lodi Lake Park.

Transit services in the City of Lodi are operated by Grapeline. There are five weekday and four weekend fixed routes, which start and end at the Lodi Transit Center off Sacramento Street approximately 2.5 miles

southeast of the project site. The transit center allows for connection to San Joaquin Regional Transit District bus lines to Manteca, Lathrop, Tracy, and Stockton, and to South County Transit bus lines to Galt, Elk Grove, and Sacramento. Grapeline Route 1 provides service in the vicinity of the project site along Turner Road, with a bus stop at the entrance to Lodi Lake Park. The route extends between Lodi Transit Station and the Lower Sacramento Road/Kettleman Lane intersection.

Passenger rail service is provided by AMTRAK for the San Joaquin route, which connects Oakland and Sacramento to Bakersfield. The nearest AMTRAK station is also the Lodi Transit Station. The rail freight operations in Lodi are provided by Union Pacific and the Central California Traction Company. The Lodi Airport is a domestic airport approximately 7.3 miles northeast from the project site, along SR-99.

The City of Lodi's General Plan Transportation Element (2010) describes trends in residents' travel patterns to establish a basis for improvements, existing and proposed improvements for each mode and type of transportation, and policies to achieve a multi-modal transportation network. The element includes Guiding Policies and Implementation Policies for the City of Lodi's circulation system, roadway network, pedestrian and bicycle facilities, public transit services, parking, good movement, and transportation demand management.

The 2022 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) covers the entire area of San Joaquin County and includes the cities of Stockton, Tracy, Lodi, Manteca, Lathrop, Ripon, and Escalon, as well as unincorporated communities in San Joaquin County (SJCOG 2022). The 2022 RTP/SCS includes goals and objectives on a federal, state, and regional level that aim to achieve a significant reduction in traffic fatalities and serious injuries on all public roads; maintain the highway infrastructure asset system in a state of good repair; achieve a significant reduction in congestion on the National Highway System; improve the efficiency of the surface transportation system; enhance the performance of the transportation system while protecting and enhancing the natural environment; and improve overall mobility and accessibility.

The proposed project is a temporary energy generation facility that would provide additional power generation capacity to provide adequate power supply throughout California during peak demand (i.e. emergency) events. As shown below, the proposed project would generate temporary construction trips for a short duration and no new operational trips; therefore, it would not result in adverse impact to any transportation facility in its vicinity nor conflict with the adopted standards and policies included in the City of Lodi's Transportation Element or San Joaquin Council of Governments 2022 RTP/SCS.

B. An evaluation of the project's potential impacts related to vehicle miles traveled (VMT).

The passage of Senate Bill 743 required the focus of transportation analysis change from level of service or vehicle delay to vehicle miles traveled (VMT) in California and adoption of VMT as the basis for evaluating transportation impacts.[2] VMT is defined as "the amount and distance of automobile travel attributable to a project." "Automobile" refers to on-road passenger vehicles, specifically cars and light trucks. The

[2] Pursuant to Senate Bill (SB) 743, the focus of transportation impact analysis under CEQA changed from level of service (LOS) or vehicle delay to VMT. The related updates to the CEQA Guidelines required under SB 743 were approved on December 28, 2018. This new methodology was required to be used statewide beginning July 1, 2020. It should be noted that the guidelines and thresholds apply to land use and transportation projects that are subject to CEQA analysis. The proposed project is not a land use or transportation project, and therefore neither Section 15064.3(b)(1) nor Section 15064.3(b)(2) of the CEQA Guidelines apply. Instead, the proposed project would be categorized under Section 15064.3(b)(3) qualitative analysis. The updated CEQA Guidelines do not establish a significance threshold, however, recommend a threshold of significance for land use development (residential, office, and other land uses) and transportation projects. It should be noted that there is no significance threshold for construction or maintenance projects.

Governor's Office of Planning and Research (OPR) clarified in its Technical Advisory on Evaluating Transportation Impacts in CEQA (OPR 2018) that heavy-duty truck VMT is not required to be included in the estimation of a project's VMT. Other relevant considerations may include the effects of a project on transit and non-motorized traveled. Although a quantitative analysis of VMT is preferred per OPR's guidance, a qualitative analysis may be used if existing models or methods are not available to estimate VMT for the project being considered. Additionally, the construction of a project may be evaluated qualitatively.

The project site is in the City of Lodi. Per the Draft for Review version of VMT Thresholds Study for the County of San Joaquin (July 17, 2020), the Work VMT per employee in the City of Lodi is 20.09, and the unincorporated regional average Work VMT per employee is 19.05. However, the City of Lodi has not yet adopted VMT-specific guidelines; therefore, the following assessment is based on the OPR's Technical Advisory (OPR 2018). The anticipated construction and nominal operations and maintenance traffic generated by the project has been evaluated qualitatively.

The project would involve construction that would generate temporary construction-related traffic over 5 months and nominal operations traffic. As mentioned above, heavy vehicle traffic is not required to be included in the estimation of a project's VMT. Worker and vendor trips would generate temporary and short-term VMT; however, once construction is completed, the construction-related traffic and VMT would cease and return to pre-construction conditions. Additionally, the air quality and greenhouse gas analysis (Appendix B) accounts for the worker and truck trips during the construction period, so a qualitative analysis for transportation purposes is considered adequate.

Project operation would not require personnel to be on site to maintain operations; the generators would be operated remotely. Personnel would visit the site periodically throughout the year for scheduled maintenance and to test-operate the generators once each month; up to 200 operational trips per year are anticipated. Therefore, the proposed project would result in nominal trips related to operations. Hence, operation of the proposed project can be screened out per OPR's guidelines that it would not generate 110 daily trips[3] or more, and project VMT would be considered de minimus.

C. An assessment of the construction and operation impacts of the proposed project on nearby transportation facilities. Also include anticipated project-specific traffic, estimated daily average and peak traffic trips and traffic/truck mix.

During construction, workers and trucks would access the project site from Mills Avenue via its intersection with Turner Road. The workers and trucks would use the parking lot for the Lodi SWTF during construction of the proposed project.

Construction and operation of the proposed project would generate relatively low daily and peak-hour trips. The Institute of Transportation Engineers' Trip Generation Manual does not contain trip rates for construction-related activities (ITE 2021); therefore, trips generated from the peak phase of construction of the project have been estimated using the project's air quality analysis (Appendix B). The estimated trip

[3] This threshold ties directly to the OPR technical advisory and notes that CEQA provides a categorical exemption for existing facilities, including additions to existing structures of up to 10,000 square feet, so long as the project is in an area where public infrastructure is available to allow for maximum planned development and the project is not in an environmentally sensitive area (CEQA Guidelines, Section 15301(e)(2)). Typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract an additional 110–124 trips per 10,000 square feet. Therefore, absent substantial evidence otherwise, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact.

generation is primarily based on the number of construction employees or workers, as well as the quantity of vendor (material, equipment, or water trucks) and haul-related truck estimates. Each worker and truck would generate an average of two daily trips to/from the project site: one inbound and one outbound. All the workers were assumed to commute during the peak hours. Although some workers would likely carpool to the project site, to estimate the most conservative trip generation, it was assumed that each worker would drive separately. The construction work shift would generally occur between 7:00 a.m. and 5:00 p.m., but additional time may be required after 5:00 p.m. It was assumed that vendor and haul truck traffic would be evenly distributed throughout the workday, but it is expected that some restrictions during peak hours due to congestion could apply to truck traffic.

The project's construction traffic was estimated per phase of construction from the air quality analysis (Appendix B). Trip generation for workers and trucks was estimated for the peak phase of construction, which would occur for approximately 70 days. This would be during the trenching and generator installation phase when the maximum number of total worker and truck trips would be required. This peak construction period was established based on applying a passenger car equivalent conversion factor to truck trips. As shown in Table 9, peak construction of the proposed project would generate 72 total daily trips, including 32 AM peak-hour trips and 32 PM peak-hour trips. Applying the passenger car equivalent conversion factor for trucks, peak construction of the proposed project would generate 86 total daily trips, including 35 AM peak-hour trips and 35 PM peak-hour trips.

Table 9. Peak Phase Construction Trip Generation

Vehicle Type	Daily Quantity	Daily Trips1	AM Peak Hour			PM Peak Hour		
			In	*Out*	*Total*	*In*	*Out*	*Total*
Trip Generation								
Workers	30	60	30	0	30	0	30	30
Vendor Trucks	5	10	1	0	1	0	1	1
Haul Trucks	1	2	1	0	1	0	1	1
Total Trips		**72**	**32**	**0**	**32**	**0**	**32**	**32**
Trip Generation with PCE								
Workers (1.0 PCE)	30	60	30	0	30	0	30	30
Vendor Trucks (2.0 PCE)	5	20	2	0	2	0	2	2
Haul Trucks (3.0 PCE)	1	6	3	0	3	0	3	3
Total PCE Trips		**86**	**35**	**0**	**35**	**0**	**35**	**35**

Source: Appendix B.
PCE = passenger car equivalent
1 Daily trips are a total of all inbound and outbound trips and represent one-way trips per the air quality analysis.

All construction-related activities would occur on site, but for any obstruction in the City of Lodi's right-of-way due to the presence and use of construction vehicles and equipment, the applicant/contractor would prepare and implement a Temporary Traffic Control Plan. The plan would be prepared per the Work Area Traffic Control Handbook (WATCH) Manual[4] and requirements of the City of Lodi's Public Works

4 The Work Area Traffic Control Handbook provides quick reference traffic control guidelines for work activities for contractors, cities, counties, utilities, and other agencies responsible for such work.

Department. The applicant/contractor would also obtain special permits from the California Department of Transportation for the movement of vehicles/loads exceeding statutory limitations.

As mentioned above, the proposed project would not require on-site personnel to maintain operations. Personnel would visit the site periodically throughout the year for scheduled maintenance and to test-operate the generators once each month; up to 200 trips per year are anticipated. Therefore, the proposed project would not result in a substantial number of daily trips related to operations.

The proposed project would generate temporary construction trips for a short duration and occasional operational trips. As shown in Table 9, based on the low trip generation potential of the project, the proposed project would not adversely affect to the capacity of any transportation facility in its vicinity during project construction or operation.

3.12 Visual Resources

A. Explain the project's conformance with the city/county General Plan, and city municipal code or county government code (e.g., zoning) governing scenic quality.

The proposed project would not conflict with the regulations and policies of the Lodi City Code or Lodi General Plan. According to the City of Lodi General Plan Map, the project site and adjacent water treatment facility are designated Open Space (City of Lodi 2022). Although the project proposes construction and operation of a generator facility on the currently undeveloped site that supports low grasses and several trees (and the General Plan aspires to protect open space areas from encroachment or destruction; see Guiding Principle P-G2), proposed development would generally be visually experienced as an extension of the adjacent water treatment facility (as opposed to an incompatible facility with no comparable development in the surrounding area). Further, components of the generator facility, including generators, transformers, step-up transformers, and switchgears, would generally be housed in non-descript enclosures that would present a lower scale and footprint compared to structures and tanks on the adjacent water treatment facility site. To help illustrate the before and after scenario of project implementation, a visual simulation of the generator facility was prepared from Mills Road. Figure 3.12-1a, Existing Conditions Key Map, shows the locations of the photo points. Existing viewpoints are shown in Figure 3.12-1b, Existing Conditions – Lodi Surface Water Treatment Facility Site. Figure 3.12-2a shows Key Observation Point 1 with a photograph and visual simulation of the project as experienced from Mills Road. Figure 3.12-2b shows Key Observation Point 2. As shown in the figures, the site displays an open, semi-natural character, and although the project would alter the existing site character, views into the facility site would be permitted due to inclusion of a chain-link perimeter fence along the south site boundary, and project components would be indistinct and of a substantially lesser scale than the adjacent water treatment facility structures. Although several trees within the site would be removed to accommodate the proposed generator facility, numerous trees within the viewshed would be retained and replacement trees would be installed alongside the nearby Lodi Lake Trail. As such, the landscape would continue to present as a primarily natural area supporting low grasses and numerous trees.

3.13 Water Resources

A. All the information required to apply for the following permits, if applicable, including:

- *Waste Discharge Requirements; National Pollutant Discharge Elimination System Permit(s); and/or a Section 401 Certification or Waiver from the appropriate Regional Water Quality Control Board (RWQCB);*
- *Construction and Industrial Waste Discharge and/or Industrial Pretreatment permits from wastewater treatment agencies;*
- *Nationwide Permits and/or Section 404 Permits from the U.S. Army Corps of Engineers, if applicable; and*
- *Underground Injection Control Permit(s) from the U.S. Environmental Protection Agency, California Geologic Energy Management Division (CalGEM), and RWQCB.*

The statutes that govern potential project activities that may affect water quality are the federal CWA (33 USC 1251 et seq.) and the state Porter–Cologne Water Quality Control Act (Porter–Cologne Act; California Water Code Section 13000 et seq.). Section 402 of the CWA established the National Pollutant Discharge Elimination System regulations. The project site operates under a Phase II Municipal Separate Storm Sewer System (MS4) Permit for the City of Lodi. Waste discharge requirements were not identified for the project site.

In California, stormwater discharges from industrial facilities are covered under the National Pollutant Discharge Elimination System General Permit for Stormwater Discharges Associated with Industrial Activities. The Industrial General Permit requires implementation of management measures that would achieve the performance standard of best available technology economically achievable and best conventional pollutant control technology. The most recent Industrial General Permit (State Water Resources Control Board [SWRCB] Order No. 2014-0057-DWQ) was adopted on April 1, 2014, and became effective on July 1, 2015; it replaces the previous 1997 Statewide Permit for Industrial Stormwater (SWRCB Order No. 2014-0057-DWQ). The project site does not currently operate under an Industrial General Permit for its operations. It is not anticipated that an Industrial General Permit would be required for the project.

Stormwater discharges associated with construction and land disturbance activities are covered under the National Pollutant Discharge Elimination System Construction General Permit. The most recent Construction General Permit (SWRCB Order No. 2009-0009-DWQ) was adopted on September 2, 2009, and became effective on July 1, 2010 (the 2009 order has been administratively extended until a new order is adopted and becomes effective). A Construction General Permit is required for stormwater discharges from construction activities, including trenching for underground linear facilities, if land disturbance would be greater than 1 acre. A previous Notice of Intent for construction of the Lodi SWTF was completed to begin construction on February 1, 2011 (WDID 5S39C361905). Upon completion of construction, the permit was terminated on November 27, 2012. A Stormwater Pollution Prevention Plan for construction of the SWTF was completed to reduce the potential for the discharge of pollutants via stormwater until the termination of the permit (SWPPP Solutions Inc. 2011). The overall footprint of the proposed construction activities is estimated to be 61,000 square feet, with 900 feet of trenching (see Chapter 2, Project Design, Operation, and Location). Although the construction area exceeds the 1-acre threshold for the Construction General Permit, aquatic resources would not be impacted by the project, and would therefore not require a permit.

Limited change to the existing project site would be needed during construction and operations. Trenching during construction would use all excavated material for backfill; no fill or dredge materials would be discharged to local waters. It is not anticipated that a permit under Section 404 of the CWA or certification per Section 401 would be needed. A Phase II MS4 Permit approved Stormwater Management Plan is in place for the project site (City of Lodi 2012). The Stormwater Management Plan outlines specific BMPs required for construction activities impacting more than 1 acre, including sediment barriers and check dams (City of Lodi 2012). The project site is subject to the MS4 Permit approved Stormwater Management Plan for the City of Lodi, which requires preparation of a project stormwater plan and use of BMPs to prevent erosion and sediment runoff into the sewer system (City of Lodi 2012).

There would be no need for an injection well during construction or operations of the proposed project; therefore, an Underground Injection Control Permit would not be required.

B. A description of the hydrologic setting of the project.

The project site is within the jurisdiction of the Central Valley Regional Water Quality Control Board, which administers the Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan) and other water quality programs for the Central Valley Hydrologic Basin. The Central Valley region is separated into three basins that cover approximately one-fourth of California: Tulare Lake Basin, Sacramento River Basin, and San Joaquin River Basin. The Sacramento and San Joaquin River Basins flow through the Delta into the San Francisco Bay, and provide 51% of California's water supply (CVR RWQCB 2019). The project site is within the 15,880-square-mile San Joaquin River Basin, dominated by ephemeral streams and agricultural return flows (CVR RWQCB 2022). The project site is in an urban area within the basin, adjacent to Lodi Lake, which stems directly from the Mokelumne River. The lower Mokelumne River is a 303(d) listed body of water, impaired by zinc, mercury, and copper. Surface runoff on the project site does not enter the lake but is contained on site via a berm on the eastern boundary and low-lying areas within the project site.

Table 10 shows the watersheds that encompass the project site as designated by the U.S. Geological Survey's Watershed Boundary Dataset and the Basin Plan (USGS 2022b; CVR RWQCB 2019). These watersheds generally constitute the geographic basis around which many surface water quality problems and goals/objectives are defined in the Basin Plan. The project site is in the northern portion of the San Joaquin River hydrologic unit (Basin No. 5-022), near the border of the Sacramento River Basin. The U.S. Geological Survey's Watershed Boundary Dataset indicates that the project site is within the Lower Mokelumne River watershed and is further defined by the Sycamore Slough subwatershed (USGS 2022b).

Table 10. Watershed Designations by Agency/Source

Agency/Source	Hydrologic Unit Code/Basin No.	Analysis Scale	Name	Size (Square Miles)
USGS Watershed Boundary Dataset	180400	Basin	San Joaquin	15,824.86
	18040012	Subbasin	Upper Mokelumne	1,266.31
	1804001211	Watershed	Lower Mokelumne River	221.80
	180400121105	Subwatershed	Sycamore Slough	33.16
Water Quality Control Plan for the Central	5	Regional Water Quality Control Board Region	Central Valley	60,000
	5-022	Hydrologic Unit	San Joaquin River	15,880

Table 10. Watershed Designations by Agency/Source

Agency/Source	Hydrologic Unit Code/Basin No.	Analysis Scale	Name	Size (Square Miles)
Valley (Region 5)	—	Hydrologic Area	—	—
	—	Hydrologic Subarea	—	—

USGS = U.S. Geological Survey

C. A description of the water to be used and discharged by the project.

During construction, water may be used as a BMP for dust control on the project site. The project site is not paved, and water would only be used as necessary to wet the earth, so there would be no off-site discharge of water from the project site associated with dust control. Water would not be used during operations because the project generators would be cooled by air.

D. Identify all project elements associated with stormwater drainage.

The project site is slightly downgradient from the southwest-adjoining railroad and other properties, but lies at a similar elevation to the northern-adjacent cemetery and the SWTF in the southern portion of the project site. According to the SWTF construction Stormwater Pollution Prevention Plan, run on from off-site sources is insignificant because of already developed drainage systems directing water away from the project site (SWPPP Solutions Inc. 2011). The SWTF is primarily paved and enclosed by a masonry wall, keeping stormwater restricted to the facility's drainage system leading to City of Lodi's storm sewer system. A berm separates the project site from Lodi Lake to the east, and the project site is unpaved with several low-points; therefore, stormwater primarily remains on the project site. The proposed project would enclose the area with a masonry wall to the west, which would further restrict stormwater discharge off the project site. The use of crushed rock cement for the project site may increase imperviousness on the project site. The proposed project would not impact any waterways and does not propose any permanent stormwater drainage infrastructure (e.g., drains, pipes, culverts).

E. An impacts analysis of the proposed project on water resources. This discussion shall include:

- *The effects of project demand on the water supply and other users of this source;*
- *The effects of construction activities and facility operation on water quality and to what extent these effects could be mitigated by implementation of best management practices;*
- *The effects of the project on the 100-year flood plain, flooding potential of adjacent lands or water bodies, or other water inundation zones.*

The proposed project would involve grading the project site, covering the generator location surfaces with crushed rock cement, and surrounding the project site with a masonry wall and chain-linked fence. Drainage would not be significantly impacted by the proposed project because the area would remain pervious, and stormwater would not be discharged to a waterway. The project would not require a water supply for operations, but may use water for dust control BMPs during construction. There is not a concern for water quality impairments because any water used would be contained to the project site and would not be discharged to a waterway. Because the site would involve more than 5,000 square feet of impervious surface, it would be subject to the Phase II MS4 Permit, to which the City of Lodi is a permittee. To comply

with this permit, the City of Lodi requires regulated projects to implement BMPs necessary to avoid water quality impacts to receiving waters, as outlined in a project stormwater plan, to be submitted to the City of Lodi, approved by the City of Lodi, and implemented during operations and maintenance, per the City of Lodi's Stormwater Management and Discharge Control Ordinance (Chapter 13.14 of the Municipal Code).

Flood zones for 100-year floods are mapped in the Federal Emergency Management Agency's Flood Insurance Rate Maps. According to the Federal Emergency Management Agency maps, the project site would not be impacted by a 100-year flood (FEMA 2022). The area directly adjacent to the project site to the east, Lodi Lake, and its walk path are within a 100-year zone.

3.14 Summary of Avoidance and Minimization Measures

Table 11 provides a summary of all BMPs, BACTs, and measures to be implemented during construction and operation, as identified throughout Chapter 3.

Table 11. Avoidance and Minimization Measures

Measure	Timing Requirements	Related Section
Air Quality and Greenhouse Gas Emissions		
Authority to Construct. The Authority to Construct (ATC) was submitted to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for the proposed project. The proposed project will comply with permitting requirements under the ATC permit, including implementation of best available control technology (BACT).	Project operation	Section 3.1(A)
Greenhouse Gas Emissions Reduction Plan. The proposed project will comply with applicable measures in the California Department of Water Resource's (DWR) Greenhouse Gas Emissions Reduction Plan (GERP).	Project construction and operation	Section 3.1(F)
Best Management Practices (BMPs). The following DWR construction and maintenance BMPs will be implemented: Minimize idling time by requiring that equipment be shut down after 5 minutes when not in use (as required by the State Airborne Toxics Control Measure [13 CCR Section 2485]). Provide clear signage that posts this requirement for workers at the entrances to the project site, and provide a plan for the enforcement of this requirement. Maintain all construction equipment in proper working condition and perform all preventive maintenance. Required maintenance includes compliance with all manufacturer's recommendations, proper upkeep and replacement of filters and mufflers, and maintenance of all engine and emissions systems in proper operating condition. Maintenance schedules will be detailed in an Air Quality Control Plan prior to commencement of construction. Implement a tire inflation program on the jobsite to ensure that equipment tires are correctly inflated. Check tire inflation when equipment arrives on site and every 2 weeks for equipment that remains on site. Check vehicles used for hauling materials off site weekly for correct tire inflation. Procedures for the tire inflation	Project construction and operation	Section 3.1(F)

Table 11. Avoidance and Minimization Measures

Measure	Timing Requirements	Related Section
program will be documented in an Air Quality Management Plan prior to commencement of construction. Develop a project-specific ride-share program to encourage carpools and shuttle vans, and provide transit passes and secure bicycle parking for construction worker commutes. For deliveries to project sites where the haul distance exceeds 100 miles and a heavy-duty class 7 or class 8 semi-truck or 53-foot or longer box-type trailer is used for hauling, use a SmartWay certified truck to the maximum extent feasible. Develop a project-specific construction debris recycling and diversion program to achieve a documented 50% diversion of construction waste. Evaluate the feasibility of restricting all material hauling on public roadways to off-peak traffic congestion hours. During construction scheduling and execution, minimize, to the extent possible, uses of public roadways that would increase traffic congestion.		
Biological Resources		
Nesting Birds. To avoid potential direct and indirect impacts to nesting birds, activities will be conducted outside of the nesting season (September through February). If not feasible and construction occurs during the nesting season (February through August), the following measures will be implemented to avoid or minimize impacts to nesting birds: A qualified biologist will conduct a pre-construction survey for nesting birds no more than 2 days prior to ground-disturbing activities and tree removal during the nesting season (February through August). The survey will cover the limits of construction and suitable nesting habitat within 500 feet of the project site for raptors and 100 feet for other nesting birds, as feasible and accessible. If any active nests are observed during surveys, a qualified biologist will establish a suitable avoidance buffer from the active nest. The buffer distance will range from 50 to 500 feet and be determined based on factors such as the species of bird, topographic features, intensity and extent of the disturbance, timing relative to the nesting cycle, and anticipated ground disturbance schedule. Limits of construction to avoid active nests will be established in the field with flagging, fencing, or other appropriate barriers, and will be maintained until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist. Removal of any tree with an active nest will be delayed until the nests are no longer active, as determined by the qualified biologist.	Project construction	3.2(E)

Table 11. Avoidance and Minimization Measures

Measure	Timing Requirements	Related Section
If project activities are delayed, additional nest surveys will be conducted such that no more than 7 days elapse between the prior survey and vegetation removal activities. If an active nest is identified in or adjacent to the construction limits after construction has started, work in the vicinity of the nest will be halted until the qualified biologist can provide appropriate avoidance and minimization measures to ensure that the nest is not disturbed by construction. Appropriate measures may include a no-disturbance buffer until the birds have fledged and/or full-time monitoring by a qualified biologist during construction activities conducted near the nest.		
Cultural Resources and Tribal Cultural Resources		
Archaeological monitoring. Archaeological monitoring of trenching and other ground disturbance will be implemented during construction. An archaeological monitoring and discovery plan will be developed with DWR under the oversight of a qualified archaeological principal investigator. Prior to the initiation of ground-disturbing work, construction crews will be made aware of the potential to encounter cultural resources and the requirement for cultural monitors to be present during these activities. The requirement for a Native American monitor will be determined by the results of consultation and tribal engagement between DWR and traditionally culturally affiliated tribes. In the event that unanticipated cultural resources are encountered during construction activities, all construction work will immediately stop until DWR staff is notified and a qualified archaeologist can evaluate the sensitivity of the find and determine whether or not additional study is warranted. The level of sensitivity of the find will be assessed, and if warranted, additional efforts such as preparation of an archaeological treatment plan, testing, and/or data recovery, may be recommended prior to allowing construction to proceed in this area. The potential for avoidance and/or preservation should also be the primary consideration. Should human remains be uncovered, all work must stop immediately, and the County coroner must be contacted pursuant to California Health and Human Safety Code 7050.5(b). The requirement for Native American monitoring to occur should be determined by DWR based on the results of tribal engagement. In addition to archaeological monitoring, visually screening of the project is recommended along its eastern boundary using vegetation and creative plantings so as not to introduce modern features in view of the potential adjacent historic property, the Lodi Lake Park (P-39-005402).	Project construction	3.3(D)
Paleontological Resources		
Paleontological Monitoring. Prior to commencement of any grading activity on site, the California Department of Water Resources will	Project construction	3.7(D)

Table 11. Avoidance and Minimization Measures

Measure	Timing Requirements	Related Section
retain a qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP) (2010) guidelines. The paleontologist will prepare a Paleontological Resources Impact Mitigation Program for the project. The Paleontological Resources Impact Mitigation Program will be consistent with the guidelines of the SVP (2010) and include the following elements: project description, pre-construction worker environmental awareness training, frequency of monitoring, salvage protocols, reporting, and collections management. The qualified paleontologist or a qualified monitor meeting the SVP (2010) guidelines will be on site during all rough grading and other significant ground-disturbing activities in areas underlain by previously undisturbed Rincon Shale and below a depth of 5 feet below the existing ground surface in previously undisturbed Holocene alluvium. If excavations below 5 feet are not impacting previously undisturbed Rincon Shale or pre-Holocene alluvium, as determined by the qualified paleontologist, spot-check monitoring will ensue. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor shall temporarily halt and/or divert grading activity to allow recovery of the paleontological resources. The area of discovery will be roped off with a 50-foot-radius buffer to document and collect the fossils. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. No monitoring is required during excavations that the paleontologist determines are within artificial fill or younger alluvium (e.g., Holocene age Quaternary alluvium, younger than approximately 11,700 years old).		
Public Health		
Compliance with ATC Permit. During the permitting process, the SJVAPCD will conduct a health risk assessment for the project. Compliance with the permitting process will ensure that operational emissions do not exceed applicable thresholds for health risk.	Project operation	3.9(A)
Traffic and Transportation		
Temporary Traffic Control Plan. DWR will prepare an implement a Temporary Traffic Control Plan. The plan would be prepared per Work Area Traffic Control Handbook (WATCH) Manual and requirements of the County's Public Works Department. DWR will also obtain special permits for the movement of vehicles/loads exceeding statutory limitations from Caltrans as necessary.	Project construction	3.11(A)
Water Resources		
Compliance with Phase II Municipal Separate Storm Sewer System (MS4) Permit. DWR will prepare and implement a Project Stormwater Plan to comply with the Phase II MS4 Permit. The project Stormwater Plan will be submitted to the City for approval, and implemented during operations.	Project operation	3.13(A) 3.13(E)

4 Compliance with Laws, Ordinances, Regulations, and Standards

Provide tables which identify:

A. Laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and

B. Each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state, and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.

Table 12 provides a non-exhaustive summary of applicable laws, regulations, ordinances, and standards relevant to the project, and discusses project consistency with each item. Where appropriate, the project consistency discussion refers to the analysis provided in Chapter 3, Environmental Information. Otherwise, project consistency may be directly discussed in the table.

Table 12. Applicable Laws, Regulations, Ordinances, and Standards

Applicable Laws, Regulations, Ordinances, and Standards	Project Consistency
Air Quality and Greenhouse Gas Emissions	
Federal Clean Air Act – National Ambient Air Quality Standards	**Consistent.** See Section 3.1. The project was evaluated against San Joaquin Valley Air Pollution Control District (SJVAPCD) thresholds adopted to determine consistency with attainment plans for achieving federal and state ambient air quality standards and was found to be less than significant. Furthermore, the project would comply with all federal regulations through the New Source Review permitting process.
Federal Hazardous Air Pollutants – National Emission Standards for Hazardous Air Pollutants (HAPs)	**Consistent**. See Section 3.1 and Section 3.9. The project would comply with national emissions standards for HAPs through the New Source Review permitting process. The SJVAPCD would prepare a health risk assessment and require Toxic Best Available Control Technology (BACT) to reduce risk if necessary.
California Clean Air Act – California Ambient Air Quality Standards	**Consistent.** See Section 3.1. The project was evaluated against SJVAPCD thresholds adopted to determine consistency with attainment plans for achieving federal and state ambient air quality standards and was found to be less than significant.
San Joaquin Valley Air Pollution Control District (SJVAPCD) Regulation II Permits, Rule 2010 Permits Required Rule	**Consistent.** See Section 3.1. The project would submit an Authority to Construct application in accordance with Rule 2010.

Table 12. Applicable Laws, Regulations, Ordinances, and Standards

Applicable Laws, Regulations, Ordinances, and Standards	Project Consistency
SJVAPCD Regulation II Permits, Rule 2201 New and Modified Stationary Source Review Rule	**Consistent.** See Sections 3.1 and 3.9. The project would submit an Authority to Construct permit application and would follow the SJVAPCD permitting process.
SJVAPCD Regulation IV Prohibitions, Rule 4001 New Source Performance Standards	**Consistent.** See Sections 3.1 and 3.9. Through the permitting process the project would comply with new source performance standards.
SJVAPCD Regulation IV Prohibitions, Rule 4002 National Emission Standards for Hazardous Air Pollutants	**Consistent.** See Sections 3.1 and 3.9. Through the permitting process the project would comply with HAPs standards.
SJVAPCD Regulation IV Prohibitions, Rule 4101 Visible Emissions	**Consistent.** See Sections 3.1 and 3.9. Through the permitting process the project would comply with visible emission limits.
SJVAPCD Regulation IV Prohibitions, Rule 4102 Nuisance	**Consistent.** See Sections 3.1 and 3.9. Through the permitting process the project would comply with prohibitions of discharges of air contaminants.
SJVAPCD Regulation IV Prohibitions, Rule 4703 Stationary Gas Turbines.	**Consistent.** See Sections 3.1 and 3.9. Through the permitting process the project would comply with standards established for stationary gas turbines.
SJVAPCD Regulation VIII Fugitive Dust Prohibitions, Rule 8021.	**Consistent.** See Sections 3.1 and 3.9. The project would comply with Regulation VIII and implement best management practices to limit fugitive dust impacts.
Biological Resources	
Federal Endangered Species Act	**Consistent.** See Section 3.2. The analysis considered special-status plant and wildlife species, which are defined as those that are listed, proposed for listing, or candidates for listing as threatened or endangered under the federal Endangered Species Act.
Migratory Bird Treaty Act	**Consistent.** See Sections 3.2(D) and 3.2(E). The project includes measures to minimize impacts to birds protected under the Migratory Bird Treaty Act.
California Endangered Species Act	**Consistent.** See Section 3.2. The analysis considered special-status plant and wildlife species, which are defined as those that are listed or candidates for listing as threatened or endangered under the California Endangered Species Act.
California Fish and Game Code, Sections 3503, 3503.5, 3511, 3513	**Consistent**. See Sections 3.2(D) and 3.2(E). The project includes measures to minimize impacts to birds protected under California Fish and Game Code Sections 3503, 3503.5, 3511, and 3513.
California Fish and Game Code, Section 4150	**Consistent**. See Section 3.2. The analysis considers mammals protected under the California Fish and Game Code.
California Fish and Game Code Section 1602 – Lake and Streambed Alteration Agreement	**Consistent.** See Section 3.2. The project would not alter any river, stream, or lake.
Cultural Resources and Tribal Cultural Resources	
National Register of Historic Places (NRHP)	**Consistent.** See Section 3.3 and Appendix D. The submitted records search includes a review of the NRHP. The analysis in Section 3.3 considers recorded and eligible resources.

Table 12. Applicable Laws, Regulations, Ordinances, and Standards

Applicable Laws, Regulations, Ordinances, and Standards	Project Consistency
California Register of Historical Resources	**Consistent.** See Section 3.3 and Appendix D. The submitted records search includes a review of the California Register of Historical Resources.
California Health and Safety Code, Section 7050.5	**Consistent.** See Section 3.3 and Appendix D. Unanticipated discovery of human remains would comply with California Health and Safety Code Section 7050.5 requirements.
National Park Service - Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines	**Consistent.** See Section 3.3 and Appendix D. All field practices were executed in accordance with Office of Historic Preservation professional standards and conducted under the direction of an archaeologist who meets the Secretary of Interior's standards.
California Natural Resources Agency's Tribal Consultation Policy and DWR's Tribal Engagement Policy	**Consistent.** See Sections 3.3(C) and 3.3(D), and Appendix D. Letters were sent to tribal groups consistent with the requirements of these policies.
Hazardous Materials	
Title 40 USC, Chapter 1, Subchapter I, Parts 260-265 – Solid Waste Disposal Act/ Federal Resource Conservation and Recovery Act of 1976; Title 19 CCR, Chapter 2, Subchapter 3, Sections 2729–2734/California Health and Safety Code (HSC) Division 20, Chapter 6.95, Sections 25500–25520 Title 22 CCR, Division 4.5 – Environmental Health Standards for the Management of Hazardous Waste; Title 22 California HSC, Division 20, Chapter 6.5 – California Hazardous Waste Control Act of 1972; 19 CCR 2735.1 et seq – California Accidental Release Prevention Program	**Consistent.** Project operation and construction would manage solid wastes, including hazardous wastes, as required by this rule. Hazardous wastes generated on the project site would be documented, stored, transported, and disposed of in accordance with this and local laws. Both federal hazardous waste characteristics and state hazardous waste characteristics apply.
Title 14 CCR, Division 7, Chapter 8.2 – Electronic Waste Recovery and Recycling Act of 2003	**Consistent.** Universal wastes, such as batteries and light bulbs, and electronic wastes would be transported and disposed of appropriately during construction and operation of the project.
Title 40 USC, Chapter 1, Subchapter D, Part 112 – Oil Pollution Prevention; Title 22 California HSC, Division 20, Chapter 6.67, Sections 25270 to 25270.13 – Aboveground Petroleum Storage Act	**Consistent.** A Spill, Prevention, Control, and Countermeasure Plan would be prepared for any aboveground petroleum or oil storage of more than 1,320 gallons. Aboveground petroleum storage of more than 10,000 gallons would also comply with the Aboveground Petroleum Storage Act.
Title 40 USC, Chapter 1, Subchapter C, Part 61 – National Emission Standards for Hazardous Air Pollutants, Subpart M – National Emission Standard for Asbestos; Enforcement of the NESHAP Regulation, HSC Section 39658(b)(1); Contractors State License Board; Title 15 USC, Chapter 53, Subchapter I, Section 2601 et seq. – Toxic Substances Control Act of 1976	**Consistent.** A licensed contractor would conduct asbestos surveys and abate asbestos-containing materials should they be identified in materials scheduled for removal during project construction or operation.
Title 42 U.S. Code of Federal Regulations, Chapter 116 – Emergency Planning and Community Right-to-Know Act; HSC, Division 20, Chapter 6.11, Sections 25404- 25404.9	**Consistent.** Storage of hazardous materials on the project site at or above reportable quantities would be reported to the local Certified Unified Program Agency (CUPA). The local CUPA administers multiple programs as the CUPA.

Table 12. Applicable Laws, Regulations, Ordinances, and Standards

Applicable Laws, Regulations, Ordinances, and Standards	Project Consistency
Sections– Unified Hazardous Waste and Hazardous Materials Management Regulatory Program	
U.S. Environmental Protection Agency (EPA) Regional Screening Levels (RSLs); Human Health Risk Assessment Note 3 – DTSC Modified Screening Levels (DTSC-SLs); Environmental Screening Levels (ESLs)	**Consistent.** Screening levels established by the EPA, Department of Toxic Substances Control (DTSC), and State Water Resources Control Board would be used in the event that contaminated soils are identified. Applicable screening levels for the proposed use of the project site would be used to evaluate if remediation or contaminated material removal is required.
Title 29 USC, Part 1910 et seq. – Occupational Safety and Health Administration (OSHA) Standards; Title 29 USC, Part 1926 et seq. – Safety and Health Regulations for Construction; Title 8 CCR – Safety Orders	**Consistent.** Construction and operational workers would be protected under federal and state OSHA rules and regulations, and operators of the project site would comply with these rules and regulations.
Title 49 USC, Part 172, Subchapter C – Shipping Papers; Title 13 CCR, Division 2, Chapter 6 – Transportation of Hazardous Waste	**Consistent.** Hazardous wastes generated on the project site during construction and operation, if any, would be documented and transported by licensed transporters for off-site disposal to appropriately licensed disposal facilities.
California Health & Safety Code Sections 124125 to 124165; California Health & Safety Code Sections 105275 to 105310; California Health & Safety Code Section 105250; California Civil Code Section 1941.1; California Health & Safety Code Sections 17961, 17980, 124130, 17920.10, 105251 to 105257; California Civil Code Sections 1102 to 1102.16; California Education Code Sections 32240 to 32245; California Labor Code Sections 6716 to 6717; California Health & Safety Code Sections 116875 to 116880; California Health & Safety Code Sections 105185 to 105197	**Consistent.** Structures and materials on the project site scheduled for demolition or removal would be surveyed for lead-based paints and, if present, would be abated. Survey and abatement would be conducted by a licensed contractor. Removed materials would be transported and disposed of in accordance with applicable laws and regulations.
San Joaquin Valley Air Pollution Control District Rule 4301, 4601, 4603, 4623	**Consistent.** Operation of fuel burning equipment, such as furnaces and heaters, architectural and metal coatings applied during construction, and organic liquids (such as petroleum products) stored during construction and operation on the project site would comply with applicable laws and regulations.
Land Use	
City of Lodi General Plan 2010	**Consistent.** The project is consistent with applicable policies pertaining to public facilities that direct the safe and compatible development of public facilities. The project is also consistent with policies guiding the protection and development of open space and Public/Quasi-Public lands.
City of Lodi Code of Ordinances	**Consistent.** The project is consistent with the allowable uses and development standards for Open Space and Public and Community Facilities Zoning District as established by the Code of Ordinances.

Table 12. Applicable Laws, Regulations, Ordinances, and Standards

Applicable Laws, Regulations, Ordinances, and Standards	Project Consistency
Noise	
Chapter 9.24 of the Lodi Municipal Code.	**Consistent.** See Section 3.6(D). Operational noise from the project would be in compliance with City of Lodi's noise regulations.
Paleontological Resources	
Paleontological Resources Protection Act of 2009, Federal Land Policy Management Act of 1976, and The National Environmental Policy Act of 1969 (if federal nexus)	**Consistent.** See Section 3.7, Paleontological Resources, which discusses the potential for the project to impact paleontological resources and provides measures for minimization of impacts.
Population and Housing	
N/A	
Public Health	
Refer above to Air Quality and Greenhouse Gas Emissions.	
Soils and Geology	
Federal Earthquake Hazards Reduction Act	**Consistent.** See Section 3.10(C), which provides an analysis of potential geologic hazards and standard compliance relevant to the project.
Federal and State Occupational Safety and Health Administration Regulations	**Consistent.** See Section 3.10(C), which provides an analysis of potential geologic hazards and standard compliance relevant to the project.
California Building Code	**Consistent.** See Section 3.10(C), which provides an analysis of potential geologic hazards and standard compliance relevant to the project.
California Seismic Hazards Mapping Act	**Consistent**. See Section 3.10(C), which provides an analysis of potential geologic hazards and standard compliance relevant to the project.
Traffic and Transportation	
City of Lodi General Plan, Transportation Element Adopted 2014, Republished April 2010	**Consistent**. See Section 3.11(A) for a discussion of compliance with applicable transportation plans.
2022 Regional Transportation Plan & Sustainable Communities Strategy Plan, SJCOG, Adopted 2022	**Consistent**. See Section 3.11(A) for a discussion of compliance with applicable transportation plans.
Governor's Office of Planning and Research (OPR) has clarified in its Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018	**Consistent**. See Section 3.11(B) for analysis of vehicle miles traveled (VMT) impacts consistent with the OPR Technical Advisory.
Visual Resources	
City of Lodi General Plan	**Consistent**. See Section 3.12 for relevant analysis.
Water Resources	
Federal Clean Water Act (CWA) – Section 404	**Consistent.** See Sections 3.13(A) and 3.13(E). The site was previously regulated under CWA Section 404 for the construction of the Lodi Surface Water Treatment Facility. The permit was terminated in 2012. The City of Lodi operates under a Phase II Municipal Separate Storm Sewer System (MS4)

Table 12. Applicable Laws, Regulations, Ordinances, and Standards

Applicable Laws, Regulations, Ordinances, and Standards	Project Consistency
	Permit. It is not anticipated that a permit under Section 404 of the CWA would be required for the proposed project.
Federal Clean Water Act – Section 401	**Consistent**. See Sections 3.13(A) and 3.13(E). It is not anticipated that certification per Section 401 of the CWA would be needed.
Porter-Cologne Water Quality Control Act	**Consistent.** See Sections 3.13(A) and 3.13(E). It is not anticipated that certification per the Porter-Cologne Water Quality Control Act would be needed.

Table 13 provides a list of anticipated permits, leases, and approvals outside of DWR.

Table 13. Anticipated Permits, Leases, and Approvals

Agency	Permit, Lease, and/or Approval
California Department of Transportation (Caltrans)	If applicable, the project's contractor will complete and submit an application for a Transportation Permit, which is required to obtain special permits for the movement of vehicles/loads exceeding statutory limitations on the size, weight, and loading of vehicles contained in Division 15 of the California Vehicle Code from Caltrans.
City of Lodi	If applicable, the contractor will prepare a Temporary Traffic Control Plan per the Work Area Traffic Control Handbook (WATCH) manual and/or follow the requirements of Encroachment and/or Transportation Permit per City of Lodi, Public Works Department Permit Division.
	Phase II Municipal Separate Storm Sewer System permit compliance
San Joaquin Valley Air Pollution Control District	Authority to Construct or Permits to Operate

5 References

BPA (Bonneville Power Administration). 2015. Technical Report ERJ-77-168.

California Earthquake Authority. 2020. "Earthquake Risk in Sacramento." Accessed November 29, 2022. https://www.earthquakeauthority.com/Blog/2020/Sacramento-Earthquake-Risk.

Caltrans (California Department of Transportation). 2022. "City of Lodi Average Daily Traffic Volume Map." http://www.lodi.gov/DocumentCenter/View/744/Traffic-Volume-PDF.

CARB (California Air Resources Board). 2005. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005. https://www.bing.com/ck/a?!&&p=4dc33119e01b0944JmltdHM9MTY3MDU0NDAwMCZpZ3VpZD0xNjdmYzlyYy03ZjMyLTZkZTktMWM5Ni1kMzA1N2U4MjZjODAmaW5zaWQ9NTI1OQ&ptn=3&hsh=3&fclid=167fc22c-7f32-6de9-1c96-d3057e826c80&psq=CARB+Air+Quality+and+Land+Use+Handbook%3a+A+Community.

CDFW (California Department of Fish and Wildlife). 2022. California Natural Diversity Database (CNDDB). Accessed October 21, 2022.

CGS (California Geological Survey). 2002. California Geomorphic Provinces: Note 36. 4 pp. Accessed December 7, 2022. https://www.conservation.ca.gov/cgs/Documents/Publications/CGS-Notes/CGS-Note-36.pdf.

CGS. 2022a. "Fault Activity Map of California." Accessed November 17, 2022. https://maps.conservation.ca.gov/cgs/fam/app/.

CGS. 2022b. "Earthquake Zones of Required Investigation." Accessed December 2, 2022. https://maps.conservation.ca.gov/cgs/EQZApp/app/.

City of Lodi. 2010. City of Lodi General Plan. April.

City of Lodi. 2012. Storm Water Management Plan. April 2012. https://www.lodi.gov/DocumentCenter/View/660/Storm-Water--Management-Plan-PDF.

City of Lodi. 2022a. GIS External Property Viewer. Accessed December 10, 2022. https://maps.lodi.gov/Html5Viewer/index.html?viewer=GIS_External_Viewer.Lodi_Maps_Internal_Property_Viewer.

City of Lodi. 2022b. "General Plan Land Use Map – Detailed View." Accessed December 10, 2022. https://www.lodi.gov/187/Planning-Division.

City of Lodi. 2022c. "Trails and Pathways." Accessed December 10, 2022. https://www.lodi.gov/982/Trails-and-Pathways.

CNPS (California Native Plant Society). 2022. Inventory of Rare and Endangered Plants of California. Accessed October 21, 2022.

CVR RWQCB (Regional Water Quality Control Board, Central Valley Region). 2019. Water Quality Control Plan for the Sacramento River and San Joaquin River Basin. February 2019. California Environmental Protection Agency.

CVR RWQCB. 2022. SWAMP - San Joaquin River Basin. June 2022. https://www.waterboards.ca.gov/centralvalley/water_issues/swamp/sanjoaquin_river_basin/#overview.

DWR (California Department of Water Resources). 2020. Climate Action Plan Phase 1 Greenhouse Gas Emissions Reduction Plan Update 2020. Accessed December 2022. https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/All-Programs/Climate-Change-Program/Climate-Action-Plan/Files/CAP-I-GGERP-Update-2020.pdf.

FEMA (Federal Emergency Management Agency). 2022. National Flood Hazard Layer (NFHL) Viewer. Accessed December 2, 2022. https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html.

FTA (Federal Transit Administration). 2018. Transit Noise and Vibration Impact Assessment Manual. September 2018.

Harden, D.R. 2004. California Geology. 2nd Edition. Pearson Education Inc. New Jersey. 552 pp.

ISO (International Organization of Standardization). 1996. Standard 9613-2, Attenuation of Sound During Propagation Outdoors, Part 2: General Method of Calculation.

ITE (Institute of Transportation Engineers). 2021. Trip Generation Manual, 11th Edition. September 2021. https://www.ite.org/technical-resources/topics/trip-and-parking-generation/.

Marchand, D.E., and A. Allwardt. 1981. “Late Cenozoic Stratigraphic Units, Northeastern San Joaquin Valley, California.” Geological Survey Bulletin 1470.

National Cooperative Soil Survey. 2003. “Tokay Series.” Accessed November 26, 2022. https://soilseries.sc.egov.usda.gov/OSD_Docs/T/TOKAY.html.

National Cooperative Soil Survey. 2016. “Egbert Series.” Accessed November 26, 2022. https://soilseries.sc.egov.usda.gov/OSD_Docs/E/EGBERT.html.

OEHHA (Office of Environmental Health Hazard Assessment). 2015. Air Toxics Hot Spots Program Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments. February 2015. Accessed November 2022. https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf.

OPR (California Governor’s Office of Planning and Research). 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA. December 2018. https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf.

San Joaquin County. 2014. Draft San Joaquin County 2035 General Plan, Environmental Impact Report. Prepared by ESA. October 2014. https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/Planning/Environmental%20Impact%20Reports/GENERAL%20PLAN%202035%20-%20DRAFT%20EIR.pdf.

San Joaquin County. 2020. VMT Threshold Study – Draft for Review. July 17.

SJCOG (San Joaquin Council of Governments). 2022. Regional Transportation Plan/Sustainable Communities Strategy. August 25, 2022.

SJVAPCD (San Joaquin Valley Air Pollution Control District). 2015a. Guidance for Assessing and Mitigating Air Quality Impacts. Accessed November 2022. https://www.valleyair.org/transportation/GAMAQI.pdf.

SJVAPCD. 2015b. "APR-1905, Risk Management Policy for Permitting New and Modified Sources." May 2015. Accessed November 2022. https://www.valleyair.org/policies_per/Policies/apr-1905.pdf.

SJVAPCD. 2019. "APR-1925, Policy for District Rule 2201 AAQA Modeling." March 2019. Accessed November 2022. http://www.valleyair.org/policies_per/policies/apr-1925.pdf.

SVP (Society of Vertebrate Paleontology). 2010. Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources. http://vertpaleo.org/The-Society/Governance-Documents/SVP_Impact_Mitigation_Guidelines.aspx.

SWPPP Solutions Inc. 2011. Storm Water Pollution Prevention Plan, Lodi Surface Water Treatment Facility. Prepared for the City of Lodi. February 10, 2011.

Teplitzky, Allan, et al. 2005. Electric Power Plant Environmental Noise Guide. August 2005.

USFWS (U.S. Fish and Wildlife Service). 2022. Information for Planning and Consultation (IPaC). October 21, 2022.

USGS (U.S. Geological Survey). 1961. Geologic Features and Groundwater Storage Capacity of the Sacramento Valley, California. By Olmsted, F.H., and G.H. Davis. Geological Survey Water Supply Paper 1497. Accessed November 26, 2022. https://pubs.er.usgs.gov/publication/wsp1497.

USGS. 2022a. "Areas of Land Subsidence in California." Accessed December 1, 2022. https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html.

USGS. 2022b. The National Map: National Boundaries Dataset. Accessed December 2, 2022. https://apps.nationalmap.gov/viewer/.

Wagner, D.L., C.W. Jennings, T.L. Bedrossian, and E.J. Bortugno. 1981. Geologic Map of the Sacramento Quadrangle, California, 1:250,000. California Division of Mines and Geology, Regional Geologic Map 1A.

Youngdahl Consulting Group. 2010. Geotechnical Engineering Study for the Lodi Surface Water Treatment Facility and North Mills Avenue Treated Water Pipeline, Lodi California. Project No. E07268.002.

INTENTIONALLY LEFT BLANK