

Appendix A  
**ACE Extension Scoping Memorandum**

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## Scoping Memorandum

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| <b>To:</b>   | Dan Leavitt, SJRRC<br>Kevin Sheridan, SJRRC  |
| <b>From:</b> | Rich Walter, ICF<br>Jessie Shen, ICF   |
| <b>Cc:</b>   | Diane Cowin, AECOM<br>Ryan Park, AECOM   |
| <b>Date:</b> | April 5, 2018  |
| <b>Re:</b>   | <b>ACE Extension Lathrop to Ceres/Merced Project - Summary of Scoping Comments</b> |

The San Joaquin Regional Rail Commission (SJRRC), serving as the lead agency under the California Environmental Quality Act (CEQA) for the ACE Extension Lathrop to Ceres/Merced project, issued a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the project on January 10, 2018 (Attachment A). This initiated an environmental scoping period for the project from January 10th to February 9th, 2018. A public scoping meeting was held for the project on January 29, 2018 at the Ceres Community Center, where written comments were received. Approximately 63 people attended the scoping meeting; the sign-in sheets for the scoping meeting are included as Attachment B.

Between January 10th to February 9th, 2018, 357 written comments were received from several public agencies, local organizations, and individuals. Several written comments were received following the close of the comment period.

The following is a summary of the key issues raised during the scoping period. This summary is not intended to be exhaustive, rather it is intended to summarize the major concerns raised in comment in regards to the scope and content of the EIR. Copies of all written comments from the scoping meeting and that were received by USPS mail and email are provided in Attachment C.

## Summary of Key Issues Raised

### Support for Project Features

- Support for the North Lathrop Station as the U.S. Army and City of Lathrop are working to identify adaptive reuses for the advantageously located Sharpe Army Depot.
- Support for the Oakland-Fresno Subdivision Connection.
- Support for the extension of ACE service to Ceres and Merced, with stations along the extension alignment.

- Support for ACE to extend from Merced and Sacramento to San Jose.
- Preference for the Atwater Station alternative.
- Support for the development of the Downtown Manteca and Ripon Stations, which are consistent with the 2014 and draft 2018 SJCOG RTPs.

## **Description of Phase I and Phase II Improvements**

### **General**

- Describe the location of and include a map depicting the Oakland-Fresno Subdivision Connection.
- Describe the interface of ACE and California High Speed Rail (HSR) stations in Merced.
- Describe the elevation of the extension rail alignment and whether the elevation of the rail alignment changes at-grade crossings.
- Describe the improvement required to extend ACE through Turlock and to Merced.
- Disclose timeframes associated with when Phase I (extension to Ceres) and Phase II (extension to Merced) would be operational.
- Identify the location for the Turlock Bus Stop with the interim bus bridge service between Ceres and Merced in Phase I.
- Disclose the number of parking spaces to be provided at the Turlock Station and acreage associated with the parking area.
- Describe which stations would be implemented in Phase I and in Phase II.

### **Construction Activities**

- Disclose the timing/length of construction associated with Phase I and Phase II improvements.
- Provide descriptions of construction activities associated with river crossings.
- Request to stage construction areas to minimize traffic impacts to local jurisdictions.

### **Required Permits**

- Disclose if new right-of-way entitlements are needed and where for Phase I and Phase II improvements.

### **Ridership/Operations and Maintenance**

- Disclose the effects of the project's new services on the ACE Core System.
- Disclose ridership and vehicle miles travelled benefits associated with the Atwater Station alternative.

- Describe the ridership differences and benefits associated with the Atwater Station alternative and Livingston Station.
- Identify the proposed schedule for the interim Ceres to Merced bus bridge service.

## **Funding/Costs**

- Identify the cost of ACE train tickets with Phase I and Phase II operations,

## **Environmental Analysis**

### **General**

- Request to evaluate impacts on Alameda County passengers (i.e., crowding on trains, parking at stations) as a result of the ACE extension to Ceres and Merced.
- Request to present mitigation measures as specific, feasible, enforceable obligations, or should be presented as formulas containing performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.
- Request to clearly delineate the project-level review of Phase I improvements and program-level review of Phase II improvements.
- Request to evaluate the impacts associated with not locating an ACE station in Atwater.

### **Aesthetics**

- Describe the visual impact associated with the at-grade rail extension alignment.

### **Agricultural Resources**

- Describe the impacts of the Merced Layover Facility on agricultural resources and farmlands.
- Request to comply with Merced County Policy AG-2.2 agricultural land mitigation ratio of 1:1.
- Request to identify mitigation measures for impacts to farm ground, irrigation, and utility purposes.
- Identify the acreages of agricultural resources/farmlands impacted as a result of the project.
- Identify temporary and permanent agricultural resources/farmlands impacts in acreages as a result of the project.
- Describe what steps will be taken to return agricultural resources/farmlands to original use if temporarily impacted during construction activities.
- Identify the distance of the buffer zones between agricultural resources/farmlands and the project's ROW.

## **Air Quality**

- Describe project's potential to reduce vehicle trips in the corridor and associated air quality benefits.
- Describe the air quality benefits as a result of the project.
- Identify and quantify the criteria pollutant emissions from project construction and operation (separately) using the California Emission Estimator Model (CalEEMod).
- Include mitigation measures, such as utilizing off-road construction fleets that comply with Tier III and above engine standards, to reduce impacts from construction-related exhaust emissions.
- Include mitigation measures, such as reducing emissions through incorporation of design elements that increase energy efficiency, reduce vehicle miles traveled, or the payment of monies to a Voluntary Emission Reduction Agreement (VERA) to reduce project-related operational impacts on air quality.
- Evaluate the project's potential for health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction toxic air contaminant (TAC) emissions.
- Include an ambient air quality analysis for the project if emissions exceed 100 pounds per day of any pollutant.
- Describe the methodology, model assumptions, input and results used to characterize the project's impacts on air quality.
- Describe the components and phases of the project and associated emission projections, including ongoing emissions from each previous phase.
- Describe the project design elements and mitigation measures, including a characterization of the effectiveness of each mitigation measures, incorporated into the project.
- Describe whether the project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment.
- Describe whether the project would be subject to any San Joaquin Valley Air Pollution Control District's rules, regulations, and permits.

## **Biological Resources**

- Evaluate noise and vibration impacts on fish, birds, and other affected species from construction activities, including pile driving for bridges over waterways.
- Disclose the project's potential to encourage establishment or proliferation of aquatic invasive species and include mitigation as needed.
- Disclose and analyze all potentially significant effects on sensitive species and habitats in and around the project area, particularly within waterways, including special-status wildlife species, fish, and plants.

- Identify mitigation measures, as needed, to reduce impacts on sensitive species and habitats.
- Describe impacts to endangered or threatened species, including but not limited to kit fox, fairy shrimp, burrowing owl, Swainson's hawk, and fish and other aquatic species.
- Describe impacts on Swainson's hawk due to ground-disturbing and subsequent activities that could cause nest abandonment, reduced nest success, reduced health vigor or eggs and/or young, and direct mortality.
- Include mitigation measures for Swainson's hawk requiring a qualified wildlife biologist to conduct pre-construction surveys, implementing no-disturbance buffers of 0.5 miles around each active nest, and compensating for nest tree removal.
- Describe impacts on fish and other aquatic species involving potentially significant impacts involving bridge improvements/installations which may cause increased water alkalinity, toxicity, low oxygen levels, and turbidity.
- Include mitigation measures for aquatic species requiring poured concrete structures to be isolated from water and allowed to dry and the application of commercial sealants or curing accelerant to set poured concrete structures.
- Request to report any special-status species and natural communities detected during project surveys to the California Natural Diversity Database (CNDDDB).

## **Cultural Resources**

- Evaluate potential impacts to cultural resources, including submerged cultural resources in waterways, in the project area.
- Include mitigation measures to halt all activities in the immediate area and to notify a qualified archeologist to determine appropriate course of action in the event cultural resources are discovered during construction.
- Describe the project's compliance with Assembly Bill 52 (AB 52), including tribal consultation requirements.
- Describe whether the project would result in significant impacts to any identified tribal cultural resources and whether mitigation measures would reduce impacts.
- Request to include as mitigation measures for archeological resources (including tribal cultural resources): provisions for the identification and evaluation of inadvertently discovered archeological resources, monitoring by a certified archeologist and a culturally affiliated Native American with knowledge of cultural resources for all ground disturbing activities in areas of archeological sensitivity, provisions for the disposition of recovered cultural items that are not burial, and provisions for the treatment and disposition of inadvertently discovered National American human remains.

## **Greenhouse Gas Emissions**

- Identify a threshold for significance for GHG emissions and calculate GHG emissions associated with project construction and operation of the project.

- Describe the project's contribution to climate change impacts.

## **Hazards and Hazardous Materials**

- Describe the potential disturbances to soils and measures to be taken if soils contain aerial-deposited lead.

## **Hydrology and Water Quality**

- Evaluate whether the project would disturb sediment, potentially contributing to mercury transport and increased likelihood of public exposure, through construction activities located in waterways.
- Describe whether the project would impact stormwater runoff and whether the project would be subject to state mandated Phase I and II MS4 permit requirements to reduce pollutants and runoff flows from new development using Best Management Practices.
- Describe whether the project would involve development in floodplains and whether this would result change drainage patterns.
- Describe whether a Central Valley Flood Protection Board (CVFPB) Permit is required for any project construction or maintenance activities that involves cutting into CVFPB levees or bringing existing works into compliance with Title 23 of the California Code of Regulations.
- Describe whether project wastewater discharges comply with Antidegradation Policy and the Antidegradation Implementation Policy contained in the Central Valley Water Board Basin Plan.
- Describe whether the project would disturb one or more acres of soil and would be required to obtain coverage under the Construction General Permit and development of a Storm Water Pollution Prevention Plan.
- Describe whether the project would result in stormwater discharges associated with industrial sites and would be required to comply with regulation contained in the Industrial Stormwater General Permit.
- Describe whether the project would involve discharge of dredged or fill materials in navigable waters or wetlands and require a Clean Water Act Section 404 Permit from the United States Army Corp of Engineers (ACOE).
- Describe whether the project would disturb waters of the United States and would require ACOE permits and a 401 Water Quality Certification from the Central Valley Water Board.
- Describe whether the project would require a Waste Discharge Require permit from the Central Valley Water Board for discharges to waters of the State, activities involving dredging, and if septic tanks and leach field systems are proposed as part of the project.
- Describe whether the project would require a dewatering permit from the State Water Board or Central Valley Water Board for construction or groundwater dewatering that would be discharged to land.

- Describe whether the project would involve commercial irrigated agricultural uses and would be required to obtain coverage under the Irrigated Lands Regulatory Program.
- Describe if the project would include construction dewatering or involve discharge of groundwater or waste to waters of the United States and State that could affect the quality of these waters and would be required to obtain coverage under a National Pollutant Discharge Elimination System (NPDES) permit.

### **Land Use and Planning**

- Describe land uses in the vicinity of the Atwater Station alternative that would support the station.
- Describe if the project would divide the city of Merced.
- Describe impacts to the Lathrop Gateway Business Park Specific Plan as a result of implementing the Relocated Lathrop/Manteca Station alternative.
- Describe impacts on the Stanislaus County Fairgrounds as a result of implementing the Turlock Station.

### **Noise and Vibration**

- Describe noise and vibration impacts along the extension corridor in Turlock.

### **Population and Housing**

- Describe population growth projected for the cities of Atwater and Livingston.

### **Public Services/Recreation**

- Describe impacts to recreation, navigation, and public access on navigable waterways, including the Stanislaus, Tuolumne, and Merced Rivers.

### **Transportation and Traffic**

- Describe consistency with or impacts (and mitigation, as needed) to the Berkeley Avenue/Golden State Boulevard intersection improvement project in Turlock.
- Describe impacts to Soderquist Road/Fulkerth Road intersection and the Soderquist Road/Canal Drive intersection in Turlock.
- Describe impacts to and identify mitigation (as needed) for Front Street in Turlock.
- Identify impacts to at-grade crossings in Turlock and mitigation (i.e., intersection improvements, signal phasing, relocation of traffic signals/streetlights/poles), as needed.
- Describe traffic impacts during construction in Turlock and identify detour plans.
- Describe the project's potential to reduce vehicle trips in the corridor and associated traffic benefits.
- Describe localized traffic impacts to intersections in the vicinity of the Turlock Station area.

- Describe consistency with or impacts (and mitigation, as needed) to the State Route 99/State Route 120 Connector project which would replace the at-grade crossing of Austin Road with a grade separation and other improvements.
- Identify traffic impacts (and mitigation, as needed) to highways, regional arterial roadways, multimodal corridor and intersections as a result of the project.
- Disclose additional travel demand on highways, regional arterial roadways, multimodal corridor and intersections within a one to two mile radius from project improvements as part of the transportation analysis.

## **Cumulative Considerations**

- Disclose the relation of this project to the separate extension of the ACE system to Sacramento.
- Describe if the project, in combination with HSR, would divide the City of Merced.
- Describe the project's potential to affect drainage in and along the Lower San Joaquin River Basin and contribute to cumulative flood impacts.

## **Alternatives**

- Request to consider double-loaded 90-degree parking spaces at the Atwater Station alternative to increase the amount of parking adjacent to the station platform.
- Request to design the Turlock Station's pedestrian overcrossing to be compatible with the City's new transit building across the street.
- Request to locate the Merced Station in employment center and urban densities to support the station location.
- Request to co-locate ACE Merced Station with HSR in Merced.
- Consider connections to University of California, Merced.
- Request to co-locate the Merced Layover Facility with the HSR heavy maintenance facility in Merced.
- Consider ACE connections with BART.
- Consider bus service between Gilroy and Merced to connect with Caltrain, in lieu of ACE rail service from Merced to San Jose through Lathrop.
- Consider weekend ACE service to Union City.
- Consider grade separating the Junction Avenue and UPRR ROW in Livermore.
- Consider incorporating grade separated highways and railroads along the extension corridor.
- Consider increasing the length (adding more cars) and adding locomotives to both ends of trains running on the existing Stockton to San Jose route.

- Consider an alternative location for the Turlock Station that is not located near existing residential areas.
- Consider locating the Turlock Station at the corner of Taylor Road and Golden State Boulevard.
- Consider reactivating the West Side line between Tracy and Fresno for use as an exclusive freight line, so that the Fresno Subdivision could be primarily used for passenger trains.
- Consider utilizing diesel multiple units (DMU) trains for operations between Stockton and Ceres.
- Consider converting all ACE locomotive trains to a DMU fleet.
- Consider extending ACE to the City of Chowchilla in Madera County.

## **Agency Coordination and Public Information/Involvement**

### **Agency Coordination**

- Request to consult with the State Lands Commission on the project and be kept advised of changes to the project description and project development.
- Request to consult with CDFW and USFWS on the project and identify potentially required permits identified by these agencies for the project.
- Request to coordinate with the City of Atwater regarding the classification of the Atwater Station as an alternative.
- Request to coordinate with the Stanislaus County Fair for traffic and parking when events are held at the Fairgrounds.
- Request for continued coordination regarding the design of the Turlock Station location and coordination of local bus service in conjunction with planned ACE service in Turlock.
- Request to disclose discussions with the City of Turlock and the Stanislaus County Fair regarding the Turlock Station location.
- Request to include Merced County Farm Bureau in correspondences for permission to enter letters to landowners.

### **Public Information/Involvement**

- Request to be transparent with the public on the ACE planning process.
- Request to extend the comment period for the draft EIR to 90 days.
- Request for additional community meetings and outreach in Merced County.
- Inquiry on when permission to enter letters would be sent to landowners in Merced County.



Attachment A  
**Notice of Preparation**





**NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT**

**ACE Extension Lathrop to Ceres/Merced**

**SCOPING PERIOD: WEDNESDAY JANUARY 10, 2018 – FRIDAY, FEBRUARY 9, 2018**

**DATE:** January 10, 2018  
**TO:** Agencies, Organizations, and Interested Parties  
**FROM:** San Joaquin Regional Rail Commission  
**SUBJECT:** Notice of Preparation of an Environmental Impact Report (EIR)

**NOTICE IS HEREBY GIVEN** that the San Joaquin Regional Rail Commission (SJRRRC) intends to prepare an environmental impact report (EIR), consistent with requirements under the California Environmental Quality Act (CEQA). The purpose of the EIR is to evaluate the environmental issues associated with the proposed improvements included in the Altamont Commuter Express (ACE) Extension Lathrop to Ceres/Merced Project. The SJRRRC will serve as the lead agency under CEQA for the EIR.

The purpose of this Notice of Preparation (NOP) is to notify agencies, organizations, and individuals that SJRRRC plans to prepare the EIR and to request input on the scope of the environmental analysis to be performed. From public agencies, we are inviting comments on the scope and context of the environmental information that is germane to each agency's statutory responsibilities with regard to the proposed project. We are also requesting interested individuals' or organizations' views on the scope of the environmental document.

A prior NOP was issued for the *ACEforward* project (State Clearinghouse #2013062059) in June 2013, and the draft EIR for the *ACEforward* project was released in May 2017. The *ACEforward* project included the expansion of ACE service between the San Joaquin Valley and San Jose, as well as extension of ACE service to Modesto and Merced. SJRRRC has decided to not proceed with the *ACEforward* project and hereby rescinds the prior NOP. Since the *ACEforward* project is not moving forward, response to comments received on the *ACEforward* draft EIR will not be responded to and will not be part of the administrative record for this new EIR for the ACE Extension Lathrop to Ceres/Merced Project. This is a new environmental process for a new project.

## **A. Scoping Period**

Written responses and comments on the scope of the ACE Extension Lathrop to Ceres/Merced Project will be accepted until 5:00 PM on Friday, February 9, 2018. Please send written comments to:

San Joaquin Regional Rail Commission  
Attn: ACE Extension Lathrop to Ceres/Merced Project  
949 East Channel Street  
Stockton, CA 95202

Your comments may also be sent by email to [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com). Please include the "ACE Extension Lathrop to Ceres/Merced Project" in the subject heading. A public scoping meeting is scheduled in late January, at the time and date listed below.

## B. Scoping Meeting

A public scoping meeting will be held for the project at the following location:

- Ceres Community Center  
Small Assembly Room  
2701 Fourth Street  
Ceres, CA 95307  
Monday, January 29, 2018, from 5:30 p.m. to 7:30 p.m.

The scoping meeting will provide an opportunity for the lead agency to explain the project and to give interested agencies, organizations, and individuals an additional opportunity to comment on the scope and content of the EIR.

## C. Project History

SJRRC manages and operates ACE service, which currently provides commuter and intercity rail service between San Jose and Stockton. The existing 86-mile ACE service corridor passes through Santa Clara, Alameda, and San Joaquin Counties, with 10 stations along the route. At the western end of the ACE corridor, ACE operates on an approximately 4-mile segment of track between San Jose and Santa Clara owned and operated by the Peninsula Corridor Joint Powers Board (PCJPB, also referred to as Caltrain). North of the Santa Clara Station to Stockton, ACE operates on approximately 82 miles of track owned by Union Pacific Railroad (UPRR). ACE operates on portions of UPRR's Coast, Niles, Oakland, and Fresno subdivisions.<sup>1</sup>

In 2013, SJRRC identified and developed a suite of improvements, known as the *ACEforward* plan, to modernize the existing ACE service that would result in faster commuter and intercity train services and could establish a connection between the San Joaquin Valley and San Jose within the next 10 years. A NOP was issued in June 2013 to initiate the prior environmental process for *ACEforward*. In May 2017, SJRRC released the *ACEforward* draft EIR which analyzed the environmental impacts associated with the phased improvement plan to increase service reliability and frequency, enhance passenger facilities, reduce travel times along the existing ACE service corridor from San Jose to Stockton, and to extend ACE service to Manteca, Modesto, Ceres, Turlock and Merced. In the near term, *ACEforward* proposed improvements necessary to support ACE service of up to six daily roundtrips between San Jose and the San Joaquin Valley, a potential reroute of ACE service through downtown Tracy, and the extension of ACE service to Modesto. In the longer term, *ACEforward* proposed a suite of improvements that would ultimately support ACE service of up to 10 daily roundtrips between San Jose and the San Joaquin Valley, a train-to-train ACE/BART connection, and the extension of ACE service to Ceres, Turlock and Merced.

As the *ACEforward* project has progressed, funding for the entirety of *ACEforward* improvements has been uncertain. However, as part of Senate Bill (SB) 132 passed in April 2017, SJRRC was awarded \$400 million for the ACE service expansion in the San Joaquin Valley, including associated system improvement. Through the *ACEforward* project development and environmental review, substantial financial, environmental, and

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<sup>1</sup> A *subdivision* is a portion of railroad or railway that operates under a single timetable (authority for train movement in the area).

logistical challenges were identified with some of the improvements necessary to increase ACE service levels to San Jose, as well as the need to coordinate potential improvements with other regional rail services and planning. In addition, SJRRC ridership studies have shown that expansion to Ceres and Merced would provide substantial increases in ACE ridership without the financial, logistical, and environmental challenges of some of the improvements necessary to increase service levels to San Jose. As a result, the feasible and fundable extension of service in the Central Valley is now the focus of SJRRC vision for commuter and intercity passenger rail services for ACE. The improvements envisioned in the *ACEforward* plan no longer represents the intention of SJRRC for ACE. For this reason, SJRRC is rescinding the prior *ACEforward* NOP and draft EIR and intends to prepare a new EIR for this ACE Extension Lathrop to Ceres/Merced Project.

#### D. Project Location

As shown in Figure 1, the project spans San Joaquin, Stanislaus, and Merced Counties. SJRRC proposes to extend ACE passenger rail service from Lathrop to Ceres and Merced by constructing and upgrading tracks with the existing UPRR Fresno Subdivision right-of-way (ROW), a total distance of approximately 58 miles. New stations and operating facilities would be constructed in the Lathrop area and along the extension alignment. The project limits includes portions of the UPRR Oakland and Fresno Subdivisions ROW, additional ROW for new facilities (stations and layover yards) and for any construction or access areas located outside the ROW.

#### E. Purpose and Need for the Project

The primary purposes of the project are to enhance commuter and intercity service and transit connectivity in the San Joaquin Valley; reduce traffic congestion, improve regional air quality, and reduce GHG emissions; and to promote local and regional land use and transportation sustainability goals. Each of these objectives is discussed in detail below.

- **Enhance commuter and intercity service and transit connections in the San Joaquin Valley.** Project improvements would support enhanced commuter and intercity transit connectivity and provide additional surface passenger transportation capacity in the San Joaquin Valley. The ACE extension to Ceres and Merced would service the existing commuter and intercity transportation needs of the San Joaquin Valley, and would support transit-oriented development in the downtown parts of cities with potential or proposed service. Modesto Max (City of Modesto bus transit) currently run buses to meet each ACE train at the Existing Lathrop/Manteca Station. The extension to Merced would also provide a future opportunity to connect with the California HSR System which would integrate ACE into a unified northern California rail system. These commuter and intercity transit connections are expected to stimulate additional ACE ridership.
- **Reduce traffic congestion, improve regional air quality, and reduce greenhouse gas emissions.** An expanded and improved ACE would provide a transportation alternative to automobile use, which would alleviate traffic congestion on corridor highway segments (along SR-99, I-205, I-580, I-680, and I-880), and result in air quality benefits and a reduction in GHG emissions. In addition, by maximizing connections with other transit services within the San Joaquin Valley, the project would contribute to indirect benefits related to alleviating congestion and improving regional air quality. Reductions in air pollutant emissions represent long-term health benefits for ACE riders, and for residents and employees

along the ACE corridor. In addition, reduction of GHG emissions would help California to meet its goals under Assembly Bill 32, the 2006 Global Warming Solutions Act, as well as post-2020 state GHG emission reduction goals.

- **Promote local and regional land use and transportation sustainability goals.** Metropolitan areas are implementing strategies to encourage more efficient use of land resources, improve mobility, and provide alternative transportation facilities and services as a means to lower GHG emissions and to maintain air quality standards. One statewide strategy adopted in the California State Implementation Plan is the development of multi-use transportation corridors, including the addition of more transit and the expansion of rail modal options. This project would further improve regional air quality and reduce GHG emissions, beyond reducing VMT from automobiles, by supporting regional land use and transportation planning goals under the Sustainable Communities and Climate Protection Act of 2008 (also known as SB 375) and other local, regional, and state sustainability initiatives. ACE is evaluating potential new ACE stations in Lathrop and downtown areas between Manteca and Merced. The new transit stations could act as a catalyst for smart growth in communities by revitalizing city core areas and addressing traffic congestion issues in the cities of the northern Central Valley.

## F. Project Description

The project contains both Phase I and Phase II improvements. The Phase I improvements will be analyzed a project level of detail based on preliminary engineering and Phase II improvements are analyzed at a programmatic, more conceptual level of detail because only conceptual engineering has been completed at this time.<sup>2</sup> Phase I improvements would support the ACE service extension to Ceres and Phase II improvements would support the ACE service extension to Merced. No improvements are proposed along the existing ACE corridor between Stockton and San Jose. However, where applicable, the EIR will analyze Phase I operational impacts due to changes in ridership at existing ACE destination stations<sup>3</sup> in the San Francisco Bay Area.

The extension from Ceres to Merced is analyzed at a programmatic-level at this time because this extension would be implemented at a later date, and because the location of the ACE Merced Station is dependent on the final location of the High-Speed Rail station and may be subject to change. Thus, the analysis of the extension to Merced is more general in nature, and a more detailed subsequent project-level analysis would be undertaken in the future prior approval of the Merced extension.

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<sup>2</sup> CEQA permits the use of a tiered process for environmental review. The first tier is a program-level analysis of an entire program of improvements which comprehensively reviews the environmental impacts of a program as a whole at a broad conceptual level of analysis including cumulative impacts. The second tier is a project-level analysis conducted for specific improvement that are sufficiently designed to allow for a detailed analysis and the identification and disclosure of project-level environmental impacts. Improvements that are analyzed at a program level of review would subsequently be reviewed at the project level before they can be approved at a project level and constructed.

<sup>3</sup> These include the San Jose Diridon, Santa Clara, Great America, Fremont, Pleasanton, Livermore, and Vasco Road Stations.

## Overview of Phase I Improvements

Phase I improvements that are part of the project consists of the following:

- a new **North Lathrop Station** and/or new **Relocated Lathrop/Manteca Station** and/or track improvements at the **Existing Lathrop/Manteca Station**;
- a new **Oakland-Fresno Subdivision Connection** which would construct a new track connection between the Oakland and Fresno Subdivisions;
- a **Ceres Extension Alignment** consisting of upgrades to track, new tracks and bridges within the UPRR Fresno Subdivision between Lathrop and Ceres;
- new **Downtown Manteca, Ripon, Modesto, and Ceres Stations** along the extension alignment;
- a new temporary **Ceres Layover Facility** (two variants under consideration, **variants 1 or 2**) to support extension operations until the extension to Merced is constructed, at which time a permanent layover facility would be located in Merced; and
- an interim bus bridge between Merced and Ceres, with stops at the **Turlock, Livingston, and Merced Bus Stops**.

The conceptual service plan for Phase I with the ACE service extension to Ceres could consist of two operational scenarios, depending on whether SJRRC chooses to implement direct ACE service from Ceres to San Jose or not.

- Phase I Operational Scenario A: Ceres–Lathrop trains/no direct ACE service between Ceres and San Jose
  - In the morning, four westbound trains from Ceres to Lathrop, where passengers would transfer onto the four westbound trains from Stockton to San Jose at the selected Lathrop-area station (timed transfers). Four buses from Merced would meet the four trains at Ceres in the morning.
  - In the evening, four eastbound trains from San Jose to Stockton, where passengers would transfer onto the four eastbound trains from Lathrop to Ceres at the selected Lathrop-area station (timed transfers). Four buses would meet the four trains at Ceres in the evening and provide a connection to Merced.
- Phase I Operational Scenario B: Ceres–Lathrop trains/direct ACE service between Ceres and San Jose
  - In the morning, three westbound trains from Ceres to Lathrop, where passengers would transfer onto the three westbound trains from Stockton to San Jose at the selected Lathrop-area station (timed transfers); and one westbound train from Ceres to San Jose. Four buses from Merced would meet the four trains at Ceres in the morning.
  - In the evening, three eastbound trains from San Jose to Stockton, where passengers would transfer onto the three eastbound trains from Lathrop to Ceres at the selected Lathrop-area station (timed transfers); and one eastbound train from San Jose to Ceres. Four buses would meet the four trains at Ceres in the evening and provide a connection to Merced.

With Phase I's service extension to Ceres, a bus bridge would operate between Merced and Ceres, with stops in Livingston and Turlock. Bus bridge service would consist of four buses in the morning that would shuttle passengers from Merced to Ceres, where passengers would transfer onto westbound Stockton to San Jose trains. In the evening, four buses would meet passengers disembarking eastbound San Jose to Stockton trains and provide bus services to Merced. The bus bridge service between Merced and Ceres would discontinue, pending the completion of the ACE service extension to Merced.

## Overview of Phase II Improvements

Phase II improvements that are part of the project consists of the following:

- a **Merced Extension Alignment** consisting of upgrades and new tracks and bridges within the UPRR Fresno Subdivision between Ceres and Merced;
- new **Turlock, Livingston or Atwater, and Merced Stations** along the extension alignment; and
- a new permanent **Merced Layover Facility** to support extension operations (which would replace the temporary **Ceres Layover Facility** constructed in the Phase I).

The conceptual service plan for Phase II could consist of two operational scenarios, depending on whether SJRRC chooses to implement direct ACE service from Merced to San Jose.

- Phase II Operational Scenario A: Merced–Lathrop trains/no direct ACE service between Merced and San Jose
  - In the morning, four westbound trains from Merced to Lathrop, where passengers would transfer onto the four westbound trains from Stockton to San Jose at the selected Lathrop-area station (timed transfers).
  - In the evening, four eastbound trains from San Jose to Stockton, where passengers would transfer onto the four eastbound trains from Lathrop to Merced at the selected Lathrop-area station (timed transfers).
- Phase II Operational Scenario B: Merced–Lathrop trains/direct ACE service between Merced and San Jose
  - In the morning, three westbound trains from Merced to Lathrop, where passengers would transfer onto the three westbound trains from Stockton to San Jose at the selected Lathrop-area station (timed transfers); and one westbound train from Merced to San Jose.
  - In the evening, three eastbound trains from San Jose to Stockton, where passengers would transfer onto the three eastbound trains from Lathrop to Merced at the selected Lathrop-area station (timed transfers); and one eastbound train from San Jose to Merced.

## H. Potential Environmental Effects

The lead agency has initially determined that the following topics will be included for evaluation in the EIR: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazardous Materials, Hydrology and Water Quality, Land Use and

Planning, Noise and Vibration, Population and Housing, Public Services, Recreation, Safety and Security, Transportation and Traffic, and Utilities and Service Systems. The EIR will consider both temporary construction-period and permanent impacts. The EIR will also include a cumulative impact analysis of the impacts of the project in combination with other planned railway projects, transportation improvements, and land use plans and projects in the various cities along the project corridor.

SJRRRC is seeking comments from agencies, stakeholders, and the public regarding the environmental effects and potential alternatives to be analyzed in the EIR.

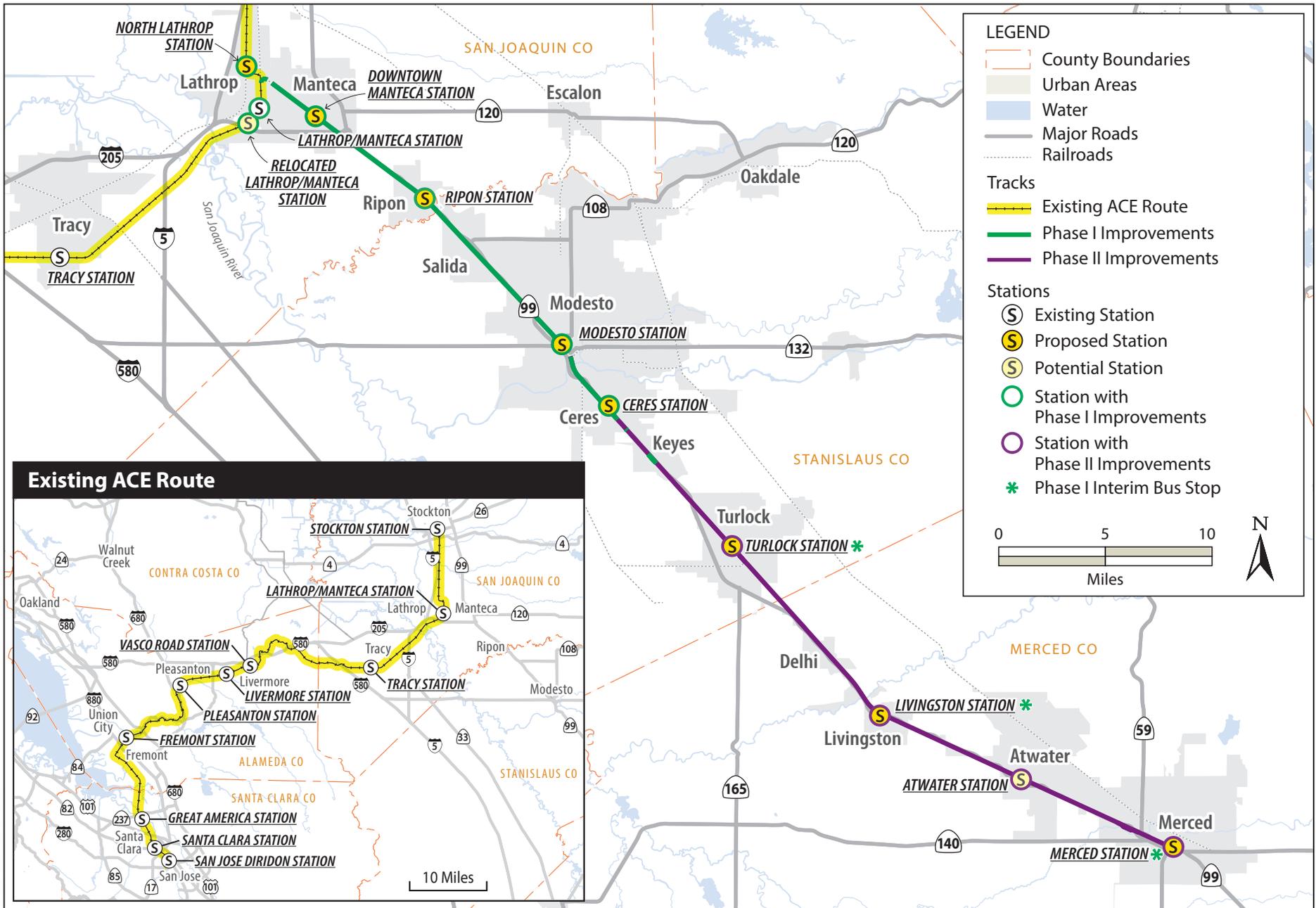
## I. Alternatives

As required by CEQA, the EIR will consider a reasonable range of alternatives in addition to the proposed project. At a minimum, the following alternatives will be evaluated in detail in the EIR:

1. No-Extension Alternative (No-Project Alternative);
2. Proposed Project: consists of the **Oakland-Fresno Subdivision Connection, Ceres Extension Alignment**, the temporary **Ceres Layover Facility variant 2**, a temporary bus bridge service from Merced to Ceres with stops at the **Turlock, Livingston, and Merced Bus Stops, Merced Extension Alignment**, and the permanent **Merced Layover Facility** with stations at **Existing Lathrop/Manteca, North Lathrop, Downtown Manteca, Ripon, Modesto, Ceres, Turlock, Livingston, and Merced**;
3. **Relocated Lathrop/Manteca Station** alternative: consists of all the improvements in the Proposed Project, except that the **Relocated Lathrop/Manteca Station** would be selected as the only Lathrop area station instead of the **North Lathrop** and **Existing Lathrop/Manteca Stations**;
4. **Existing Lathrop/Manteca Station** alternative: consists of all the improvements in the Proposed Project, except that the **Existing Lathrop/Manteca Station** would be selected as the only Lathrop area station (no **North Lathrop Station**); and
5. **North Lathrop Station** alternative: consists of all the improvements in the Proposed Project, except that the **Oakland-Fresno Subdivision Connection** would not be implemented and the **North Lathrop Station** would be selected as the only Lathrop area station (no **Existing Lathrop/Manteca Station**).
6. **Relocated Lathrop/Manteca and North Lathrop Stations** alternative: consists of all the improvements in the Proposed Project, except a different selection of stations for the two-station scenario in Lathrop, consisting of new **North Lathrop** and **Relocated Lathrop/Manteca Stations** would be selected;
7. **Ceres Layover Facility, variant 1** alternative: consists of all the improvements in the Proposed Project, except that the **Ceres Layover Facility, variant 1** would be selected in lieu of variant 2 of the layover facility;
8. **Atwater Station** alternative: consists of all the improvements in the Proposed Project, except that the **Atwater Station** would be selected lieu of a station in Livingston.

SJRRRC is seeking comments from agencies, stakeholders, and the public regarding feasible alternatives for evaluation in the EIR. After consideration of input from project scoping and development of environmental analysis of the proposed project, SJRRRC will consider the need for analysis of additional alternatives. Only

alternatives that are feasible, meet the project purpose and need, and reduce one or more significant environmental impacts of the proposed project will be analyzed in detail. Alternatives that are infeasible, that do not meet the project purpose and need, or that do not reduce one or more significant environmental impacts of the proposed project will be discussed in the EIR but will not be analyzed in detailed as allowed by the requirements of CEQA.



ICF Graphics 004509-17 (1-4-2018)



**Figure 1**  
**Project Location Map**  
 ACE Extension Lathrop to Ceres/Merced



Attachment B  
**Scoping Meeting Sign-In Sheets**



| NAME           | ORGANIZATION    | CITY/ZIP     | EMAIL                     | ADD NAME TO MAILING LIST? (Y/N) |
|----------------|-----------------|--------------|---------------------------|---------------------------------|
| Nancy Alves    | MAET            | Modesto      | talves@metr.com           |                                 |
| Sareel Martin  | ✓               | ✓            | smartin@metr.com          |                                 |
| Matt Carne     | MAET            | Modesto      | ncarne@metr.com           |                                 |
| ARidewark      | city of Atwater | Atwater      | aridewark@atwater.org     |                                 |
| Dale Boyd      | Citizen         | Turlock      | daleboyd@gmail.com        |                                 |
| Tom Westbrook  | City of Ceres   | Ceres        | tomwestbrook@ceres.ca.us  |                                 |
| Eddie Mendoza  | Denham office   | Modesto      |                           |                                 |
| Linda Ryno     | City of Ceres   |              |                           |                                 |
| Linda DASH     | City of Atwater | CERC         | ldash@atwaterglobal.net   |                                 |
| Eugene Morse   | Carpenters      | Modesto      | emorse@nccrc.org          | yes                             |
| GENE YEAKLEY   | Citizen         | CERES        | 504@steglobal.net         |                                 |
| FRANK QUINTERA | City of MERCER  | Mercer 95340 | QUINTERA@cityofmerced.org | Yes                             |
| Holly Barrera  | citizen         | Ceres 95307  |                           |                                 |

| NAME              | ORGANIZATION          | CITY/ZIP | EMAIL                       | ADD NAME TO MAILING LIST? (Y/N) |
|-------------------|-----------------------|----------|-----------------------------|---------------------------------|
| Paul Creighton    | City of Atwater       | 95301    | Paul@c-33partners.com       | Y                               |
| Renel Ledbetter   | Ceres Chamber         | 95307    | ceresChamberboard@gmail.com | Y                               |
| Chris Medina      | Citizen               | 95380    | c-medina1@att.net           | Y                               |
| Jenny Kenoyer     | City Modesto          | 95356    | Jkenoyer@modesto.gov        |                                 |
| Dancy Taylor      | Gocon                 | 95377    | Taylor@GoconInc.com         | Y                               |
| Doug Healy        | "                     | "        | heald@geocoinc.com          | Y                               |
| MARTIN HARAS      | Terra Land Group      | 95337    | TerraLandGroup@gmail.com    | Y                               |
| Trevor Smith      | Luzures Companies     | "        | tsmith@luzures.com          | Y                               |
| Brenda Herbert    | Sen. Cannell's office | 95307    | bherbert@sen.ca.gov         | Y                               |
| JERRY PANELLA     | CITIZEN               | 95307    | lpanella@att.net            | Y                               |
| CHRISTINE PANELLA | CITIZEN               | 95307    | casapanella@gmail.com       | Y                               |
| DeeQuanda Fidenow | City of Modesto       | 95355    | One311e.com                 | NO                              |
| Norm Souza        | Citizen               | 95307    | tammish@sbcglobal.net       | Y                               |

| NAME           | ORGANIZATION                                 | CITY/ZIP          | EMAIL                      | ADD NAME TO MAILING LIST? (Y/N) |
|----------------|--|-------------------|----------------------------|---------------------------------|
| Mike Anand     | CONGRESSMAN JEFF DENNIS                      | 95350<br>MORIS TO | MIKES.ANAND@MAIL.HUSSO.COM | Y                               |
| Gil Esquer     | Turlock City Council                         | 95380<br>Turlock  | GESQUER@TURLOCK.CA.US      | Y                               |
| CARA STRON     | MOTT MACDONALD                               | 95324<br>HUMAC    | CERES.STRON@HOTMAIL.COM    | Y                               |
| Anthony Medina | Citizen                                      | Turlock 9538      | amedia@SOSACGLOBAL.NET     | Y                               |
| Mike Cowell    | Citizen                                      | Ceres             | jen.cowell@yahoo.com       | Y                               |
| Shelby Conner  | Citizen                                      | Ceres             | shelbyconner@yahoo.com     | X                               |
| Lori Waterman  | City of Atwater                              | Atwater           | lwaterman@atwater.org      | Y                               |
| STEVE RAY      | MODESTO CHAMBER                              |                   |                            |                                 |
| JOE SCOTO      | MERCED COUNTY FARM BUREAU COUNCIL            | MERCED            | SCOTB.BASE@HOTMAIL.COM     |                                 |
| MIKE KLINE     | CITY OF CERES                                | CERES             |                            |                                 |
| STEVE LEDGETER | ERVIN & SONS                                 | CERES             | STEVE.L@URVEFUELS.COM      | YFS                             |
| Juan Romo      | Ceres Chamber of Commerce<br>Goldwell Banker | Ceres             | Juanromoc@gmail.com        | Yes                             |
| DAVID PRATT    | CITIZEN                                      | CERES             | davep1905@hotmail.com      | YES                             |

| NAME            | ORGANIZATION                  | CITY/ZIP       | EMAIL                       | ADD NAME TO MAILING LIST? (Y/N) |
|-----------------|-------------------------------|----------------|-----------------------------|---------------------------------|
| Shirley Hoke    | Realty World - Central Valley | Ceres CA 95307 | Shirley@KempHoke.com        | Yes                             |
| Ramin Adam      | Fairway mortgage              | Ceres, CA      | Ramin.adam@earthnet.net     | NO                              |
| STEVE FLINT     | RGS                           | SALIDA, CA     | sflint80@gmail.com          | NO                              |
| Lisa Henry      | N/A                           | Ceres CA       | RA                          | NO                              |
| Jim Price       | City of Atwater               | Atwater        | price@atwater.org           | YES                             |
| Grey Seaman     | N/A                           | MODESTO        | seaman-family@msn.com       | NO                              |
| Stue Zwahlen    | citizen                       | MODESTO        | Stue@SueZwahlen.com         | YES                             |
| Steve Tomlinson | Citizen                       | Modesto 95154  | Stomlinson015@gmail.com     | Yes                             |
| Carol O'Connell | PR12 - Ceres.                 | Ceres          | O'Connell pmz.com           | Yes                             |
| Bret Presson    | Ceres Fine                    | Ceres          | bret.presson@ci.ceres.ca.us | Yes                             |
| Pam Sexton      |                               | Ceres          | Pam@BillsDrywallSale.com    | Yes                             |
|                 |                               |                |                             |                                 |
|                 |                               |                |                             |                                 |

| NAME           | ORGANIZATION                 | CITY/ZIP        | EMAIL                    | ADD NAME TO MAILING LIST? (Y/N) |
|----------------|------------------------------|-----------------|--------------------------|---------------------------------|
| Shane Parson   | Citizen                      | Ceres           |                          |                                 |
| Kendall Feint  | REGS                         | SACRAM          |                          |                                 |
| Shella Joiner  | Chamber                      | Ceres           | ShellaLawnnes88@gmail    | Yes                             |
| Rox Acurry     | N/A                          | Ceres           |                          |                                 |
| Bob VanBuskirk | Citizen - Retired            | Modesto         | sud-z@pacbell.net        | Yes                             |
| Doug Riosencua | City Council Member          | Modesto         | DRiosencua@merced.gov    | Yes                             |
| Steve Vilas    | Vilas Farms                  | Ceres + Turlock | Steve@VILASFARMS.COM     | Yes                             |
| Hiram Kemp     | Reality World Central Valley | Ceres 95307     | Hiram@kempnoble.com      | Yes                             |
| Daron McDaniel | MERCER COUNTY POCS           | ATWATER, 95301  | dmdaniel@co.merced.ca.us | YES                             |
|                |                              |                 |                          |                                 |
|                |                              |                 |                          |                                 |
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|                |                              |                 |                          |                                 |

| NAME                 | ORGANIZATION                 | CITY/ZIP   | EMAIL                                  | ADD NAME TO MAILING LIST? (Y/N) |
|----------------------|------------------------------|------------|--|---------------------------------|
| Jose Antonio RAMIREZ | City of Livingston           | 95334      | @LivingstonCity.com<br>citymanager     | Y                               |
| Ernest B. Gampel     | CETS                         | 95307      |  |                                 |
| Jim Feeny            | Retired Bldg. Plans Examiner | 95350-5909 | <del>Jim</del> valley-jim@sbglobal.net | Yes                             |
| Richard Moissner     | Self                         | 95351      |  |                                 |
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|                      |                              |            |  |                                 |

Attachment C  
**Scoping Comments**





Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Tatiana Acevedo** <tatiana7080108@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:21 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driver less cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is place**

1 message

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**Ruben Aguayo-Macias** <ruben7080043@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:25 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor’s Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo’s Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)
- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
- The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.

The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

- The City of Atwater offers numerous conveniences located within 1/2 mile of the Atwater Station which could further reduce vehicle trips. These include the Applegate Inn and the Valley Motel, numerous restaurants, the Applegate Ranch Shopping Center, the Applegate Square Shopping Center, and the Atwater Gateway Shopping Center, the Downtown Atwater commercial district, the Atwater Branch Library, 4 City parks, and the Bloss House Museum.
- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is the place**

1 message

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**Estephanie Aguayo-Santos** <estephanie6080024@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:29 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor’s Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo’s Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)
- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
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located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is alright!**

1 message

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**Estephanie Aguayo-Santos** <estephanie6080024@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:24 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

---

**(no subject)**

1 message

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**Rebekah Aguilar** <rebekah4080007@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:07 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

---

**atwater is the place**

1 message

---

**Isabel Aguilera** <isabel6080025@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:24 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

1 message

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**Gabriel Aguirre** <gabriel712876@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:48 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Extension Lathrop to Ceres/Merced Project**

1 message

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**Haggerty, Scott, Supv BOS Dist 1** <shaggert@acgov.org>  
To: "ACEextension.south@gmail.com" <ACEextension.south@gmail.com>

Fri, Feb 9, 2018 at 4:12 PM

Dear Chair Johnson,

Please find my attached letter regarding concerns over the ACE Extension Lathrop to Ceres/Merced Project. Your review and consideration is appreciated.

Sincerely,

Scott Haggerty

Alameda County Supervisor, First District

**SKM\_C364e18020917050.pdf**  
102K



## BOARD OF SUPERVISORS

SCOTT HAGGERTY  
SUPERVISOR, FIRST DISTRICT

February 9, 2018

Mr. Bob Johnson, Chair  
San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Subject: ACE Extension Lathrop to Ceres/Merced Project

Dear Chair Johnson,

It is becoming increasingly difficult to follow the ACEforward planning process, for me as an actively engaged member of the ACE Board of Directors, but more importantly for members of the public for whom we serve. As policymakers, we are obligated to engage in sound and transparent decision making. We are tasked to make decisions that are responsive to the needs of the communities we serve. After careful review of the Notice of Preparation (NOP) for the ACE Extension Lathrop to Ceres/Merced Project, I am concerned that we may be failing the public in both of these regards.

It is of concern that planning for the ACE system is occurring in such a piecemeal fashion. Although the NOP presents an extension of the ACE system to Merced, the ACE Board is also separately and independently advancing an extension of the system to Sacramento. It is unclear, therefore, as to what the impacts of this whole action would be. It is of further concern that there appears to be a lack of clarity and distinction between the San Joaquin Joint Powers Authority service and the ACE expansion proposal.

It is also a concern that ACE planning appears to be advancing at the expense of passengers on the Core System. The ACEforward Draft EIR (May 2017) presents a compelling Purpose and Need, most notably: *Existing train service is nearing maximum capacity.* The proposed Ceres/Merced Project was analyzed in the ACEforward Draft EIR on a programmatic level but it assumed that the existing service from the San Joaquin Valley to San Jose would be increased substantially from four to six daily roundtrips in the short term and up to ten in the future. As this service is no longer planned for the foreseeable future, the environmental review of both the Ceres/Merced Project as well as the Sacramento expansion must clearly evaluate the impact of these new services on the core ACE system without the assumption of increased service levels.

In particular, it must clearly identify how Alameda County passengers will be impacted in regard to crowding on trains, and at stations in regard to parking availability, and these impacts must be fully mitigated.

Transportation demand in the ACE service area, is clearly driven by the economic relationships between San Francisco Bay Area and Central Valley counties – and this fact can be underscored by the inclusion of this statement in the ACEforward Draft EIR Purpose and Need. It is a concern that the NOP states that, “...SJRRRC ridership studies have shown that expansion to Ceres and Merced would provide substantial increases in ACE ridership without the financial, logistical, and environmental challenges of some of the improvements necessary to increase service levels to San Jose.” Alameda County is an inaugural County member of the ACE system, and has made substantial capital contributions to build and sustain the system over the past 20 years. These contributions must be recognized and the residents of Alameda County must be equitably treated as expansion beyond the core system is advanced. This must include fair and equitable representation in the governance of the ACE system and sound and transparent decision making in regards to the expansion and stewardship of the ACE system.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Haggerty". The signature is written in a cursive style with a long, sweeping underline.

Scott Haggerty  
Alameda County Supervisor, First District



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater train stop**

1 message

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**William Albright** <william6080027@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:57 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**PICK ATWATER**

1 message

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**Sherilyn Aldrich** <sherilyn4080008@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 2:01 PM

Dear Sir or Madam:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is great**

1 message

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**Alex The pie master** <alatorrealexander2004@gmail.com>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:50 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater**

1 message

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**Jordan Alger** <jordan2080504@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Extension Lathrop to Ceres/Merced Project**

1 message

**Robert Allen** <robertseeallen@gmail.com>

Mon, Feb 19, 2018 at 2:14 PM

To: ACEextension.south@gmail.com, boardofdirectors@bart.gov

Cc: Andrew Tang &lt;atang@bart.gov&gt;, jmcpartland@bart.gov, John McPartland &lt;john@mcpartlands.net&gt;, Michael Tree &lt;mtree@lavta.org&gt;, mayormarchand@cityoflivermore.net, Robert Allen &lt;robertseeallen@gmail.com&gt;

I just received your NOP and realize that the comment period has ended. Nevertheless I want to be on record with enthusiastic support. My only major concern is rescission of ACE Forward and the link it proposed to BART.

ACE provides a great commute from lower-cost housing in the Central Valley to the job-rich Silicon Valley. A convenient Tri-Valley rail-to-rail transfer to BART would do the same for workers in BARTland. I understand that was implicit in ACE Forward.

Extending BART to an ACE transfer at Greenville - about five miles along I-580 beyond the planned Isabel station - would make such a connection without bifurcating ACE and thus degrading ACE service to the Silicon Valley.

A Greenville terminus for BART is where the shop and yard now proposed at Isabel belong. Rail operations would remain: BART along I-580 and ACE on the UP freight line. Ultimate ACE or DMU on the former SP line over the Altamont would use this same transfer point.

I do hope that BART extension to a Rail-Rail transfer at Greenville is not forgotten.

Robert S. Allen  
BART Director, District 5 (1974-1988)  
Retired SP (now UP) Western Division, Engineering/Operations

[925-449-1387](tel:925-449-1387) (but prefer email contact)



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**The Ace Train**

1 message

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**Jordyn Allison** <jordyn3080013@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:56 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

*Choose Atwater!*



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best!**

1 message

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**Natalie Alvarado-Vargas** <natalie1080013@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:21 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Carmen Alvarez-Mora** <carmen1080014@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:17 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best**

1 message

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**Mike Anderson** <mike3080471@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

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1 message

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**Haideu Andrus** <hlabyucougars@gmail.com>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:16 AM

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

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San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,

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Name

Adam Reed  
1520 Fruitland Avenue  
Atwater, CA 95301

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

RECEIVED  
FEB - 9 2018  
SJRRRC

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

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Adam Reed  
City of Atwater Resident

Casey Barkman  
3101 Chablis Lane  
Atwater, CA 95301

FEB - 9 2018  
SJRRRC

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

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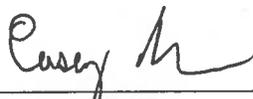
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Casey Barkman  
City of Atwater Resident



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE train**

1 message

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**Dayanara Arce-Sanchez** <dayanara7080019@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:06 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance to work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

Sincerely,  
Dayanara arce



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Please Pick Atwater!**

1 message

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**Roman Arroyo** <roman5080663@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:54 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the greatest place

1 message

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**Nehemiah Arvayo** <nehemiah2080182@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:22 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Extension Lathrop to Ceres/Merced Project**

1 message

**Sarah Bravo** <SBravo@aesd.edu>

Wed, Feb 7, 2018 at 1:58 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Good afternoon, please see attached letter regarding the ACE extension to Ceres/Merced.

Thank you,

**Sarah Nelson Bravo***Executive Secretary*

ATWATER ELEMENTARY SCHOOL DISTRICT

1401 Broadway Avenue Atwater, CA 95301

T 209.357.6100 / F 209.357.6514

[SBravo@aesd.edu](mailto:SBravo@aesd.edu)**ACE Extension Lathrop to Ceres-Merced Project.pdf**

41K

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop  
to Ceres/Merced

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Sincerely,



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Sandra Schiber, Ed.D.  
Atwater Elementary School District  
Superintendent



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best!!**

1 message

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**Emma Avalos** <emma6080031@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:25 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Xavier Avila** <xavier3080303@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:03 AM

Dear Sir or Madam: Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing. I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here. I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area. We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too. Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Uriel Ayala Castillo** <uriel5080622@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:06 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Larissa Baltazar** <larissa6080032@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:42 AM

The classification of Atwater as a "Potential Station" as opposed to a "Proposed Station" is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a "Proposed Station" and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the Place!!!!**

1 message

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**Logan Baptista** <logan7080046@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:20 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Michael Barcelo** <michael11080136@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place to be!!!

1 message

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**Alonso Barragan** <alonso7080047@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:50 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Ace Train**

1 message

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**Samuel Bartholomew** <samuel2081260@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:28 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**trent Bartholomew** <tbartholomew1116@gmail.com>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:21 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Alexzander Bates** <alexzander5080744@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:19 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is alright...**

1 message

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**Hazel Bautista** <hazel4080011@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:48 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater Is The Place!

1 message

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**Chloe Bedolla** <chloe2080197@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater !**

1 message

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**Nadia Beltran** <nadia1080015@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:54 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best.**

1 message

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**Kelly Benitez Albarran** <kelly1080696@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:49 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater Train is Coming

1 message

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**Adali Benitez-Ferreira** <adali5080627@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:01 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is cool banana**

1 message

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**Angel Bernard** <angel11080009@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:52 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Ace train**

1 message

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**Alexia Black** <alexia6080033@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:03 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance to work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

Sincerely,

Alexia Black



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Ajaidyn Blaine** <ajaidyn3080015@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:53 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**Atwater is The Best Place :)**

1 message

**Skylee Blaine** <skylee7080680@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:53 PM



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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater**

1 message

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**Skylee Blaine** <skylee7080680@aesd.us>  
To: ACEextension.south@gmail.com

Fri, Feb 9, 2018 at 7:31 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**YAY!!! ATWATER IS THE PLACE!!!!**

1 message

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**Madison Branco** <madison6080505@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train**

1 message

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**Aaron Brewer** <aaron7080020@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:08 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

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We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

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Sincerely,

  
 \_\_\_\_\_  
 Gary Brice, Chair  
 City of Atwater  
 Community Development & Resources Commission



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**"ACE Extension Lathrop to Ceres/Merced Project"**

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**Lori Waterman** <lwaterman@atwater.org>

Thu, Feb 8, 2018 at 3:57 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Attached, please find my "ACE Extension Lathrop to Ceres/Merced Project" scoping comments.

**City Office Hours are Monday thru Thursday 8:00 AM to 6:00 PM.**

*Gary Brice, Chair*

(209)357-6300

Community Development and Resources Commissioner

City of Atwater



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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

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 City of Atwater  
 Community Development & Resources Commission



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place

1 message

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**Alejandro Briones** <alejandro3080213@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:47 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Lillian Brock** <lillian3080762@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:16 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Please be with atwater**

1 message

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**Julian Brown** <julian3080018@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:07 AM

Dear Sir or Madam:

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you. Also it will take cars off the road so that will mean less population in the air and I want a train station because it will be great for us to use for trips like going from here to San Francisco to L.A please lets build a train station here



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the place!**

1 message

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**stINKz C** <stinkzc@gmail.com>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:52 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Extension Lathrop to Ceres/Merced Project Comment**

1 message

**Borack, Alexandra@SLC** <Alexandra.Borack@slc.ca.gov>

Fri, Feb 9, 2018 at 2:18 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;, "state.clearinghouse@opr.ca.gov" &lt;state.clearinghouse@opr.ca.gov&gt;

Cc: "Tutov, Dobri@SLC" &lt;Dobri.Tutov@slc.ca.gov&gt;, "Huber, Patrick@SLC" &lt;Patrick.Huber@slc.ca.gov&gt;

To whom it may concern,

The California State Land Commission staff's comment letter for the Notice of Preparation for the ACE Extension Lathrop to Ceres/Merced Project (SCH # [2018012014](#)) is attached. The hard copy is in the mail.

Thank you,

*Alexandra Borack*

California State Lands Commission

Division of Environmental Planning and Management

100 Howe Avenue, Suite 100-South

Sacramento, CA 95825

[\(916\) 574-2399](tel:(916)574-2399)*“On matters of principle, stand like a rock.” - Thomas Jefferson*

## PRIVILEGE AND CONFIDENTIALITY NOTICE

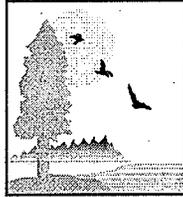
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**CALIFORNIA STATE LANDS COMMISSION**

100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202



*Established in 1938*

JENNIFER LUCCHESI, *Executive Officer*  
(916) 574-1800 Fax (916) 574-1810  
California Relay Service TDD Phone 1-800-735-2929  
from Voice Phone 1-800-735-2922

**Contact Phone: (916) 574-1890**  
**Contact FAX: (916) 574-1885**

February 9, 2018

File Ref: SCH # 2018012014

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

SENT VIA EMAIL TO: [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

**Subject: Notice of Preparation (NOP) for an Environmental Impact Report (EIR)  
for the Altamont Commuter Express (ACE) Extension Lathrop to  
Ceres/Merced Project, San Joaquin, Stanislaus, and Merced Counties**

Dear Sir or Madam:

The California State Lands Commission (Commission) staff has reviewed the subject NOP for the ACE Extension Lathrop to Ceres/Merced Project (Project) EIR, which is being prepared by the San Joaquin Regional Rail Commission (SJRRRC). The SJRRRC, as the public agency proposing to carry out the Project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The Commission is a trustee agency for projects that could directly or indirectly affect sovereign land and their accompanying Public Trust resources or uses. Additionally, because the Project involves work on sovereign land, the Commission will act as a responsible agency. Commission staff requests that the SJRRRC consult with Commission staff on preparation of the Draft EIR as required by CEQA section 21153, subdivision (a) and State CEQA Guidelines section 15086, subdivisions (a)(1),(2).

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The Commission has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The Commission also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6009, subd. (c); 6009.1; 6301; 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the common law Public Trust Doctrine.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its

admission to the United States in 1850. The state holds these lands for the benefit of all people of the state for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court. On navigable non-tidal waterways, including lakes, the state holds fee ownership of the bed of the waterway landward to the ordinary low-water mark (OLWM) and a Public Trust easement landward to the ordinary high-water mark (OHWM), except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

After review of the information contained in the NOP, the bridge crossings over the Stanislaus River, Tuolumne River, and Merced River include State-owned sovereign land. A lease and formal authorization for the use of sovereign land will be required from the Commission for the portions of the Project encroaching on State-owned land. Although the NOP includes a map of existing infrastructure over the San Joaquin River, which also includes State-owned sovereign land, Commission staff understands from the NOP that Project improvements are not specifically proposed on or over the San Joaquin River. Page 4 of the NOP states that, "no improvements are proposed along the existing ACE corridor between Stockton and San Jose."

### **Project Description**

SJRRC proposes to implement a suite of improvements to modernize the existing ACE rail service to meet the agency's objectives and needs as follows:

- Improve Passenger Service: Reduce travel time, increase service reliability and frequency in the San Joaquin Valley, improve passenger facilities, and extend the reach of ACE rail service to downtown Modesto and Merced
- Reduce Emissions from Automobiles: Provide a mobility alternative to automobiles and lower greenhouse gas (GHG) emissions and improve air quality
- Support Transportation Planning Goals: Further land use and transportation planning goals under Senate Bill 375 and other local, regional, and state sustainability initiatives

From the Project Description, Commission staff understands that the EIR would include both project-level and programmatic analysis. Improvements that are analyzed at a program level of review would be reviewed subsequently at a Project level before they would be approved at a Project level. Components of the Project are discussed with their level of analysis below:

#### **Project-Level Analysis (Phase I)**

- New and/or Relocated Stations: Installation of a new or relocated station for the Lathrop/Manteca station, with new stations in Downtown Manteca, Ripon, Modesto, and Ceres

- New Track Connections and Improvements: Track improvements at the existing Lathrop/Manteca Station; a new Oakland-Fresno Subdivision Connection with a new track connection between the Oakland and Fresno Subdivisions; new track and bridge crossings over the Stanislaus River and Tuolumne River between Lathrop and Ceres
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Commission staff requests that the SJRRC consider the following comments when preparing the EIR.

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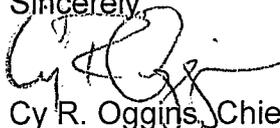
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Thank you for the opportunity to comment on the NOP for the EIR. As a trustee and responsible agency, Commission staff requests consultation for this Project and to be kept advised of changes to the Project Description and all other important developments. Please send additional information on the Project to the Commission staff listed below as the EIR is being prepared.

Please refer questions concerning environmental review to Alexandra Borack, Environmental Scientist, at (916) 574-2399 or via e-mail at [alexandra.borack@slc.ca.gov](mailto:alexandra.borack@slc.ca.gov). For questions concerning archaeological or historic resources under Commission jurisdiction, please contact Staff Attorney Jamie Garrett, at (916) 574-0398 or via e-mail at [jamie.garrett@slc.ca.gov](mailto:jamie.garrett@slc.ca.gov). For questions concerning Commission leasing jurisdiction please contact Dobri Tutov, Public Lands Management Specialist, at (916) 574-0722 or via e-mail at [dobri.tutov@slc.ca.gov](mailto:dobri.tutov@slc.ca.gov).

Sincerely,



Cy R. Oggins, Chief  
Division of Environmental Planning  
and Management

cc: Office of Planning and Research  
D. Tutov, CSLC  
A. Borack, CSLC  
J. Garrett, CSLC

**CALIFORNIA STATE LANDS COMMISSION**  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202



*Established in 1938*

JENNIFER LUCCHESI, *Executive Officer*  
(916) 574-1800 Fax (916) 574-1810  
California Relay Service TDD Phone 1-800-735-2929  
from Voice Phone 1-800-735-2922

**Contact Phone: (916) 574-1890**  
**Contact FAX: (916) 574-1885**

February 9, 2018

File Ref: SCH # 2018012014

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

SENT VIA EMAIL TO: [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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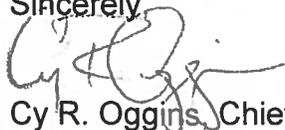
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Thank you for the opportunity to comment on the NOP for the EIR. As a trustee and responsible agency, Commission staff requests consultation for this Project and to be kept advised of changes to the Project Description and all other important developments. Please send additional information on the Project to the Commission staff listed below as the EIR is being prepared.

Please refer questions concerning environmental review to Alexandra Borack, Environmental Scientist, at (916) 574-2399 or via e-mail at [alexandra.borack@slc.ca.gov](mailto:alexandra.borack@slc.ca.gov). For questions concerning archaeological or historic resources under Commission jurisdiction, please contact Staff Attorney Jamie Garrett, at (916) 574-0398 or via e-mail at [jamie.garrett@slc.ca.gov](mailto:jamie.garrett@slc.ca.gov). For questions concerning Commission leasing jurisdiction please contact Dobri Tutov, Public Lands Management Specialist, at (916) 574-0722 or via e-mail at [dobri.tutov@slc.ca.gov](mailto:dobri.tutov@slc.ca.gov).

Sincerely,



Cy R. Oggins, Chief  
Division of Environmental Planning  
and Management

cc: Office of Planning and Research  
D. Tutov, CSLC  
A. Borack, CSLC  
J. Garrett, CSLC



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE TRAIN**

1 message

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**Angel Calhoun** <angel6080402@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 2:10 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is great!**

1 message

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**Julia Callahan** <julia3080020@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:52 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Pick atwater!**

1 message

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**Brandon Campbell** <brandon11080029@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 2:17 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is the place!**

1 message

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**Scott Campbell** <scott6080039@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:27 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train by Xavier Cardenas**

1 message

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**Xavier Cardenas** <xavier3080021@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:29 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train**

1 message

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**Leandra Cardenaz** <leandra4080055@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:03 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Sincerely,

Leandra Cardenaz



Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Manuel Carranza** <manuel7080669@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:47 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

## Atwater is the place

1 message

**Gabriela Carrillo** <gabriela2080070@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:24 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Ignacio Castaneda** <ignacio712972@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:11 AM

Dear Sir or Madam

Thank you for giving me an opportunity to write you. I am an 8th grade student from Mitchell Senior Elementary school in Atwater CA. All I want to say is that thank you for giving the city of Atwater a chance to have a train station in our city. I just feel like it would be a huge thing for our city and it will get most cars off the road. These cars are causing bad air pollution and with the train station we can stop the bad air quality. Also many students from the bay area can come down here to the UC we have in Merced. Please give our city a chance to have a fair chance for a rail station. Our partnership will be amazing.



Matt Hertel <aceextension.south@gmail.com>

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**Atwater**

1 message

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**Miguel Castillo** <miguel712609@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

Please Pick Atwater



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



February 27, 2018

RECEIVED  
MAR - 5 2013  
SJ

Matt Hertel  
San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, California 95202

**Subject: ACE Extension Lathrop to Ceres/Merced Project; SCH#: 2018012014**

Dear Mr. Hertel:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) from the San Joaquin Regional Rail Commission (SJRRRC) for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code. Although the comment period for your request has passed, CDFW would appreciate if you would still consider the following comments.

#### **CDFW ROLE**

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

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As

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

proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 *et seq.*). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), related authorization as provided by the Fish and Game Code will be required.

## **PROJECT DESCRIPTION SUMMARY**

**Proponent:** San Joaquin Regional Rail Commission

**Objective:** In 2013, SJRRC identified and developed a suite of improvements, known as the ACEforward plan, to modernize the existing ACE service that would result in faster commuter and intercity train services and could establish a connection between the San Joaquin Valley and San Jose within the next 10 years. That plan proposed a suite of improvements that would support ACE service from San Jose to Stockton, and to extend ACE service to Manteca, Modesto, Ceres, Turlock, and Merced. Through the ACEforward project development and environmental review, substantial financial, environmental, and logistical challenges were identified. As a result, the feasible and fundable extension of service in the Central Valley is now the focus of the SJRRC vision for commuter and intercity passenger rail services for ACE. For this reason, SJRRC is rescinding the prior ACEforward NOP and draft Environmental Impact Report (EIR) and intends to prepare a new EIR for this ACE Extension Lathrop to Ceres/Merced Project.

The Project contains both Phase I and Phase II improvements. The Phase I improvements will be analyzed at a project level of detail based on preliminary engineering and Phase II improvements are analyzed at a programmatic, more conceptual level of detail because only conceptual engineering has been completed at this time. Phase I improvements would support the ACE service extension to Ceres and Phase II improvements would support the ACE service extension to Merced. No improvements are proposed along the existing ACE corridor between Stockton and San Jose.

The proposed Project consist of construction improvements including the following:

Phase I improvements:

- A new North Lathrop station and/or new relocated Lathrop/Manteca station and/or track improvements at the existing Lathrop/Manteca station;
- A new Oakland-Fresno subdivision connection, which would construct a new track connection between the Oakland and Fresno subdivisions;
- A Ceres extension alignment consisting of upgrades to track, new tracks and bridges within the Fresno subdivision between Lathrop and Ceres;

- New downtown Manteca, Ripon, Modesto, and Ceres stations along the extension alignment;
- A new temporary Ceres layover facility to support extension operations until the extension to Merced is constructed, at which time a permanent layover facility would be located in Merced; and
- An interim bus bridge between Merced and Ceres, with stops at the Turlock, Livingston, and Merced bus stops

Phase II improvements:

- A Merced extension alignment consisting of upgrades and new tracks and bridges within the Fresno subdivision between Ceres and Merced;
- New Turlock, Livingston or Atwater, and Merced stations along the extension alignment; and
- A new permanent Merced layover facility to support extension operations

**Location:** The Project spans San Joaquin, Stanislaus, and Merced Counties. SJRRC proposes to extend ACE passenger rail service from Lathrop to Ceres and Merced by constructing and upgrading tracks, a total distance of approximately 58 miles.

## COMMENTS AND RECOMMENDATIONS

CDFW offers the comments below to assist Stanislaus County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

### I. Environmental Setting and Related Impact

Based on a review of aerial imagery and Figure 1 of the NOP, the Project route follows along State Route 99 from Merced to Lathrop. Results from the California Natural Diversity Database (CNDDB) show that special-status species are known to occur along the Project site. CDFW is concerned regarding potential impacts to the State threatened Swainson's hawk (*Buteo swainsoni*).

Prior to potential ground-disturbing activities, CDFW recommends that the Project site be assessed by a qualified biologist to determine if sensitive biological resources are present on or in the vicinity. The results of this assessment may be sent to CDFW in order to identify if species avoidance buffers and/or any potential permitting needs are warranted.

**Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or the United States Fish and Wildlife Service (USFWS)?**

### **COMMENT 1: Swainson's hawk (SWHA)**

**Issue:** SWHA are known to nest in large mature trees along State Route 99. SWHA usually arrive at their nesting grounds in early March after their migration from South America. Nest construction and courtship continues through April. The young fledge approximately 42-44 days after hatching and remain with their parents until they depart in the fall (CDFW, 1994).

**Specific impact:** Without appropriate avoidance and minimization measures for SWHA, potentially significant impacts associated with ground-disturbing and subsequent activities could cause nest abandonment, reduced nest success, reduced health and vigor of eggs and/or young, and direct mortality.

**Evidence impact is potentially significant:** Lack of suitable nesting habitat in the San Joaquin Valley limits the local distribution and abundance of SWHA (CDFW 2016). The trees within ½-mile of the Project area represent some of the only remaining suitable nesting habitat in the vicinity of the Project. Depending on the timing of construction, Project activities including noise, vibration, odors, and movement of workers or equipment could affect nests and have the potential to result in nest abandonment, significantly impacting local nesting SWHA. In addition, agricultural cropping patterns can directly influence distribution and abundance of SWHA. For example, SWHA can forage in grasslands, pasture, hay crops, and low growing irrigated crops. However, other agricultural crops such as orchards and vineyards are incompatible with SWHA foraging (Estep 2009, Swolgaard et al. 2008). Although SWHA can adapt to some types of regular disturbance (e.g., ongoing traffic associated with a highway), particularly if the disturbance is present before the nesting season, the species is less tolerant of people near their nest territory during the nesting season.

#### **Recommended Potentially Feasible Mitigation Measure(s)**

To evaluate potential impacts to SWHA, CDFW recommends conducting the following evaluation along the Project site and implementing the following mitigation measures.

#### **Mitigation Measure 1: SWHA Surveys**

To evaluate potential Project-related impacts, CDFW recommends that a qualified wildlife biologist conduct surveys for nesting SWHA following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC, 2000) prior to Project implementation. SWHA detection during protocol level surveys warrants consultation with CDFW to discuss how to implement ground-disturbing activities and avoid take.

### **Mitigation Measure 2: Avoidance Buffer**

CDFW recommends that if Project activities will take place during the SWHA nesting season (March 1 through August 31), and active SWHA nests are present, a minimum no-disturbance buffer of 0.5 miles around each nest be implemented until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival, to avoid nest abandonment and other take of SWHA. If a 0.5-mile buffer is not feasible, consultation with CDFW is warranted to determine if a smaller buffer from Project activities will avoid take. If take cannot be avoided, take authorization through the issuance of an Incidental Take Permit, pursuant to Fish and Game Code § 2081(b) is necessary to comply with CESA.

### **Mitigation Measure 3: Compensation for Nest Tree Removal**

CDFW recommends impacts to known nest trees be avoided at all times of the year. SWHA exhibit high nest-site fidelity year after year and CDFW considers removal of known SWHA nest trees, even outside of the nesting season, a potentially significant impact under CEQA. Regardless of nesting status, if potential or known SWHA nest trees are removed, CDFW recommends they be replaced with an appropriate native tree species, planted at a ratio of 3:1, in an area that will be protected in perpetuity, to reduce impacts to SWHA from the loss of nesting habitat features.

### **COMMENT 2: Aquatic Species, Exclusion from Contaminants**

**Issue:** The Project route as proposed will transverse various waterways, including but not limited to the Stanislaus, Tuolumne, and Merced Rivers. Therefore, bridge improvements/installations are likely. Concrete is very alkaline and exposure of uncured concrete to waterways could result in increased water alkalinity, leading to death or injury to fish and other aquatic species. CDFW provides the following recommendations.

**Specific impact:** Without appropriate minimization measures, potential significant impacts involving bridge improvements/installations may cause increased water alkalinity, toxicity, low oxygen levels, and turbidity leading to death or injury of fish and other aquatic species.

**Evidence impact is potentially significant:** Fish and aquatic species are sensitive to changes in water quality. If bridge improvements/installations will be conducted during the low water period, fish and aquatic species are more vulnerable as there may be insufficient water to dilute washouts from bridge improvements/installations activities during this time.

**Recommended Potentially Feasible Mitigation Measure(s)**

To evaluate potential impacts to aquatic species, CDFW recommend implementing the following mitigation measures.

**Mitigation Measure 4:** Poured concrete structures are advised to be isolated from water and allowed to dry/cure for a minimum of 30 days. Concrete poured within the high flow line is recommended to be suspended if the 15-day weather forecast indicates any chance of rain greater than 20 percent. During the 30-day period, poured concrete needs to be kept moist, and runoff from the concrete be contained to preclude entrance into the streambed or channel.

**Mitigation Measure 5:** Commercial sealants or curing accelerant may be applied to the poured concrete surface where difficulty in excluding water flow for a long period may occur. If sealant is used, water is advised to be contained such that it will not come in contact with the concrete until the sealant is dry.

**ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database that may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link:

<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address:

[CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

**FILING FEES**

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

**CONCLUSION**

CDFW appreciates the opportunity to comment on the NOP to assist the San Joaquin Regional Rail Commission in identifying and mitigating Project impacts on biological resources.

Matt Hertel  
San Joaquin Regional Rail Commission  
February 27, 2018  
Page 7

Questions regarding this letter or further coordination should be directed to Jim Vang, Environmental Scientist, at (559)243-4014 extension 254 or [Jim.Vang@wildlife.ca.gov](mailto:Jim.Vang@wildlife.ca.gov).

Sincerely,



Julie A. Vance  
Regional Manager

cc: Dan Leavitt  
San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, California 95202

United States Fish and Wildlife Service  
2800 Cottage Way, Suite W-2605  
Sacramento, California 95825

Regional Water Quality Control Board  
Central Valley Region  
1685 "E" Street  
Fresno, California 93706-2020

United States Army Corps of Engineers  
San Joaquin Valley Office  
1325 "J" Street, Suite #1350  
Sacramento, California 95814-2928

ec: Linda Connolly, Senior Environmental Scientist  
California Department of Fish and Wildlife

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## REFERENCES

CDFG, 1994. Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo Swainsoni*) in the Central Valley of California. California Department of Fish and Game.

SWHA TAC, 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. Swainson's Hawk Technical Advisory Committee, May 31, 2000.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Extension Lathrop to Ceres/Merced comment letter forthcoming**

1 message

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**Vang, Jim@Wildlife** <Jim.Vang@wildlife.ca.gov>

Thu, Feb 8, 2018 at 3:33 PM

To: "dan@acerail.com" &lt;dan@acerail.com&gt;

Cc: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Good afternoon Dan,

I would like to let you know that we are currently working on a brief comment letter for the ACE Extension Lathrop to Ceres/Merced project, but it may not be sent out until next week. Thanks.

Jim Vang

Environmental Scientist

CA Department of Fish and Wildlife

Central Region

1130 E. Shaw Avenue, Suite 206

Fresno, CA 93710

(559) 243-4014 x 254



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is alright**

1 message

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**Adrian Chavez** <adrian6080667@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:55 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor’s Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo’s Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)
- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
- The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.
- The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is

located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

- The City of Atwater offers numerous conveniences located within 1/2 mile of the Atwater Station which could further reduce vehicle trips. These include the Applegate Inn and the Valley Motel, numerous restaurants, the Applegate Ranch Shopping Center, the Applegate Square Shopping Center, and the Atwater Gateway Shopping Center, the Downtown Atwater commercial district, the Atwater Branch Library, 4 City parks, and the Bloss House Museum.

- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Adrian Chavez** <adrian6080667@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:54 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is a great place

1 message

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**Jennifer Chavez** <jennifer5080633@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:31 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE**

1 message

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**Ramon Chavez** <ramon5080724@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:19 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ATWATER IS NUMBER ONE!!!!**

1 message

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**Colin Chima** <colin7080075@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:08 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

# CITY OF CHOWCHILLA CALIFORNIA



January 29, 2018

San Joaquin Regional Rail Commission  
Attn: ACEforward Draft EIR  
949 East Channel Street  
Stockton, CA 95202

**RECEIVED**

**JAN 31 2018**

Re: Executed Summary ACEforward Draft EIR.

To San Joaquin Regional Rail Commission:

First and foremost, the City of Chowchilla would like to thank the San Joaquin Regional Rail Commission in the consideration of possibly moving ACEforward through the County of Madera and ultimately through the City of Chowchilla to receive an ACE Train stop. Please see the comments below, with consideration of possibly adopting the ACEforward plan to include the City of Chowchilla in Madera County in the overall progress of ACEforward. The City of Chowchilla would be an excellent candidate for an ACE Train rail stop on the Union Pacific Rail Road (UPRR) line, as this case will be made below.

## **History**

The City of Chowchilla is located along the south and north side of SR99 and has a population of 18,236.<sup>1</sup> The City of Chowchilla was incorporated in 1923 as a general law city which operates under the council/administrator form of government. The primary demographics of residents is that of Caucasian blue collar works. The Median Household Income (MHI) is \$34,559, which places the city in a Disadvantage Community (DAC). Although a discussion has not been had in pursuing ACEforward to move through Madera County, the City of Chowchilla would immensely benefit from the positive impact the ACE Train would have to this community. ACE Train has had a positive impact on all the other communities that it currently operates in and the City of Chowchilla would be no different.

## **Job Creation / Skilled labor force**

Many families in this area were affected by the Great Recession and have been unable to recover from the recession. Placing an ACE Train stop in Chowchilla allows for jobs to be created not only in the City of Chowchilla, but the ACE Train offers the ability to connect with other communities in other counties. ACE Train allows for resident's ability to achieve higher paying positions, making it possible for families to recover from the recession and obtain livable wages.

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<sup>1</sup> Census Bureau

As in many communities in the Central Valley, job creation is the main concern to any city government, and Chowchilla is not any different. As stated above, the city's MHI is 56.57% less than the states MHI, at \$61,818. Chowchilla is in dire need of skilled jobs that will provide a living wage for the families that live in this community. Chowchilla is full of able and capable workers, and it has the ability to be a hub for training programs that will allow for residents to receive the training they need to use in this community, with the industrial area development that has begun. Chowchilla needs the train transit system to benefit this community; and ACEforward offers the ability for workers to have access to positions that might otherwise be unattainable because of the geographic location.

### **Economic Impact**

Placing an ACE Train stop in Chowchilla makes economic sense. The City of Chowchilla has riders that already utilize the public transit system to get to their destination and by placing a stop on the UPRR, in the heart of Chowchilla would be an excellent way to connect residents with other communities and to utilize the coming High Speed Rail (HSR) line. Chowchilla is the WYE of the HSR, as this is where the HSR train will separate one heading north and the other heading south. This makes Chowchilla the central location for riders of HSR to get on an ACE Train and connect to the HSR stops, creating a connection line between HSR and ACE Train. Another economic benefit would be the expansion of the City's industrial area that would reap the benefit of being located at the HSR WYE.

Many companies will come to Chowchilla to be closer to HSR and the maintenance that will need to be completed on the HSR trains, because the land in Chowchilla is significantly lower than any other surrounding area. ACE Train should connect those workers to these industrial positions. The revenue generated alone, for residents that live in surrounding communities who might not necessarily need to utilize HSR in order to get to their destinations is economically responsible. This would make ACE Train the primary mode of transportation, in riding from one community to another.

### **Connectivity**

As stated above, the City of Chowchilla is considered to be the WYE of the HSR. The city is not going to receive a stop on the HSR line, since the City of Merced and City of Madera are going to receive a stop. It does not economically make sense for Chowchilla to get a HSR stop, however what the city is in desperate need of and what ACEforward can provide is the connectivity to the stops that are both to the south and north of the city. The ability to connect residents of Chowchilla with an ACEforward stop is one that the City Administration cannot overlook. This would be a disservice to the community at which the administration serves.

Currently, the UPRR lines runs directly through the east side of the Downtown Area on SR233 (Robertson Blvd). The UPRR line would make it possible for residents of Chowchilla to catch the ACE Train and move to their desired location. ACEforward on the UPRR line would create a worker mobility for the City of Chowchilla work force, and would be the best in terms of environmental impact because it would require little disturbance to the surrounding area. This

can be hypothesized since the UPRR is already present and working effectively as a freight hauler. This alone, would make the impact to the surrounding area less than significant, as having one rail line present demonstrates that little disruption to migration is present.

The City of Chowchilla would be an excellent candidate for the ACE Train stop, because connectivity would make the community more equitable to the surrounding communities. As Chowchilla is considered a DAC, a train stop would make it possible for community members to get to their destination with little disturbance in the environment and allow for community members to increase the ability to earn a higher wages. Currently, much of their disposable income is used on monetary cost, i.e. gas, vehicle maintenance and a lot non- monetary cost, time wasted in traffic, impacts vehicles bring to the environment, etc. Placing a stop in Chowchilla would help the air quality, significantly as this city has a lot of agricultural crops that contribute to bad air quality. A stop in Chowchilla makes sense because a stop is needed to help Chowchilla residents connect with surrounding communities and make it possible for Chowchilla residents to bring back their income and distribute their disposable income back into the community.

Thank you for your consideration,



Mary Gaumnitz  
Mayor  
City of Chowchilla

Enclosure:

- Letter of Support – Chowchilla District Chamber of Commerce
- Letter of Support – Madera CTC
- Letter of Support – Madera County EDC



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Extension Lathrop to Ceres/Merced Project**

1 message

**Rebecca Schmidt** <rschmidt@ci.lathrop.ca.us>

Wed, Feb 7, 2018 at 5:03 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Please find the attached comment letter from the City of Lathrop on the NOP for the ACE Extension Lathrop to Ceres/Merced Project. Thank you.

*Rebecca Schmidt, AICP*

Community Development Director

City of Lathrop

390 Towne Centre Drive

Lathrop, CA 95330

[\(209\) 941-7267](tel:(209)941-7267)

[rschmidt@ci.lathrop.ca.us](mailto:rschmidt@ci.lathrop.ca.us)

**ACEextension Lathrop comment letter.pdf**

750K



*Community Development Department  
Planning Division*

390 Towne Centre Drive– Lathrop, CA 95330  
Phone (209) 941-7260 – Fax (209) 941-7268  
[www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us)

February 7, 2018

San Joaquin Regional Rail Commission  
ATTN: ACE Extension Lathrop to Ceres/Merced Project  
949 E. Channel Street  
Stockton, CA 95202

**Subject: Notice of Preparation, Comments regarding ACE station alternatives in the Lathrop/Manteca vicinity**

The City of Lathrop appreciates the opportunity to provide comments on the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the ACE Extension Lathrop to Ceres/Merced Project. We are pleased to have commuter rail service in our community and we value the benefits it brings to our residents and businesses.

The City of Lathrop is pleased to see the addition of a North Lathrop Station illustrated in the vicinity of the intersection of the UPRR tracks and Lathrop Road at the southwest corner of the Sharpe Depot. We encourage SJRRC to explore this site as a potential new North Lathrop station. The following information may be relevant to the scope of the environmental analysis for this particular site:

- The U.S. Army is in the process of relinquishing the 700+ acre Sharpe Depot to other branches of the military and disposing of surplus land to other uses to be determined in the future.
- The City has expressed an interest in providing utilities and public safety services to the site upon the departure of the U.S. Army, including water, wastewater, electricity, police and fire.
- The City and the Army and Air Force Exchange Service (AAFES) are currently working together to provide city sewer for the AAFES facility at the southern portion of the base.
- The City identified it would like to explore adaptive re-use of the base for multi-modal transportation opportunities, recreation complex, expansion of municipal water and wastewater facilities, and economic development opportunities.

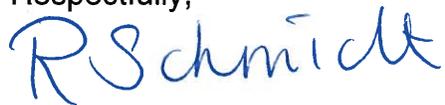
- The City is in the process of a comprehensive General Plan Update that will include input from Sharpe Depot Base Transition management representatives during review of land use alternatives.
- Both sets of railroad track crossings on Lathrop Road are grade separated, which eliminate the conflicts between trains, vehicles, and pedestrians.
- Lathrop Road is improved as a 4-lane arterial with street lighting, landscaping, sidewalks, bike lanes, signalized intersections, and pedestrian crosswalks from Harlan Road/Interstate 5 (I-5) on the west to the City Limits, approximately ½ mile from the planned Airport Way Expressway on the east.
- Planned improvements to the Lathrop Road/I-5 Interchange will complete Lathrop Road and enhance bicycle and pedestrians access of residents west of Interstate 5.
- The Lathrop Road/Hwy. 99 Interchange in Manteca was recently replaced to provide for the widening of Hwy. 99 to 6-lanes and to accommodate the circulation needs of future developments within Lathrop and Manteca along Lathrop Road between Hwy 99 and I-5.
- The location is accessible to nearby residential neighborhoods on foot or by bicycle along a complete network of sidewalks and bicycle lanes with signalized intersections and crosswalks.
- The southern portion of the Sharpe Depot is undeveloped and large enough for planned and future growth of a commuter rail station, multi-modal connections, station site amenities, and ample parking.
- The Sharpe Depot has existing rail spurs with multiple lanes adjacent to the main line that could serve as a layover yard.
- The City anticipates that the 700+ acres of the Sharpe Depot will become a valuable part of the City over the next several years.

The City of Lathrop offers any assistance needed during the preparation of the EIR that may be needed to further the success of your project. We hope you find the information we have provided beneficial.

February 7, 2018

We look forward to reviewing the ACE Extension project Draft EIR when it is available.

Respectfully,



Rebecca Schmidt, AICP  
Director of Community Development

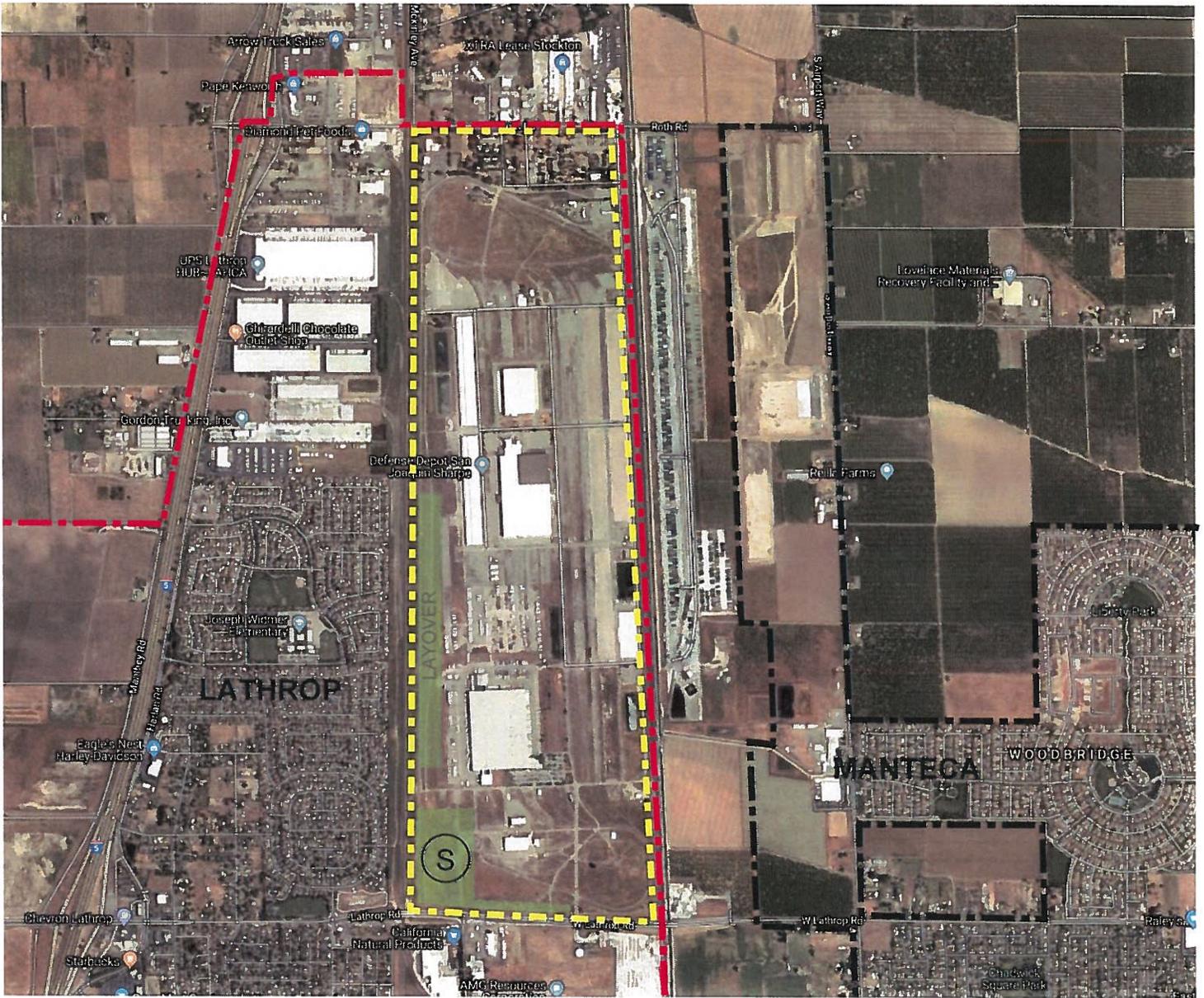
Attached Exhibits:

1. Aerial of Sharpe Depot
2. City of Lathrop Letter of Interest regarding provision of services and acquiring surplus land associated with Sharpe Depot, dated October 23, 2013
3. Federal Register, April 30, 2013, Notice of Availability for Sharpe Permit Relinquishment Project Environmental Assessment

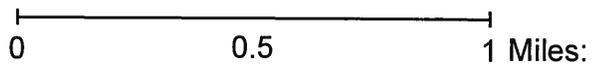
cc: Lathrop City Council  
Stephen Salvatore, City Manager  
Glenn Gebhardt, City Engineer  
Douglas Johnson, Sharpe Depot, Base Transition Manager  
Dan Dickinson, AAFES Project Manager of Major Construction

# Sharpe Depot Vicinity Map

Exhibit 1



- Sharpe Depot ——— Yellow dashed line
- Lathrop City Limits ——— Red dashed line
- Manteca City Limits ——— Black dashed line



City Manager's Office

390 Towne Centre Dr. -- Lathrop, CA 95330  
Phone (209) 941-7332 -- fax (209) 941-7268  
www.ci.lathrop.ca.us

October 23, 2013

Olaf H. (Oly) Thorson  
Realty Officer  
HQ, US Army Installation Management Command  
ATTN: IMPW-M (Thorson)  
BLDG 2261  
2405 Gun Shed Road  
Fort Sam Houston, TX 78234-51223

Re: Letter of Interest from City of Lathrop regarding the provision of services  
and acquiring surplus land associated with the Sharpe Depot

Dear Mr. Thorson,

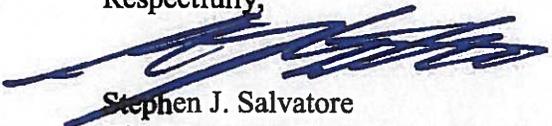
We understand that the U.S. Army is proceeding with the Sharpe Permit Relinquishment Project and there is a need to find a responsible agency to provide utility and public safety services to the site upon the departure of the U.S. Army, including the provision of water, wastewater, electricity, police and fire. The City of Lathrop is interesting in exploring its ability to provide these services and to acquire the surplus land at the Sharpe Depot.

The Sharpe Depot is located within Lathrop's city limits. The City would appreciate an opportunity to review the costs and logistics of providing services to keep the site in productive use when the U.S. Army moves its Sharpe site operations to the nearby Defense Distribution Depot in Tracy, California. Some of the productive uses would include providing services to retain AAFES, the National Guard, and Reserves on site. Other areas that the City would like to explore would be how the site may be adaptively re-used for:

- Recreation complex
- Expansion of municipal water and wastewater facilities
- Economic development opportunities
- Multi-modal transportation opportunities

Please contact us with further information and instructions on the status and disposition of the Sharpe Depot in Lathrop, California.

Respectfully,

  
Stephen J. Salvatore  
City Manager, City of Lathrop

**CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**

**Information Collection; Submission for OMB Review, Comment Request**

**AGENCY:** Corporation for National and Community Service.

**ACTION:** Notice.

**SUMMARY:** The Corporation for National and Community Service (CNCS) has submitted a public information collection request (ICR) entitled Process and Impact Evaluation of the Minnesota Reading Corps for review and approval in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, (44 U.S.C. Chapter 35). Copies of this ICR, with applicable supporting documentation, may be obtained by calling the Corporation for National and Community Service, Scott Richardson, at (202) 606-6903 or email to [srichardson@cns.gov](mailto:srichardson@cns.gov). Individuals who use a telecommunications device for the deaf (TTY-TDD) may call 1-800-833-3722 between 8:00 a.m. and 8:00 p.m. Eastern Time, Monday through Friday.

**ADDRESSES:** Comments may be submitted, identified by the title of the information collection activity, to the Office of Information and Regulatory Affairs, Attn: Ms. Sharon Mar, OMB Desk Officer for the Corporation for National and Community Service, by any of the following two methods within 30 days from the date of publication in the **Federal Register**:

(1) *By fax to:* (202) 395-6974, Attention: Ms. Sharon Mar, OMB Desk Officer for the Corporation for National and Community Service; or

(2) *By email to:* [smar@omb.eop.gov](mailto:smar@omb.eop.gov).

**SUPPLEMENTARY INFORMATION:** The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
  - Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
  - Propose ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

**Comments**

A 60-day public comment Notice was published in the **Federal Register** on February 21, 2103. This comment period ended April 22, 2013. No public comments were received from this Notice.

*Description:* CNCS is seeking approval of its Process and Impact Evaluation of the Minnesota Reading Corps. This project will assess the effect of the Minnesota Reading Corps on the literacy outcomes of students enrolled in their Pre-Kindergarten program and the personal and professional goals of AmeriCorps members serving in the program. Copies of the information collection request can be obtained by contacting the office listed in the **ADDRESSES** section of this Notice.

*Type of Review:* Renewal.

*Agency:* Corporation for National and Community Service.

*Title:* Process and Impact Evaluation of the Minnesota Reading Corps.

*OMB Number:* 3045-0144.

*Agency Number:* None.

*Affected Public:* Pre-Kindergarten students enrolled in select Minnesota schools and individuals who served as tutors in the Minnesota Reading Corps.

*Total Respondents for Student Assessments:* 1,440.

*Frequency for Students:* Three.

*Average Time per Response for Students:* 7 minutes.

*Total Respondents for Member Survey:* 1,031.

*Frequency for Members:* Once.

*Average Time per Response for Members:* 20 minutes.

*Estimated Total Burden Hours:* 848 hours.

*Total Burden Cost (capital/startup):* None.

*Total Burden Cost (operating/maintenance):* None.

*Dated:* April 24, 2013.

**Christopher Spera,**

*Director of Research and Evaluation.*

[FR Doc. 2013-10107 Filed 4-29-13; 8:45 am]

**BILLING CODE 6050-28-P**

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

[Docket ID: DoD-2013-OS-0090]

**Notice of Availability (NOA) for Sharpe Permit Relinquishment Project Environmental Assessment**

**AGENCY:** Defense Logistics Agency, DoD.

**ACTION:** Notice of Availability (NOA) for Sharpe Permit Relinquishment Project Environmental Assessment.

**SUMMARY:** The Defense Logistics Agency (DLA) announces the availability of an environmental assessment (EA) for the potential environmental impacts associated with the proposed action to relinquish DLA's current permit from the U.S. Department of the Army for the use and occupancy of the Defense Distribution Depot San Joaquin, California—Sharpe [Sharpe Site]. The EA has been prepared as required under the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4331 *et seq.*) In addition, the EA complies with DLA Regulation (DLAR) 1000.22. The EA evaluates the potential environmental impacts of relinquishing the permit and moving the Sharpe Site operations to the near-by Defense Distribution Depot San Joaquin, California—Tracy Site and potentially other DLA facilities. Based on the analysis in the EA, DLA has determined that the proposed action was not a major federal action significantly affecting the quality of the human environment within the context of NEPA. Therefore, the preparation of an environmental impact statement (EIS) is not required.

**DATES:** The public comment period will end 30 days after publication of this NOA in the **Federal Register**. Comments received by the end of the 30-day period will be considered when preparing the final version of the document. The EA is available electronically at <http://www.dla.mil/Documents/Sharpe%20EA%20040113%20v1%20from%20Anil%20received%20in%20DSE%2004-03-13pdf.pdf>. In addition, a hard copy of the EA is available at Lathrop Public Library, 15461 7th Street, Lathrop, California 95440 and at the Defense Distribution Depot San Joaquin—Tracy Site Public Affairs Office, 2600 S. Chrisman Road, Building 1, Tracy, California 95304. A copy of the EA may be requested by contacting Defense Distribution Depot San Joaquin—Tracy Site Public Affairs Office at (209) 839-4226.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, 2nd floor, Suite 02G09, Alexandria, VA 22350-3100.

**FOR FURTHER INFORMATION CONTACT:** Public Affairs Office, Tracy, California, (209) 839-4226.



*Community Development Department  
Planning Division*

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Phone (209) 941-7260 – Fax (209) 941-7268  
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February 7, 2018

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ATTN: ACE Extension Lathrop to Ceres/Merced Project  
949 E. Channel Street  
Stockton, CA 95202

RECEIVED  
FEB - 9 2018  
SJRRRC

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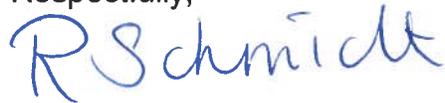
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February 7, 2018

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Respectfully,



Rebecca Schmidt, AICP  
Director of Community Development

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cc: Lathrop City Council  
Stephen Salvatore, City Manager  
Glenn Gebhardt, City Engineer  
Douglas Johnson, Sharpe Depot, Base Transition Manager  
Dan Dickinson, AAFES Project Manager of Major Construction

COMMENT SHEET

Name: FRANK QUINTERO  
Organization (if any): City of Merced  
Address (optional): 678 W. 18th St  
City, State, Zip: Merced CA 95340  
E-mail address: quinterof@cityofmerced.org

Comments

Co-locate High Speed Rail Station with ACE Station

Co-locate HSR heavy maintenance facility with ACE train

Make efforts not to divide city (North/South) because of ACE & HSR Trains

Focus on employment centers and urban densities to locate stations

Incorporate UC Merced as a draw for ridership.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

---

**ACE Extension Lathrop to Ceres/Merced Project**

1 message

**Nathan Bray** <NBray@turlock.ca.us>

Fri, Feb 9, 2018 at 2:01 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Cc: Katie Quintero &lt;KQuintero@turlock.ca.us&gt;, Eric Picciano &lt;EPicciano@turlock.ca.us&gt;

ACE Extension Lathrop to Ceres/Merced Project representative,

Please find the City of Turlock's response and comments on the proposed scope of the EIR. A hard copy of the City of Turlock's response and comments has been sent to 949 East Channel Street in Stockton, CA as well.

Please do not hesitate to contact me if you have any questions.

Nathan Bray, P.E.

Principal Civil Engineer

City of Turlock

[\(209\)668-2096](tel:(209)668-2096)

**City of Turlock's response and comments to ACE Train Extension Lathrop to Ceres-Merced Project.pdf**

1275K



**ERIC PICCIANO**  
INTERIM DIRECTOR OF DEVELOPMENT SERVICES  
CITY ENGINEER/CHIEF BUILDING OFFICIAL  
[Epicciano@turlock.ca.us](mailto:Epicciano@turlock.ca.us)



**DEVELOPMENT SERVICES**

---

156 S. BROADWAY, SUITE 130 | TURLOCK, CALIFORNIA 95380 | PHONE 209-668-5542 EXT 4422 | FAX 209-668-5107 | TDD 1-800-735-2929

February 8, 2018

San Joaquin Regional Rail Commission  
Attn: ACE Extension Lathrop to Ceres/Merced Project  
949 East Channel Street  
Stockton, CA 95202

Subject: ACE Extension Lathrop to Ceres/Merced

Dear San Joaquin Regional Rail Commission,

Thank you for the opportunity to comment on the proposed project. The ACE Extension project would extend the ACE service line within the existing Union Pacific Railroad Right-of-Way through the City of Turlock. A passenger platform with a pedestrian overcrossing to access the parking and the City of Turlock transit center is also proposed as part of the project. The City of Turlock supports the ACE extension project and looks forward to having an ACE train station. The City of Turlock wants to continue to be involved in the project as the design and environmental analysis continue for the Modesto to Merced segment as it pertains to the City of Turlock. As the Planning continues we would also like to evaluate coordination of local bus services in conjunction with the planned ACE Train service.

The City of Turlock General Plan, Design Guidelines, Zoning Ordinance and Active Transportation Plan can all be found on the City of Turlock website listed below. These documents should be used for reference documents in the environmental documents prepared for the Modesto to Merced segment of the project.

<http://ci.turlock.ca.us/buildinginturlock/planninglandusepermitting/>

In addition the City of Turlock has concerns about the following potential traffic impacts of the proposed project and requests they be evaluated.

- Impacts to the Soderquist Road and Fulkerth Road intersection and the Soderquist Road and Canal Drive intersection and any necessary improvements to the intersections.
- Impacts to and additional improvements needed along Front Street.

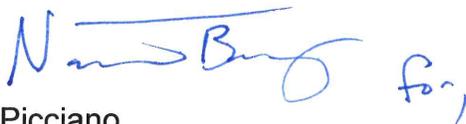
- Detailed evaluation of the impacts to each crossing intersection including but not limited to: intersection improvements, elevations of the transitions, pre-emption function and coordination with traffic signal controllers, adequate advance pre-emption notification to adjacent traffic signals based on the expected (higher) speed of ACE trains, needed relocation of improvements such as streetlights, signal loops and traffic signal poles
- The elevation and design of the crossing at Berkeley Avenue and Golden State Boulevard in accordance with the future design and designation of the roadway and intersection.
- Coordination with the Stanislaus County Fairgrounds for parking and traffic when events are being held at the Fairgrounds.
- Evaluation of grade changes through at-grade road crossings where proposed rail lines will be installed adjacent to existing rail lines.
- Stormwater runoff and State mandated MS-4 requirements.
- Visual impacts created from an elevated rail line.
- Impacts to endangered or threatened species including but not limited to kit fox, fairy shrimp, burrowing owl.
- Disturbance to soil that contains aerial deposited lead.
- Traffic impacts during construction, detour plans and stage construction to minimize impacts.

The City of Turlock also requests any potential noise impacts along the corridor be analyzed.

The City of Turlock is currently under construction with a new transit building located across the street from the proposed ACE station and we request the design of the ACE station co-ordinate with the design of the transit building for locating the pedestrian overcrossing.

The City of Turlock looks forward to the extension of the ACE train service to our community.

Sincerely,

A handwritten signature in blue ink that reads "Eric Picciano" followed by a small flourish.

Eric Picciano  
Interim Director of Development Services  
City Engineer and Chief Building Official



**ERIC PICCIANO**  
INTERIM DIRECTOR OF DEVELOPMENT SERVICES  
CITY ENGINEER/CHIEF BUILDING OFFICIAL  
[Epicciano@turlock.ca.us](mailto:Epicciano@turlock.ca.us)

RECEIVED  
FEB 12 2018  
SJRRC



**DEVELOPMENT SERVICES**

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156 S. BROADWAY, SUITE 130 | TURLOCK, CALIFORNIA 95380 | PHONE 209-668-5542 EXT 4422 | FAX 209-668-5107 | TDD 1-800-735-2929

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Eric Picciano  
Interim Director of Development Services  
City Engineer and Chief Building Official



Matt Hertel &lt;aceextension.south@gmail.com&gt;

---

**Atwater is the PLACE!!!**

1 message

---

**Ayelen Colunga** <ayelencolunga10@gmail.com>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:19 AM

The classification of Atwater as a "Potential Station" as opposed to a "Proposed Station" is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a "Proposed Station" and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor's Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo's Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)
- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
- The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.
- The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is

located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Please pick Atwater for the ACE extension**

1 message

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**Elisabeth Conn** <elisabeth4080085@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 2:10 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area. Allowing them to go home for less and more often.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air As well.

I would like to point out that the trips to the Bay area takes hours long car drive there and back. With all the seats full and half the time in traffic moving 5mph you can see why it is a discomfort. The trip would be more enjoyable and able to have more time in the bayarea if we had better souses of transportation.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

1 message

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Joseph Contreras-Curiel <joseph6080766@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:27 PM

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

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Sincerely,

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Julia Coronado  
City of Atwater  
Project Accountant



Matt Hertel <aceextension.south@gmail.com>

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**City of Atwater**

1 message

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**Julia Coronado** <jcoronado@atwater.org>  
To: "ACEextension.south@gmail.com" <ACEextension.south@gmail.com>

Thu, Feb 8, 2018 at 3:32 PM

Good Afternoon,

Attached is my letter regarding the ACE extension Lathrop to Ceres and Merced, thank you

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 **4744\_001.pdf**  
168K

# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

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City of Atwater  
Project Accountant



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place

1 message

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**Brenda Covarrubias** <brenda6080046@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:23 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Kylie Craig** <kylie5080621@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:49 AM

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February 7, 2018

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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,



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Paul Creighton  
City of Atwater  
City Council Commissioner



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**"ACE Extension Lathrop to Ceres/Merced Project"**

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Lori Waterman &lt;lwaterman@atwater.org&gt;

Thu, Feb 8, 2018 at 3:53 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Attached, please find my "ACE Extension Lathrop to Ceres/Merced Project" scoping comments.

**City Office Hours are Monday thru Thursday 8:00 AM to 6:00 PM.**

*Paul Creighton*

(209)357-6300

City Council Member

City of Atwater



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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

City of Atwater staff has reviewed the subject Notice of Preparation and are concerned to discover that in this successor effort to the *ACEforward* project, the City of Atwater is reclassified as a "Potential Station," an alternative to a City of Livingston "Proposed Station." In the previous *ACEforward* Draft EIR, the Livingston and Atwater stations were considered as alternatives MME-1a and MME-1b, respectively. This recently released description of the ACE Extension Lathrop to Ceres/Merced (Project) and preferred alternatives represents a major deviation from the previous *ACEforward* project materials. There has been little or no communication with City of Atwater staff or elected officials regarding this major shift in the project.

The classification of Atwater as a "Potential Station" as opposed to a "Proposed Station" is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a "Proposed Station" and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor's Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo's Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)

- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
- The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.
- The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.
- The City of Atwater offers numerous conveniences located within 1/2 mile of the Atwater Station which could further reduce vehicle trips. These include the Applegate Inn and the Valley Motel, numerous restaurants, the Applegate Ranch Shopping Center, the Applegate Square Shopping Center, and the Atwater Gateway Shopping Center, the Downtown Atwater commercial district, the Atwater Branch Library, 4 City parks, and the Bloss House Museum.
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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,



---

Paul Creighton  
City of Atwater  
City Council Commissioner

**CENTRAL VALLEY FLOOD PROTECTION BOARD**

3310 El Camino Ave., Ste. 170  
SACRAMENTO, CA 95821  
(916) 574-0609 FAX: (916) 574-0682



RECEIVED  
FEB 20 2013  
SJRRRC

February 2, 2018

Mr. Dan Leavitt  
San Joaquin Regional Rail Commission  
949 E. Channel Street  
Stockton, California 95202

Subject: Altamont Corridor Express Lathrop to Ceres/Merced, Notice of Preparation,  
SCH No.: 2018012014

Location: Counties of San Joaquin, Stanislaus and Merced

Dear Mr. Leavitt,

Central Valley Flood Protection Board (Board) staff has reviewed the subject document and provides the following comments:

The proposed project is within the Stanislaus, Tuolumne and Merced Rivers, regulated streams under Board jurisdiction, and may require a Board permit prior to construction.

The Board's jurisdiction covers the entire Central Valley including all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and the Tulare and Buena Vista basins south of the San Joaquin River.

Under authorities granted by California Water Code and Public Resources Code statutes, the Board enforces its Title 23, California Code of Regulations (Title 23) for the construction, maintenance, and protection of adopted plans of flood control, including the federal-State facilities of the State Plan of Flood Control, regulated streams, and designated floodways.

Pursuant to Title 23, Section 6 a Board permit is required prior to working within the Board's jurisdiction for the placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee.

Permits may also be required to bring existing works that predate permitting into compliance with Title 23, or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the works has not been clearly established or ownership and use have been revised.

Mr. Dan Leavitt  
February 2, 2018  
Page 2 of 2

Other federal (including U.S. Army Corps of Engineers Section 10 and 404 regulatory permits), State and local agency permits may be required and are the applicant's responsibility to obtain.

Board permit applications and Title 23 regulations are available on our website at <http://www.cvfpb.ca.gov/>. Maps of the Board's jurisdiction are also available from the California Department of Water Resources website at <http://gis.bam.water.ca.gov/bam/>.

Please contact James Herota at (916) 574-0651, or via email at [James.Herota@CVFlood.ca.gov](mailto:James.Herota@CVFlood.ca.gov) if you have any questions.

Sincerely,



Andrea Buckley  
Environmental Services and Land Management Branch Chief

cc: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**Central Valley Regional Water Quality Control Board**

1 February 2018

**RECEIVED**  
**FEB - 5 2018**  
**SJRRC**

Dan Leavitt  
San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

**CERTIFIED MAIL**  
91 7199 9991 7036 6989 7935

**COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, ACE EXTENSION LATHROP TO CERES/MERCED PROJECT, SCH# 2018012014, SAN JOAQUIN, STANISLAUS, AND MERCED COUNTIES**

Pursuant to the State Clearinghouse's 10 January 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environment Impact Report* for the ACE Extension Lathrop to Ceres/Merced Project, located in San Joaquin, Stanislaus, and Merced Counties.

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 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/](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 Policy is available on page IV-15.01 at:  
[http://www.waterboards.ca.gov/centralvalleywater\\_issues/basin\\_plans/sacsjr.pdf](http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf)

In part it states:

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

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

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

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

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

requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

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

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml).

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

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

For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/caltrans.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml).

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

**Industrial Storm Water General Permit**

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

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

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml).

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<sup>1</sup> 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.

### **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 (USACOE). If a Section 404 permit is required by the USACOE, 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 USACOE at (916) 557-5250.

### **Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE 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 (i.e., discharge of dredge or fill material) of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

### **Waste Discharge Requirements (WDRs)**

#### *Discharges to Waters of the State*

If USACOE 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.

#### *Land Disposal of Dredge Material*

If the project will involve dredging, Water Quality Certification for the dredging activity and Waste Discharge Requirements for the land disposal may be needed.

#### *Local Agency Oversight*

Pursuant to the State Water Board's Onsite Wastewater Treatment Systems Policy (OWTS Policy), the regulation of septic tank and leach field systems may be regulated under the local agency's management program in lieu of WDRs. A county environmental health department may permit septic tank and leach field systems designed for less than 10,000 gpd. For more information on septic system regulations, visit the Central Valley Water Board's website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/owts/sb\\_owts\\_policy.pdf](http://www.waterboards.ca.gov/centralvalley/water_issues/owts/sb_owts_policy.pdf)

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit2.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml).

### **Dewatering Permit**

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

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

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

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

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2013-0145\\_res.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf)

### **Regulatory Compliance for Commercially Irrigated Agriculture**

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

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/app\\_approval/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml); or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other

action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).

### **Low or 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 *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

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/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0074.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf)

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0073.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf)

### **NPDES Permit**

If the proposed project discharges waste that could affect the quality of the 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:  
[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit3.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml)

ACE Extension Lathrop to  
Ceres/Merced Project  
San Joaquin, Stanislaus, and Merced Counties

- 7 -

1 February 2018

If you have questions regarding these comments, please contact me at (916) 464-4644 or  
Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock  
Environmental Scientist

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



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

1 message

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**Matthew DaCosta** <matthew11080030@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:47 AM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

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Sincerely,



Linda Dash  
City of Atwater  
CDRC Commissioner



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**"ACE Extension Lathrop to Ceres/Merced Project"**

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**Lori Waterman** <lwaterman@atwater.org>  
To: "ACEextension.south@gmail.com" <ACEextension.south@gmail.com>

Thu, Feb 8, 2018 at 3:56 PM

Attached, please find my "ACE Extension Lathrop to Ceres/Merced Project" scoping comments.

**City Office Hours are Monday thru Thursday 8:00 AM to 6:00 PM.**

*Linda Dash*

(209)357-6300

Community Development and Resources Commissioner

City of Atwater



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**From:** [scans@atwater.org](mailto:scans@atwater.org) [mailto:[scans@atwater.org](mailto:scans@atwater.org)]  
**Sent:** Thursday, February 08, 2018 3:48 PM  
**To:** Lori Waterman  
**Subject:** Attached Image

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172K

# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place!

1 message

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**Jordan Davis** <jordan4080162@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:51 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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1 message

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**Michael Davis** <michael2080071@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:21 AM

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Art de Werk  
City of Atwater  
Interim City Manager



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is alright

1 message

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**Candice Dean** <candice713215@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:52 PM

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To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:51 PM

The classification of Atwater as a "Potential Station" as opposed to a "Proposed Station" is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a "Proposed Station" and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.

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- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.

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- The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

- The City of Atwater offers numerous conveniences located within 1/2 mile of the Atwater Station which could further reduce vehicle trips. These include the Applegate Inn and the Valley Motel, numerous restaurants, the Applegate Ranch Shopping Center, the Applegate Square Shopping Center, and the Atwater Gateway Shopping Center, the Downtown Atwater commercial district, the Atwater Branch Library, 4 City parks, and the Bloss House Museum.

- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.

# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

City of Atwater staff has reviewed the subject Notice of Preparation and are concerned to discover that in this successor effort to the *ACEforward* project, the City of Atwater is reclassified as a "Potential Station," an alternative to a City of Livingston "Proposed Station." In the previous *ACEforward* Draft EIR, the Livingston and Atwater stations were considered as alternatives MME-1a and MME-1b, respectively. This recently released description of the ACE Extension Lathrop to Ceres/Merced (Project) and preferred alternatives represents a major deviation from the previous *ACEforward* project materials. There has been little or no communication with City of Atwater staff or elected officials regarding this major shift in the project.

The classification of Atwater as a "Potential Station" as opposed to a "Proposed Station" is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a "Proposed Station" and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,




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Jeanna Del Real  
Human Resources Director  
City of Atwater



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater**

1 message

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**Mario Diaz** <mario1080018@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:13 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**COOL IS ATWATER**

1 message

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**David Diego** <david712712@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:31 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Julian Dominguez** <julian2080074@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater**

1 message

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**Davin Ducey** <davin7080053@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:59 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Angeles Duran** <angeles1080019@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:57 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance to work for technology companies or give them the ability to bring needed jobs here.

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

Sincerely,  
Angeles Duran



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Royal Duran** <royal1080088@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:17 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Lynette Duran-Garcia** <lynette1080020@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:48 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is alright**

1 message

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**Don Elias Wesley** <donelias3080062@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:27 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is alright**

1 message

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**Alonzo Enriquez** <alonzo11080010@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 2:13 PM

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Matt Hertel <aceextension.south@gmail.com>

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- **The Mid-California International**

1 message

Marlena Enriquez <marlena1080321@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:26 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Angel Espinoza** <angel4080693@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:16 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is a cool place

1 message

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**Axel Farias-Zapien** <axel11080321@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:29 PM

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**atwater is nice**

1 message

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## Atwater is very nice

1 message

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**atwater is a super place**

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## Atwater is very cool

1 message

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**Axel Farias-Zapien** <axel11080321@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:32 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is legit

1 message

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**Atwater knows whats up**

1 message

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**Atwater is super legit**

1 message

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**atwater is very cool**

1 message

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**atwater is super cool**

1 message

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**Atwater is cool water**

1 message

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**Subject:** VALLEY ACE TRAINS MEETING AT CERES COMMUNITY CENTER, 29 JAN, 2018 AT 5:30 - 7:30 P.M.

**From:** James Peter Feeney (valley\_jim@sbcglobal.net)

**To:** cklaschus@gmail.com; kmitch9348@sbcglobal.net; sierragal2014@gmail.com; stomlinson015@gmail.com; kathyweise.kw@gmail.com; mhight@csustan.edu; magictrain@aol.com; dahardie@gmail.com; vevado@yahoo.com; ayyoungbooks2@gmail.com; braddbarker@gmail.com; feralfriend2012@yahoo.com; rick.delvin@gmail.com; linda.lagace@att.net; jjackman@sbcglobal.net; hikerlady1955@gmail.com;

**Cc:** chelseafeeney1984@gmail.com; jessica.lorega@gmail.com;

**Date:** Monday, January 29, 2018 1:22 PM

Fellow Sierra Club Members:

Please make an effort to attend and participate in the regional meeting for extending the ACE (Altamont Commuter Express) Train to Ceres. The meeting will run 5:30 to 7:30 p.m., in the Ceres Community Center, 2701 Fourth St., Ceres.

Your presence and comments are vital to help attain the goal of extending the ACE Train to Ceres. As proposed, the Phase 1 Funding for the extension to Ceres would include an overnight layover facility that would store the trains in Ceres, making it possible for early morning dispatch of ACE Trains to the distance businesses in San Jose, the Bay Area, and other commercial hinterlands.

I intend to address the ACEforward Commission, stressing the need to have the ACE Train extension to Ceres implemented immediately, as the Hwy. 99, Hwy. 120 and Hwy. 108 **SURFACE TRANSPORTATION SYSTEMS ARE ALREADY OVERWHELMED AND OVERLOADED WITH CARAVANS OF 18-WHEEL SEMI TRUCKS; THE ONLINE CONTINUAL FLOW OF AMAZON.COM PURCHASES, AMONG OTHERS, (UNNECESSARY PACKAGING AND UBIQUITOUS PLASTIC OBJECTS) THAT REPRESENT THE CURRENT RETAIL BUSINESS MODEL'S INFLUENCE ON ALL ASPECTS OF OUR LIVES** (sorry for the rant).

Steve Tomlinson will also be sharing his comments on the difficulties of traveling to the Bay Area and Danville, including the lack of connections between the ACE trains and BART trains.

I will buy the first glass of wine after the meeting, with the caveat of "NO SPEAKING, WRITTEN COMMENTS OR EMAILS - NO WINE!!! (and no winners or losers!).

Please help with moving this project forward by overwhelming the ACE Rail Commissioners with our succinct but targeted comments and number of attendees. Thanks in advance.

Jim Feeney (Actively Retired & Raring to Engage!)

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James Peter Feeney (Jim)  
1003 Caldwell Ave.  
Modesto, CA 95350-5909  
209.985.6760  
valley-jim@sbcglobal.net

# TRI VALLEY & SAN JOAQUIN VALLEY REGIONAL AUTHORITY

## SCOPE OF PROJECT: **ACE** EXTENSION SOUTH: EXTENSION & EXPANSION TO CERES, CA (PHASE 1)

1. Defining *Stakeholder*. Toward a new definition of “**Stakeholders**.”
  - a) Stakeholder: Defined as corporate groups “without whose support the organization would cease to exist.”
  - b) Stakeholder (Politics): This term is addressed in Robert Boutilier’s book entitled Stakeholder Politics; Social Capital, Sustainable Development and the Corporation. This appears as the “how to” guide for addressing and maintaining political legitimacy and promoting sustainable Development.
  - c) **STAKEHOLDER: VALLEY CITIZENRY & COMMUTERS:** Individuals who are politically aware of the consequences of further delaying the extension of the Valley ACE Trains to Stanislaus County (Phase 1) and Merced County with a terminus at Merced (Phase 2).
  - d) **STAKEHOLDER: DISENCHANTED VALLEY CITIZENS:** Those groups of disenchanting but politically aware citizens and Disabled Citizenry (Veterans/heroes), willing to take a firm stand for equal access to the amenities found in the Tri-Valley region, the Bay Area, as well as equal opportunities for careers, cultural events and recreation.

Note: There are the legendary attorneys (sometimes cast as villains, just waiting in the wings to identify accessibility deficiencies in public accommodations through litigation in Federal Courts for ADA violations and through California courts for perceived and actual violations of the *2016 California Building Code, Section 11B*, currently adopted by the State of California and local municipalities) representing those individuals seeking immediate and equal access.
  - e) **STAKEHOLDER: DISENCHANTED & POLITICALLY ACTIVE VALLEY CITIZENRY** no longer willing to accept the excuses, obfuscations and delays of seasoned elected officials who rally for the Automobile and roads, at the expense of those of who want clean air and access.

2. Economy & Surface Transportation Corridors: they are at overcapacity and getting worse. Anyone traveling Hwy. 99, Hwy. 120/108, Interstate Hwy. 5, Hwy. 205, Hwy. 580 will experience clogged highway lanes, long streams of 18-wheel semi trucks. **SURFACE TRANSPORTATION SYSTEMS ARE ALREADY OVERWHELMED AND OVERLOADED WITH CARAVANS OF 18-WHEEL SEMI TRUCKS; THE ONLINE CONTINUAL FLOW OF AMAZON.COM PURCHASES, AMONG OTHERS, (UNNECESSARY PACKAGING AND UBIQUITOUS PLASTIC OBJECTS) THAT REPRESENT THE CURRENT RETAIL BUSINESS MODEL'S INFLUENCE ON ALL ASPECTS OF OUR LIVES** (sorry for the rant).

3. Air Quality:

4. Equal Opportunity.

Alan Bell <Alan.Bell@cityoftracy.org>

To

James Peter Feeney (valley\_jim@sbcglobal.net)

Today at 4:05 PM

Hi Jim,

A few of the many warehouses in Tracy:

| <u>Business</u>  | <u>Approx. Building Square Feet</u> |
|------------------|-------------------------------------|
| Federal Express  | 650,000                             |
| Smuckers         | 403,000                             |
| Amazon in NEI    | 1.1 million                         |
| Amazon in Cordes | 1.2 million                         |
| Medline          | 1 million                           |
| Crate and Barrel | 600,000                             |
| Best Buy         | 800,000                             |
| Home Depot       | 700,000                             |
| Kellogg          | 750,000                             |

I did not take time to find plans and count dock doors, but a good estimation is about one doc door per 6,000 square feet of warehouse space. I hope this helps. Alan



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**David Fierros** <david5080703@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater**

1 message

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**Evelyn Flores** <evelyn712619@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:54 PM

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located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

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- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train**

2 messages

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**Nia Fox** <nia11080011@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:01 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance to work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

Sincerely,

Nia Fox

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**Nia Fox** <nia11080011@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:01 PM

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· Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.

· The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Rail service from Merced**

1 message

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**Walter Freeman** <freemanwalter@sbcglobal.net>  
To: ACEextension.south@gmail.com

Wed, Jan 10, 2018 at 5:56 PM

Good evening

Has thought been given to connectivity to Gilroy by bus from Merced instead of going all the way to Lathrop to reach Caltrain for service to San Jose

and the new planned service to and from Salinas?

What happened to the survey regarding service to Union City on Saturday?

It would be nice if you would post the results in an easy to find location

Thanks for your consideration and communication in advance



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Andrea Gallegos** <andrea4080066@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:52 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is great! :)**

1 message

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**Alexia Garcia** <alexia1080022@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:48 AM

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Matt Hertel <aceextension.south@gmail.com>

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1 message

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**Karina Garcia** <karina5080747@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:54 AM



Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Lexi Garcia** <lexi7080831@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:40 AM

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

City of Atwater staff has reviewed the subject Notice of Preparation and are concerned to discover that in this successor effort to the *ACEforward* project, the City of Atwater is reclassified as a "Potential Station," an alternative to a City of Livingston "Proposed Station." In the previous *ACEforward* Draft EIR, the Livingston and Atwater stations were considered as alternatives MME-1a and MME-1b, respectively. This recently released description of the ACE Extension Lathrop to Ceres/Merced (Project) and preferred alternatives represents a major deviation from the previous *ACEforward* project materials. There has been little or no communication with City of Atwater staff or elected officials regarding this major shift in the project.

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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,



Ramon Garcia  
City of Atwater  
Engineering Assistant



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Ace Extension Lathrop to Ceres/ Merced project**

1 message

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**Ramon Garcia** <rgarcia@atwater.org>  
To: "ACEextension.south@gmail.com" <ACEextension.south@gmail.com>

Thu, Feb 8, 2018 at 3:33 PM

San Joaquin Regional Rail Commission

*Best Regards***Ramon A. Garcia****Engineering Division****Community Development Dept.****City of Atwater**

209-357-6337 (ph)

209-357-6363 (fax)

**City Office Hours are Monday thru Thursday 8:00AM to 6:00 PM.**

*Please note that due to on-going financial constraints, City employees (non-safety) are on mandatory unpaid time off. Employees are also on a "compressed work schedule." City offices are subsequently closed every Friday.*

*Office hours for the Community Development Department are Monday through Thursday 8:00 AM to 6:00 PM.*

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

City of Atwater staff has reviewed the subject Notice of Preparation and are concerned to discover that in this successor effort to the *ACEforward* project, the City of Atwater is reclassified as a "Potential Station," an alternative to a City of Livingston "Proposed Station." In the previous *ACEforward* Draft EIR, the Livingston and Atwater stations were considered as alternatives MME-1a and MME-1b, respectively. This recently released description of the ACE Extension Lathrop to Ceres/Merced (Project) and preferred alternatives represents a major deviation from the previous *ACEforward* project materials. There has been little or no communication with City of Atwater staff or elected officials regarding this major shift in the project.

The classification of Atwater as a "Potential Station" as opposed to a "Proposed Station" is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a "Proposed Station" and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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Sincerely,



Ramon Garcia  
City of Atwater  
Engineering Assistant



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Ace Train Info**

1 message

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**Jesus Garibay** <jesus6080691@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the greatest place

1 message

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**Thomas Garner** <thomas11080012@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:25 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Thomas E. Garner III



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the greatest place.**

1 message

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**Thomas Garner** <thomas11080012@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:22 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Thomas E. Garner III



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!!

1 message

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**Zoie Garza** <zoie6080095@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:20 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Extension**

1 message

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**Dave Gianelli** <DGianelli@gianelli-law.com>  
To: "ACEextension.south@gmail.com" <ACEextension.south@gmail.com>  
Cc: Dan Leavitt <dan@acerail.com>

Thu, Jan 11, 2018 at 7:59 AM

Happy to read that this is moving forward, but want to make sure that the largest population center will initially get a station (or a stop – I think the existing facility is fine) at or near its current transportation center. That is critical to the success of ACE in this County. Without that priority stated clearly, we could have some serious issues. We fully support a station in Ceres, but Modesto is the most important location for a station in Stanislaus County.

Dan, can you explain to me what the new EIR will mean in terms of timing, etc. Is there a reason for me to be concerned about the stop at Modesto?

Dave

David L. Gianelli

Attorney



1014 16<sup>th</sup> St. Modesto, CA 95354

T: 209.521.6260 | F: 209.521.5971 | [dgianelli@gianelli-law.com](mailto:dgianelli@gianelli-law.com) | [www.Gianelli-law.com](http://www.Gianelli-law.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Pick Atwater**

1 message

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**Edwin Gomez** <edwin2080229@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

Dear Sir or Madam:

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.





Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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Isaiah Gonzalez <isaiah3080222@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is The Place

1 message

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**Jacqueline Gonzalez** <jacqueline4080018@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:52 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is greatttttttt**

1 message

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**Yasmin Gonzalez** <yasmin712837@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:55 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atawatter is amazing**

1 message

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**Conner Goodson** <conner5080752@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:23 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is the place**

1 message

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**Jocelyn Gudino** <jocelyn1080478@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:53 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Jennifer Guerrero Romero** <jennifer6080695@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:28 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwaters the place**

1 message

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**Amya Gutierrez** <amya7080141@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:25 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best**

1 message

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**Jeovany Gutierrez** <jeovany6080374@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Julian Gutierrez Gutierrez** <julian6080308@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:16 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**George Guzman** <george6080091@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:47 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

Jeanette Guzman <jeanette7080057@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:40 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train**

1 message

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**Amanda Hahn** <amanda6080914@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:28 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Ace train**

1 message

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**Alexis Hardin** <alexis11080016@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:04 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Sincerely,

Alexis Hardin



Matt Hertel &lt;aceextension.south@gmail.com&gt;

**awater**

1 message

**Christopher Hardin** <christopher3080029@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:24 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**atwater**

1 message

**Christopher Hardin** <christopher3080029@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:27 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Christopher Hardin** <christopher3080029@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:23 PM

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**COMMENT SHEET**

Name: Brent Harrison

Organization (if any): \_\_\_\_\_

Address (optional): \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

E-mail address: brenth5495@aol.com

**Comments**

What resources would be needed to extend thru Turlock to Merced (connected to UC Merced)

When would these resources be needed



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Kaden Hendrickson** <kaden4080056@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:28 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

Sincerely,

Kaden Hendrickson



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train**

1 message

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**Kaden Hendrickson** <kaden4080056@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:02 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Sincerely,  
Kaden Hendrickson



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater**

1 message

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**Jasmine Hernandez** <jasmine6080793@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:29 PM

[ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Vianey Hernandez** <vianey2080085@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:49 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the place to be!!!**

1 message

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**Yesenia Hernandez** <yesenia2080196@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:49 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Taylor Holcomb** <taylor1080026@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:18 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Devin Hopkins** <devin7080028@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 8:12 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Evelyn Huerta** <evelyn1080091@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:54 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is cool**

1 message

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**Hector Huitron** <hector1080357@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:53 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is good**

1 message

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**Mark Ingraham** <mark7080080@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:47 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

1 message

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**Gavin Ipock** <gavin11080126@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater should be the pick**

1 message

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**Adrian Jimenez** <adrian1080031@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:15 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the Place!!!!**

1 message

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**Alfredo Jimenez** <alfredo712851@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:51 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater**

1 message

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**Jugnishan Johal** <jugnishan7080081@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:08 PM

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Aniah Johnson** <aniah2081654@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:05 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Sincerely,  
Aniah Johnson



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## ACE extension and service expansion

1 message

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**davidbaera@aol.com** <davidbaera@aol.com>  
To: ACEextension.south@gmail.com

Tue, Jan 30, 2018 at 6:42 PM

I have four points I would like to make about your proposed service extension and expansion.

1. The extension of service south to the Modesto area is a good and necessary expansion of service. Many hardworking blue color people have been forced out of the Bay Area by high home prices, but still need to get to their jobs. Driving is slow and a high tension activity. For these people to be able to take the train and be able to relax, snooze, read, use their cell phones, etc is a much better way to start and end the work day.
2. The connection at Lathrop will be an excellent addition to California railroading. The only reason the connection is not there now is that these two lines were once competing companies. There are only four rail lines into the Bay Area from the east and one of those is out of service and unusable. The remaining lines need to be good solid connections to back each other up in case of what ever unforeseen occurrence might put one of them out of service. This goes for both passenger and freight service. This line also is a back up for I-580. In the Santa Barbara area with the mud slides closing 101 for weeks, the UP cost line played an important role in keeping both people and freight moving.
3. Adding more trains on any rail corridor uses capacity and may require expanded facilities. You should keep in mind, especially on the Stockton to San Jose operation, that increasing the length of a train has very little impact on the hosting railroad. When the Western Pacific ran the California Zephyr the train was 15 or 16 cars long in the summer through Niles Canyon and over the Altamont grade. Your present trains on this corridor could be almost doubled in length and passenger capacity with little or no impact on the Union Pacific. The issues would be platform length and service and storage facilities at both ends of the run. I know this concept is not new to you. ACE started with four car trains and is now running seven car trains. But a lot more capacity is still available by just adding more cars. This could have the added benefit of improved safety for the train by putting locomotives on both ends. Just look to Southern California for examples of this.
4. My fourth point is that commuter, passenger and freight railroads should never overlook an opportunity to grade separate highways and railroads when ever possible. The benefits in improved safety, reduced pollution, reduced maintenance cost for both the highway and railroad, and the noise reduction will last for ever once a grade crossing is eliminated. Every new project should include at least a few grade separations in order to keep working for grade crossing free main tracks. California has made excellent progress on grade crossing elimination, but there is so much more to be done. Here in Livermore a priority should be given to Junction Ave and the UP mainline. Having this noisy, busy, dangerous crossing right in front of the Junction School is an accident just waiting to happen. This crossing should be eliminated!

Thank you for considering my thoughts on your proposed service expansion. ACE provides important transportation to this area of California and I look forward to your expanded service.

David Johnston  
28 Cameo Drive  
Livermore, CA 94550



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**2018 ACE Train**

1 message

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**Brianna Juarez** <brianna2081325@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:39 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Joseph Juarez** <joseph4080020@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 11:02 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train in Atwater, CA**

1 message

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**Scottlen Keach** <scottlen2080089@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:22 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help their quality in the Central Valley as well.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel <aceextension.south@gmail.com>

### Projected time frames

1 message

**Rhonda Koch** <rhondaekoch@gmail.com>  
To: ACEextension.south@gmail.com

Tue, Jan 9, 2018 at 5:40 PM

I was hoping you could share any projected time frames that the ACE corridor extension would reach Merced???? It looks like it has been spoken that it should reach Ceres by 2023, so is it fair to say that it would reach Merced by 2028????

I am asking because I have homeowners in Merced contemplating selling now or later depending on the growing infrastructure of Merced itself. It is a shame that Amazon has dropped the negotiations of a location in Merced, but the workforce would be here if it did.

The ACE would be an incredible boost to the local economy here -

Your input is valuable,  
Please take the time to respond.

Best Always,  
Rhonda Koch



**Rhonda Koch**  
Realtor - BRE#00939021  
Luxury Collection Specialist  
Office 209-634-4000  
Fax 209-250-0383  
Mobile 209-814-1193  
www.RhondaKoch.com



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I negotiate to their advantage,  
I minimize their stress level,  
And I love what I do!!!

Can you or perhaps someone you know benefit from my services? Give me a call,



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Micaela Koncewicz** <micaela11080032@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:20 AM

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 8, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

City of Atwater staff has reviewed the subject Notice of Preparation and are concerned to discover that in this successor effort to the *ACEforward* project, the City of Atwater is reclassified as a "Potential Station," an alternative to a City of Livingston "Proposed Station." In the previous *ACEforward* Draft EIR, the Livingston and Atwater stations were considered as alternatives MME-1a and MME-1b, respectively. This recently released description of the ACE Extension Lathrop to Ceres/Merced (Project) and preferred alternatives represents a major deviation from the previous *ACEforward* project materials. There has been little or no communication with City of Atwater staff or elected officials regarding this major shift in the project.

The classification of Atwater as a "Potential Station" as opposed to a "Proposed Station" is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a "Proposed Station" and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,



Julie Krebs  
City of Atwater  
Administrative Analyst



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Janelly Landa** <janelly3080811@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:32 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Cool**

1 message

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**Esmeralda Lara** <esmeralda2080219@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Anthony Lariosa** <anthony4080073@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:02 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for

COMMENT SHEET

Name: Trevor Smith  
Organization (if any): Lazares Companies  
Address (optional): 16795 Lark Ave, Suite 106  
City, State, Zip: Los Gatos CA 95032  
E-mail address: Tsmith@LazaresCompanies.com

Comments

Our concern is associated with the placement of the "Relocated Lathrop - Maateca Station."

We ~~over~~ own land within the Gateway Specific Plan, which was approved by the city of Lathrop. The property abuts the north side of the rail tracks, west of McKinley Avenue. We are currently designing buildings and infrastructure associated with an Industrial Project within the Gateway Specific Plan. A station that straddles the tracks w/ Platforms would have significant impacts on our Project.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Notice of Preparation of an Environmental Impact Report

1 message

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**Trevor Smith** <TSmith@lazarescompanies.com>

Fri, Feb 9, 2018 at 4:11 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Cc: Rebecca Schmidt &lt;rschmidt@ci.lathrop.ca.us&gt;, David Lazares &lt;DLazares@lazarescompanies.com&gt;

San Joaquin Regional Rail Commission

Attn: ACE Extension Lathrop to Ceres/Merced Project

949 East Channel Street

Stockton, CA 95202

Thank you for this opportunity to be part of the planning process for your project. As a developer and land owner in the Lathrop area (as South Lathrop, LLC) I have to bring to your attention one aspect of your project that could have significant impacts on us if designed to straddle the tracks with platforms and that is the new **Relocated Lathrop/Manteca Station**. I understand this to be an alternative in the analysis. However, if it is selected and if a platform, parking lot and access to those facilities are needed on the north side of the tracks, those improvements will significantly impact an approved planned industrial park call Lathrop Gateway. I've attached the Specific Plan to give you information as to the location and specifics about the Lathrop Gateway project.

This project has been approved and annexed into the City of Lathrop for several years now. We are currently under contract with an industrial developer who is preparing improvements plans for the site which abuts the railroad tracks. This approved project needs to be considered in your analysis as it relates to the Relocated Lathrop/Manteca Station alternative. The City of Lathrop website has the CEQA document and other related Lathrop Gateway approvals that you should factor into your analysis.

At a recent open house on your project in which I attended, I was told that the Relocated Lathrop/Manteca Station alternative, if selected, would avoid the Lathrop Gateway Project. Out of an abundance of caution I provide a hand written response at the open house and I'm following up with this email. I appreciate the job your agency is doing and see the services you provide a critical part of the Central Valley infrastructure and success. If there is anything we can help with, please don't hesitate to ask.

Trevor Smith

Vice President

Lazares Companies

16795 Lark Avenue, Suite 106

Los Gatos, CA 95032

(209) 662-5098

[tsmith@lazarescompanies.com](mailto:tsmith@lazarescompanies.com)



**Specific Plan\_Gateway (May 2010).pdf**

3407K

# LATHROP GATEWAY BUSINESS PARK

## Draft **Specific Plan**

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Lathrop, California

*May 2010*

## **Acknowledgements**

The Lathrop Gateway Business Park Specific Plan is the culmination of more than three years of effort by a wide range of individuals: property owners, developers, consultant teams, and various City staff. The Lathrop Gateway Team also acknowledges the participation of PBS&J in previous planning efforts. Research and due diligence information gleaned from previous planning documents were invaluable in preparing this specific plan.

The Lathrop Gateway Team would like to acknowledge the following groups and individuals for their valuable assistance and contribution to this Specific Plan.

Members of the City Council

Staff members of the City of Lathrop

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- 1.2 Specific Plan Organization
- 1.3 Project Location
- 1.4 Summary of Existing Conditions
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# 1.0 Executive Summary

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## 1.1 SPECIFIC PLAN PROCESS

Specific Plans are beneficial when planning large land areas or complex development projects because they provide a comprehensive document that contains all of the land use and infrastructure policies necessary to fully address the potential impacts of the project, and to implement subsequent development requests. The use of specific plan documents to guide growth is authorized by Sections 65450 through 65457 of the California Government Code. Section 65451 of the Government Code requires that Specific Plans include exhibits and discussion illustrating land use, circulation, infrastructure, development standards, phasing and financing, as well as a statement of the relationship of the specific plan to the general plan. Section 65453 allows specific plans to be adopted by resolution and/or ordinance and to be amended as often as is necessary. Specific Plans define the "rules" that pertain to a certain property, but also are able to evolve over time in response to economic and market demands.

The Lathrop Gateway Business Park Specific Plan (LGBPSP) will serve to implement the City's General Plan policies and establish clear direction for the development of the entire Plan Area. It is both a policy and a regulatory document. It provides definition of policy direction, establishes zoning designations for the property, and includes standards to guide the detailed design of individual projects within the Plan Area.

The Land Use Plan contained herein has been prepared in response to input from a variety of sources including property owners within the Plan Area, City staff, County staff, and agency staff. A more complete history of this process is discussed in Chapter 2.2.

The purpose of the Lathrop Gateway Business Park Specific Plan is to create a comprehensively planned development that provides an appropriate balance of land uses and systematically constructed infrastructure and services to adequately and responsibly support the development. The Specific Plan process provides a planning mechanism by which all of the issues are explored and policies and

standards can be created to guide the build-out of the Plan Area. It allows development standards to be tailored to the unique vision of a particular area, and provides consistency during the build-out of the Plan Area.

## 1.2 SPECIFIC PLAN ORGANIZATION

The Lathrop Gateway Business Park Specific Plan document is organized into eight chapters. The chapters are described as follows:

**Chapter 1 - Executive Summary** provides a brief overview of the specific plan process and document contents, identifies Plan Area location and summarizes the context, vision, land use plan, circulation system, parks and open space, design guidelines, infrastructure, environmental resources, financing and implementation.

**Chapter 2 – Context and Setting** discusses in more detail the legal authority of specific plans and severability, Lathrop Gateway Business Park’s history, relationship with other documents such as the zoning code, consistency with the General Plan, and Plan Area setting.

**Chapter 3 – Land Use** provides further definition of the Land Use Plan and lists policies and development standards for each land use, which will serve to guide the development of the Plan Area.

**Chapter 4 – Circulation** provides an overview of the proposed transportation system including roadways, bus transit, bikeways and walkways, and illustrates street sections.

**Chapter 5 – Design Guidelines** provides the site planning, including landscape and open space, and architectural standards for each land use, further ensuring a high-quality and unique Lathrop Gateway Business Park development.

**Chapter 6 – Infrastructure** summarizes the proposed "backbone" systems for sewer, water and drainage. Detailed engineering studies were prepared in support of the proposed land use plan. These studies will need to be periodically reviewed and may need to be revised or augmented as detailed subdivision plans are submitted and approved.

**Chapter 7 – Project Financing Plan** summarizes the phasing of backbone infrastructure and roadways that are discussed in detail in the Financing Plan and Capital Improvement Plan prepared in support of this Specific Plan, the construction costs of major facilities and roadways, fee structures and funding programs.

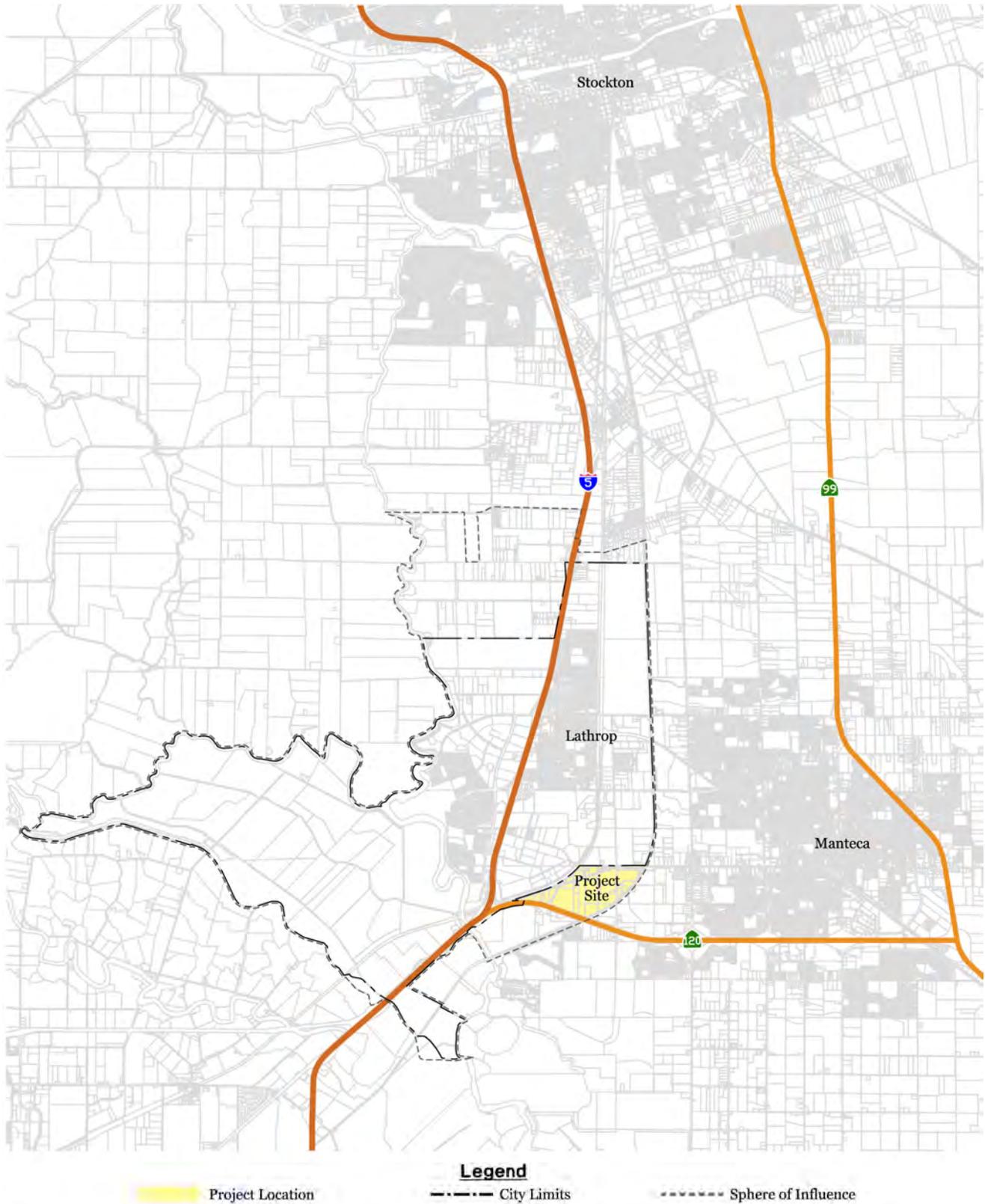
**Chapter 8 – Implementation and Administration** describes the process and policies by which subsequent submittals are made, or if necessary, how amendments may be made to this plan.

**Appendices** – Several documents are included as attachments to this specific plan document including the LGBPSP General Plan Consistency Analysis and supplemental development regulations.

### 1.3 PROJECT LOCATION

The Lathrop Gateway Business Park Specific Plan encompasses approximately 384± gross acres located in an unincorporated area of San Joaquin County, adjacent to the City of Lathrop. The east and west boundaries of the Plan Area are defined by two tracks of the Union Pacific Railroad; the southern boundary is State Highway Route 120 and northern boundary is defined by Vierra Road and Yosemite Avenue. Although the Lathrop Gateway Business Park Specific Plan currently falls under the jurisdiction of San Joaquin County, it is within the City of Lathrop's Sphere of Influence and is included in the 2004 General Plan Update.

Figure 1.1 illustrates the LGBPSP boundary in relation to the city limits of the City of Lathrop.



|  |  |                  |   |
|--|--|------------------|---|
| <b>Figure 1.1: Regional Map</b>                                    |  | Date: April 2010 |   |
| Lathrop Gateway Business Park Specific Plan<br>Lathrop, California |  | NOT TO SCALE     | <br> |

## 1.4 SUMMARY OF EXISTING CONDITIONS

The following provides a brief discussion of the site conditions that played a role in the formulation of the Land Use Plan and this specific plan document. Chapter 2, Context and Setting and the Lathrop Gateway Business Park Specific Plan Environmental Impact Report (EIR) provide a full discussion of the existing conditions found within the Plan Area.

### 1.4.1 Property Ownership

The LGBPSP Area encompasses approximately 384± gross acres and a total of 81 parcels, of which there are 2 general ownership groups: sponsoring property owners and non-sponsoring property owners. The sponsoring property owners, who control approximately 215± net<sup>1</sup> acres, or 56% of the Plan Area agreed to financially sponsor the preparation of this Specific Plan document and the supporting infrastructure engineering studies, and provided funding to the City of Lathrop to prepare CEQA related studies.

### 1.4.2 Existing Land Use

The LGBPSP Area includes a variety of existing land uses: agricultural interspersed with rural residential, service, office, church and industrial uses. Agricultural uses are located in the southern and central Plan Area. Rural homes sites are distributed along McKinley Avenue and Yosemite Avenue in the Plan Area. Other residential and mixed light industrial uses are located on the northern site boundary along Vierra Road and Yosemite Avenue. The industrial uses are located in the western boundary Plan Area, both north and south of Yosemite Avenue. No parcels within the Plan Area are under Williamson Act contracts.

### 1.4.3 Surrounding Land Use

The LGBPSP Area is surrounded by a variety of existing land uses. To the north, within the City of Lathrop, are industrial uses, the City's Wastewater Treatment Plant, a PG&E electrical substation, agricultural and vacant land, and the existing Lathrop-Manteca Altamont Commuter Express (ACE) Train station. To the south, within San Joaquin County and the City of Manteca, are developing lands: residential, commercial, business, and public uses. Proposed and approved projects for the area include Southwest Manteca Employment Center, an area of approximately 1,408 acres, a high-tech business industrial park, and the Oakwood Lakes Subdivision. To the east, in Manteca, new commercial development is approved for Manteca Big League Dreams Sports Park, a 30 acre City-owned

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<sup>1</sup> Net acreage does not include existing and major roadways.

recreational sports complex, with an adjacent regional commercial center. The City of Manteca Wastewater Treatment Plant is also east of LGBPSP. To the west, across the Union Pacific rail line, are existing industrial land uses as well as Interstate 5.

#### **1.4.4 Topography and Drainage**

The Plan Area is essentially flat with elevated rail lines and roadways, including State Route 120, located along the eastern, western and southern boundaries of the Plan Area. Elevation contour lines generally trend west through the Plan Area. Based on this observation, the Plan Area generally slopes and drains to the west.

#### **1.4.5 Biological Resources**

Existing uses within the LGBPSP Plan Area consist of industrial, rural residential homes, row crops, grazing and orchards. Due to previous development, intensive agriculture, and associated lack of suitable habitat, the likelihood of special-status plants and animals within the Plan Area is considered extremely low. Although no special-status wildlife species were observed, potential habitat for numerous species exist, including the California tiger salamander, vernal pool crustaceans, Burrowing owl, Swainson's hawk, White-tailed kite, and riparian brush rabbit. The proposed storm drain outfall for the Plan Area is within the San Joaquin Delta watershed, which has several wetland and aquatic features. These resources are potentially subject to jurisdiction of the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act. For a comprehensive discussion of the on-site biological resources reference the Environmental Impact Report (EIR) associated with this specific plan effort.

### **1.5 SUMMARY OF VISION**

The Stockton-Tracy-Lathrop-Manteca region has experienced record growth in the past number of years. Lathrop is strategically located, has affordable housing, and will continue to grow. It was projected by San Joaquin Council of Governments (SJCOG) that the City of Lathrop's population will double by 2025.

The Lathrop Gateway Business Park seeks to establish local land uses with a variety of business opportunities that can support the skilled and educated workforce of Lathrop and the local area. Creating a relationship between jobs in the community and housing is paramount. The LGBPSP seeks to expand the San Joaquin County Enterprise Zone. Through the use of potential tax and development incentives and business assistance, the City can draw new business to the region. Attracting businesses

is essential in reducing the need for residents to commute out of the area, generating revenue for the City as well as decreasing carbon emissions from car trips throughout the County and beyond.

The General Plan supports employment growth by slating land for industrial and commercial development within the Plan Area. The Lathrop Gateway Business Park is consistent with the General Plan in fulfilling the following objectives:

- Encourage long term commercial and employment growth,
- Capitalize on the Lathrop Gateway Business Park location, providing for both regional and local serving businesses,
- Reduce the need for residents to commute out of town for employment opportunities or commercial needs,
- Develop non-motorized transportation networks (i.e., bikeways) and arrange land uses to support alternative modes of transportation, including a link to the ACE station north of the Plan Area,
- Encourage development that is consistent with the General Plan urban boundary and contiguous with current development with the city, and
- Provide flexibility to respond to changes in economic, market and social factors while maintaining land use compatibility and continuity.

**1.6 SUMMARY OF LAND USE PLAN**

The Land Use Plan proposes 56.7 net acres of new commercial office uses, 167.6 net acres of limited industrial uses, and 83.0 net acres of service commercial uses, which will allow for approximately 5.4 million square feet of developable space at typical densities throughout the site. The Plan also includes 17.2 net acres of open space and detention, and 2.9 net acres divided between three well sites. The final number of acres may vary slightly depending on more accurate survey information and the final alignment of roadways. The following table provides a summary of the land uses including a proposed FAR Target that was used to generate the maximum square footage of buildable area allowable in the Plan Area among the three development uses:

**Table 1.1: Land Use Summary**

| <b>Land Use</b>   |    | <b>Acreage [Net] <sup>1</sup></b> | <b>Total Sq. Ft. Per Land Use</b> | <b>FAR Range</b> | <b>FAR Target</b> | <b>Max. Sq. Ft.</b> |
|---|----|-----------------------------------|-----------------------------------|------------------|-------------------|---------------------|
| Commercial Office   | CO | 56.7                              | 2,469,852                         | .20 to .60       | 0.30              | 740,956             |
| Limited Industrial  | LI | 167.6                             | 7,300,656                         | .15 to .65       | 0.43              | 3,139,282           |
| Service Commercial  | SC | 83.0                              | 3,615,480                         | .15 to .66       | 0.43              | 1,554,656           |
| Well Site   | W  | 2.9                               |                                   |                  |                   |                     |
| Detention   | D  | 15.6                              |                                   |                  |                   |                     |
| Open Space  | OS | 1.6                               |                                   |                  |                   |                     |
| Subtotal  |    | 327.4                             |                                   |                  |                   |                     |
| Major & Existing Roads <sup>2</sup>   |    | 56.5                              |                                   |                  |                   |                     |
| <b>TOTAL</b>  |    | <b>383.9</b>                      |                                   |                  |                   | <b>5,434,894</b>    |
| <sup>1</sup> Net acreage does not include existing/major roadways and detention basin facilities.             |    |                                   |                                   |                  |                   |                     |
| <sup>2</sup> Major and existing roads include pedestrian and bicycle multi-use paths within the right-of-way. |    |                                   |                                   |                  |                   |                     |



**Legend**

- |   |   |
|---|---|
|  Limited Industrial                |  Well Site                     |
|  Commercial Office                 |  Open Space                    |
|  Service Commercial                |  Potential Future Right-of-Way |
|  Detention (Approximate Location)* |  Project Boundary              |

\*Basin locations and size shown are conceptual and subject to additional land planning and engineering. Basins may be relocated and reconfigured within each drainage area.

|  |  |                  |   |
|--|--|------------------|---|
| <b>Figure 1.2: Land Use Plan</b>                                   |  | Date: April 2010 |   |
| Lathrop Gateway Business Park Specific Plan<br>Lathrop, California |  | NOT TO SCALE     | <br> |

## 1.7 SUMMARY OF CIRCULATION SYSTEM

The LGBPSP proposes a well-structured network of streets and pathways to serve the Plan Area. The creation of a well-connected hierarchy of roadways allows for the efficient flow of vehicular traffic, and also encourages walking, biking and public transit alternatives to single occupancy vehicles.

The construction of roadways within the Plan Area will occur in a coordinated and timely manner, and will be phased as needed for development. Chapter 7 provides a summary discussion of the Project Financing Plan.

Major and Minor Arterial streets (which includes six-lane, five-lane and four-lane roads) serve to convey significant “cross-town” traffic. These streets will provide for efficient access through the City of Lathrop, and connections to major commercial uses, employment centers, and amenities. Four arterial streets exist in the plan area: Yosemite Avenue, Guthmiller Road, D’Arcy Parkway and McKinley Avenue. These arterials may need improvements or upgrades due to this Specific Plan effort. These streets have been excluded from the calculations of developable acres in the Land Use Plan.

Primary and secondary collector streets provide connections into the development, linking to office, commercial and industrial uses. Generally located on ¼ mile spacing, these streets have also been excluded from the calculations of developable acres in the Land Use Plan.

San Joaquin Regional Transit District (SJRTD) will provide bus service to the Plan Area. The Lathrop-Manteca Station, located north of the Plan Area, of the Altamont Commuter Express (ACE) Rail Service provides regional service between Stockton and San Jose; Modesto Area Express (MAX) provides bus connection between Modesto and the ACE station. The design of the Land Use Plan and the policies contained within this document encourage the use of existing public transit, as well as expansion of routes to the Plan Area with additional stops at key intersections. Land uses are generally more intense adjacent to arterial streets to encourage ridership, and it is anticipated that the transit agencies will expand bus service to the Plan Area as development occurs and demand increases.

The LGBPSP also includes a comprehensive plan for bikeways and pedestrian pathways. All arterial streets will have Class I separated multi-use bike paths. This comprehensive system promotes non-motorized connectivity both within the Plan Area and connects to the City of Lathrop’s Bicycle Transportation Plan with destinations throughout the City and beyond.

## 1.8 SUMMARY OF DESIGN GUIDELINES

The Design Guidelines chapter establishes the vision for the commercial, office, and industrial architecture and landscape standards within the Lathrop Gateway Business Park Specific Plan area. The chapter provides guidance for the developers, builders, and designers who will ultimately create the built environment of the LGBPSP. The chapter addresses site design and architecture, including building placement and orientation, public spaces and pedestrian amenities, and style and design details. The landscape component of the guidelines defines the character of the open space and streetscape network, including monument features, street trees, shrub plantings, hardscape material, and site furnishings. The Guidelines are intended to be flexible enough to allow for creativity, while also assuring a quality community that the City of Lathrop can proudly point to as a high watermark of development in the City.

## 1.9 SUMMARY OF PUBLIC SERVICES AND INFRASTRUCTURE

### 1.9.1 Public Services

Currently, fire protection is provided to the City of Lathrop by Lathrop-Manteca Fire Protection District (LMFPD). LMFPD will provide service to the Plan Area once it is annexed into the City.

Currently, law enforcement service to the unincorporated Lathrop Gateway Business Park Specific Plan area is provided by the San Joaquin County Sheriff's Department for police protection services. The Lathrop Police Department functions as an arm of the Sheriff's Department, with those deputies assigned to the City only working within City limits. As a part of the annexation process, the Plan Area will be served by the Lathrop Police Department once incorporation is complete.

Animal services will be provided by the City of Lathrop for the Plan Area. Animal Service Officers protect the health and safety of humans and animals, including, but not limited to, patrol, stray/abandoned animal pick-up, aggressive animal impounds, and humane investigation.

### 1.9.2 Infrastructure

#### Sewer

The proposed Plan Area will be served by the City of Lathrop. At project build-out, the entire Plan Area will be served by a combination gravity sewer system, sewage lift stations and force mains that will be utilized to direct flows to a treatment facility. There are two treatment facility options: 1) the City of Lathrop's Water Recycling Plant (WRP) #1 and/or #2, or 2) the regional treatment plant located in Manteca.

If the treatment occurs at WRP #1 or #2 the treated recycled water will be required to be disposed of through land application. Parcels within the northwest part of Lathrop have been identified for disposal purposes as shown in Chapter 6, Figure 6.3. The parcels were previously identified in the City's Report of Waste Discharge (RWD) and Waste Discharge Requirements (WDR) issued by the Regional Water Quality Control Board (RWQCB). Land application will consist of lined storage basins to hold recycled water during non-irrigation periods and agricultural fields to dispose of the water during irrigation periods. Flood irrigation and perimeter berms around the fields will be utilized to avoid any offsite runoff. A purple pipeline system will be required to deliver the water from the treatment plant to the storage basins as shown in Chapter 6 (Figure 6.4) of which a portion of the pipeline has already been constructed. An annual water balance design will need to be completed during the design phase of the project to verify that sufficient storage and application area are available.

The City of Lathrop currently has plans to install a new forcemain in McKinley Avenue and Yosemite Avenue which will provide an improved connection between the Lathrop "O" Street pump station and the Manteca treatment plant. If sewer treatment for the Lathrop Gateway Business Park occurs at the Manteca plant, the onsite pump and forcemain will connect to the forcemain that is planned to be constructed by the City of Lathrop at the Yosemite Avenue and McKinley Avenue intersection. Treatment at the Manteca plant would not require the need for recycled water disposal. Treatment capacity at the Manteca plant would need to be provided through future planned expansions.

## **Water**

The City of Lathrop will be responsible for providing water service to the Plan Area. The sources of water shall be groundwater from existing wells and/or an expansion of the City's well field with the possible development of surface water sources from Phase 1/Phase 2 expansion of the South County Surface Water Supply Program (SCSWSP) by the South San Joaquin Irrigation District (SSJID). Surface water will be treated off-site at a central facility outside of the City of Lathrop. Groundwater may be treated at the existing Well #21 site within the project area or possibly at the new well heads. It is also possible that arsenic treatment of groundwater could occur at an offsite central facility.

The Plan Area has included the use of reclaimed water to irrigate public open space areas and landscape corridors. A separate distribution system is proposed to allow the use of this non-potable water as a measure to conserve potable water supplies.

## **Storm Drainage**

The Plan Area is essentially flat, with surface flows moving roughly in a westerly direction. Site development will necessitate the need for the Plan Area to construct detention basins, pump stations, forcemains and an outfall structure into the San Joaquin River. An offsite pipeline will need to be constructed between the project site and the San Joaquin River.

### **1.10 SUMMARY OF PHASING AND FINANCING**

The Financing Plan chapter identifies the public infrastructure requirements of the Plan Area. These infrastructure requirements are composed of a variety of backbone infrastructure improvements including roads, sewer, storm drainage, water, and other public facilities (e.g., fire facilities), which will be phased to establish an orderly pattern of development with minimal construction impacts on the community. The chapter provides a set of principles and policies regarding how these financing obligations may be met. In addition, the chapter identifies several financing mechanisms that may be used to fund backbone infrastructure and other public facilities associated with the Plan Area. A set of recommended action items are presented to assist the City establish the ultimate mix of financing mechanisms during the implementation process. Finally, the Chapter addresses identification of potential financing mechanisms to fund ongoing operations and maintenance costs for backbone infrastructure and public facilities in the Plan Area.

### **1.11 SUMMARY OF IMPLEMENTATION AND ADMINISTRATION**

The Implementation and Administration chapter establishes the procedures by which subsequent submittals are made to allow the development of the Plan Area. As development applications are brought forward they will be reviewed by the Community Development Department for consistency with this Specific Plan and other City documents and standards, and will determine if the application requires any amendment. No further environmental review is necessary following the approval of this specific plan, unless an amendment is necessary. If an amendment is required, additional environmental review may be required to comply with CEQA requirements. Development applications will be processed through to the appropriate approval body following the Community Development Departments consistency review.

## 2.0 Context and Setting

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### 2.1 OVERVIEW

This chapter provides a history of the process to prepare this document, describes the regulatory authority for specific plans, provides an analysis of consistency with the General Plan and relationship with other documents, discusses existing conditions that served as a basis for the formulation of the land use diagram and the policies and standards contained within this document.

This Specific Plan is a policy and regulatory document. As a policy document, this Plan exemplifies the broader goals and policies contained in the General Plan through the establishment of policies for the Plan Area. As a regulatory document, the Specific Plan identifies the land use designations or zoning for all land in the Plan Area and lists development standards applicable solely to the Plan Area, incorporating zoning standards of the Lathrop Gateway Business Park Zoning Ordinance (LGBPZO) by reference.

### 2.2 PROJECT HISTORY

The City of Lathrop has experienced significant growth in the recent past, and has seen its residential, commercial, and industrial land base build out at a steady pace. To accommodate new growth, the City focused on areas west, north, and south of the current City boundaries. The factors that make this development pattern more suitable for new growth include:

- Infrastructure availability,
- Larger vacant parcels that are easier to aggregate and accommodate diverse development programs, and
- Opportunity to improve jobs/housing balance.

It is for these reasons that the developers group originally initiated the Specific Plan process for the Plan Area.

Although a specific plan document has never been formally submitted for the Plan Area, other development projects have been considered. This specific plan has relied, in part, on information and due diligence gleaned from previous planning efforts.

Subsequent to that time, the applicant representing the southern portion of that specific plan effort dropped out of the process. The representatives for the northern portion, the parcels north of SR 120, have elected to continue. The current specific plan process, for the northern Plan Area only, proposes a plan under the name Lathrop Gateway Business Park Specific Plan.

## 2.3 REGULATORY AUTHORITY AND COMPLIANCE

### 2.3.1 Specific Plan Authority

Specific Plans are authorized and described in California Government Code Section 65450 et seq. As set forth in the Government Code Section 65451, Specific Plans are required to contain the following information:

*"(a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail:*

- (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.*
- (2) The proposed distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land use described by the plan.*
- (3) Standards and criteria by which development will proceed, and standards for the conservation, development and utilization of natural resources, where applicable.*

- (4) *A program of implementation measures including regulations, programs, public works projects and financing measures necessary to carry out paragraphs (1), (2) and (3)."*

This Specific Plan document and the supporting studies provide text and diagrams for the items listed above. A land use diagram; major infrastructure items such sewer, water and drainage; guidelines and standards; and implementation and financing measures have been included.

- (b) Section 65454 states: *"No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the General Plan."*

An analysis of consistency with the existing General Plan and policies is included in Appendix A of this Specific Plan document.

### **2.3.2 Sequence and Tiering of Entitlements**

The LGBPSP provides policy and design direction for development of the entire Plan Area consistent with the City's General Plan. The LGBPSP establishes specific land uses on individual parcels with the intent that these land uses will be entitled concurrent with approval of the Specific Plan. The new zoning will be as identified on the Land Use Plan and in development standards contained within this document. The Specific Plan also summarizes the proposed phasing and financing of infrastructure necessary to serve the proposed land uses. Phasing and financing information is provided in Chapter 7, Project Financing Plan. Subsequent project detail will be provided through the Subdivision Map or development plan review process.

### **2.3.3 Compliance with California Environmental Quality Act (CEQA)**

An Environmental Impact Report (EIR) has been prepared for the LGBPSP to evaluate environmental impacts and provide mitigation measures. The LGBPSP is intended to function together with the Mitigation Monitoring Report Program (MMRP) contained in the EIR. Mitigation measures contained in the EIR have been incorporated as policies or standards of the LGBPSP or will be placed as conditions of approval on subsequent development applications.

City staff will determine whether further environmental analysis is required for any project within the LGBPSP. In some instances, further environmental analyses may be required even when the project is

consistent with the Specific Plan, if the project deviates from the EIR project description to the extent that new, significant environmental impacts are identified.

#### **2.3.4 Severability**

If any regulation, condition, program, or portion of the Lathrop Gateway Business Park Specific Plan is held invalid by a California or Federal Court of competent jurisdiction, such portions shall be deemed separate, distinct, and independent provisions, and the invalidity of such provisions shall not affect the validity of the remaining provisions thereof.

### **2.4 POLICY SETTING - THE CITY OF LATHROP GENERAL PLAN**

The goals and policies of the City of Lathrop General Plan govern the Lathrop Gateway Business Park Specific Plan area. The function of the General Plan is to provide guidance to the development and management of land within the City. The General Plan contains goals, policies, and objectives to which all projects must adhere. The General Plan summarizes its policies and implementation strategies as they relate to the City's goals and objectives. The General Plan includes the following elements: Land Use, Urban Form and Design, Population, Economic Conditions and Fiscal Considerations, Transportation, Public Facilities and Services, Recreational and Cultural Resources, Natural and Agricultural Resources, Safety, and Noise. The General Plan Land Use Map does anticipate concurrent buildout of the LGBPSP area.

### 2.4.1 General Plan Land Use Map

The Gateway Business Park Specific Plan area currently falls under the jurisdiction of San Joaquin County, but is within the Sphere of Influence of the City of Lathrop's revised 2008 General Plan Map. The existing General Plan Land Use Map (Figure 2.1) identifies three land uses for the Lathrop Gateway Business Park Specific Plan area in anticipation of its eventual development: Service Commercial (SC), Freeway Commercial (FC), and General Industrial (GI). The LGBPSP Land Use Map (Figure 3.1) differs slightly from the General Plan Land Use Map. Therefore, Lathrop Gateway Business Park Specific Plan will require a number of City approvals, including annexation, environmental compliance with CEQA, a General Plan Amendment, and zoning.



Figure 2.1: Existing General Plan Land Use Map

### 2.4.2 General Plan Policy Analysis

Lands within the City of Lathrop’s Sphere of Influence encompasses all land envisioned for the development of Lathrop through the year 2028. Development is envisioned to build-out as shown in Figure 2.2.

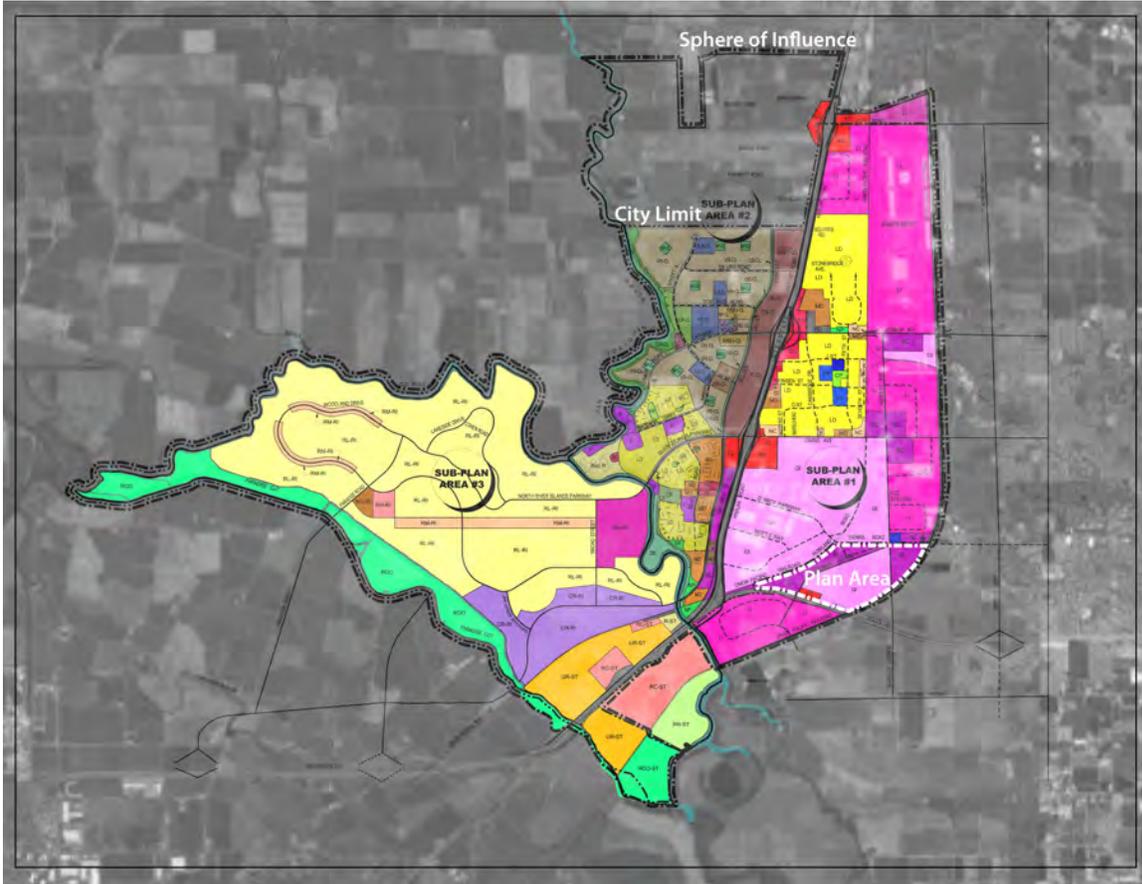


Figure 2.2: Lathrop General Plan, Planning Area and Sphere of Influence

In accordance with Government Code Section 65454, a Specific Plan must be consistent with the adopted General Plan. In instances where the Lathrop Gateway Business Park Specific Plan varies from the adopted General Plan, such as the limited industrial and office/commercial uses, the General Plan must be amended to maintain consistency between the two documents.

## **2.5 ZONING ORDINANCE**

The Zoning Ordinance of the City of Lathrop has been established to promote and protect the public health, safety, and general welfare. Among the various objectives of the Zoning Ordinance include the promotion of development at appropriate densities in order to conserve and enhance the City's physical scale and character as defined in the General Plan. The City of Lathrop's Zoning Ordinance includes land use, development densities and development standards. With the adoption of the LGBPSP and associated General Plan Amendment, Annexation and Zoning, the Plan Area will be re-zoned to the land uses identified on the Land Use Plan and will be subject to the special development standards as described in this document and the land use and site development standards listed in the Lathrop Gateway Business Park Zoning Ordinance. In the case where this specific plan document or the Lathrop Gateway Business Park Zoning Ordinance does not discuss a particular zoning topic (e.g. parking requirements) the City's Zoning Ordinance shall apply.

## **2.6 EXISTING CONDITIONS AND SITE ANALYSIS**

The Lathrop Gateway Business Park Specific Plan is located in an unincorporated area of San Joaquin County, between the City of Lathrop and Manteca. The City is located south of Stockton and northeast of the City of Tracy, at the intersection of Interstate 5 and State Route 120.

### 2.6.1 Property Ownership

The LGBPSP area encompasses 384± gross acres divided among 81 parcels. Appendix B provides a complete map and table of the Plan Area ownership. Ownership within the plan area has been categorized in the following groups:

- **Sponsoring Property Owners** – This ownership group, comprised of South Lathrop LLC and TCN Properties, L.P., is providing funds for drafting of the LGBPSP and accompanying EIR. This group owns approximately 215± net<sup>1</sup> acres of land, representing 56 percent of land included in the Plan Area. The parcels included in this group range from approximately 5 to 31 acres.
- **Non-Sponsoring Property Owners** – This ownership group represents approximately 169± net<sup>1</sup> acres, accounting for 44 percent of land within the Plan Area. The parcels included in this group range in size from 1/4 to 46 acres.



Figure 2.3: Existing Ownership

<sup>1</sup> Net acreage does not include existing and major roadways.

## 2.6.2 Existing Land Use

The LGBPSP Area includes a variety of existing land uses: agricultural interspersed with rural residential, service, office, church and industrial uses. Agricultural uses are located in the southern and central Plan Area. Rural home sites are distributed along McKinley Avenue in the plan area. Other residential and mixed light industrial uses are located on the northern site boundary along Vierra Road and Yosemite Avenue. The industrial uses are located in the western boundary Plan Area, both north and south of Guthmiller and Yosemite Avenue. No parcels within the Plan Area are under Williamson Act contracts.



Figure 2.4: Existing Land Use

### 2.6.3 Surrounding Land Use

The land uses surrounding the project site consist of both urbanized development and agricultural uses:

- **North** – Within the City of Lathrop, are industrial uses, the City’s Wastewater Treatment Plant, a PG&E electrical substation, agricultural and vacant land, and the existing Lathrop-Manteca Altamont Commuter Express (ACE) Train station.
- **South** – Directly south of the Plan Area, across SR 120, is vacant, farmed land within the City of Lathrop’s Sphere of Influence. Farther south and southeast, within San Joaquin County and the City of Manteca, are developing lands: residential, commercial, business, and public uses. Proposed and approved projects for the area include Southwest Manteca Employment Center, an area of approximately 1,408 acres, a high-tech business industrial park, and the Oakwood Lakes Subdivision.
- **East** – To the east, in Manteca, new commercial development is approved for Manteca Big League Dreams Sports Park, a 30 acre City-owned recreational sports complex, with an adjacent regional commercial center; Various phases are currently built or under construction. The City of Manteca Wastewater Treatment Plant is also east of LGBPSP.
- **West** – To the west are other industrial uses and Interstate 5.

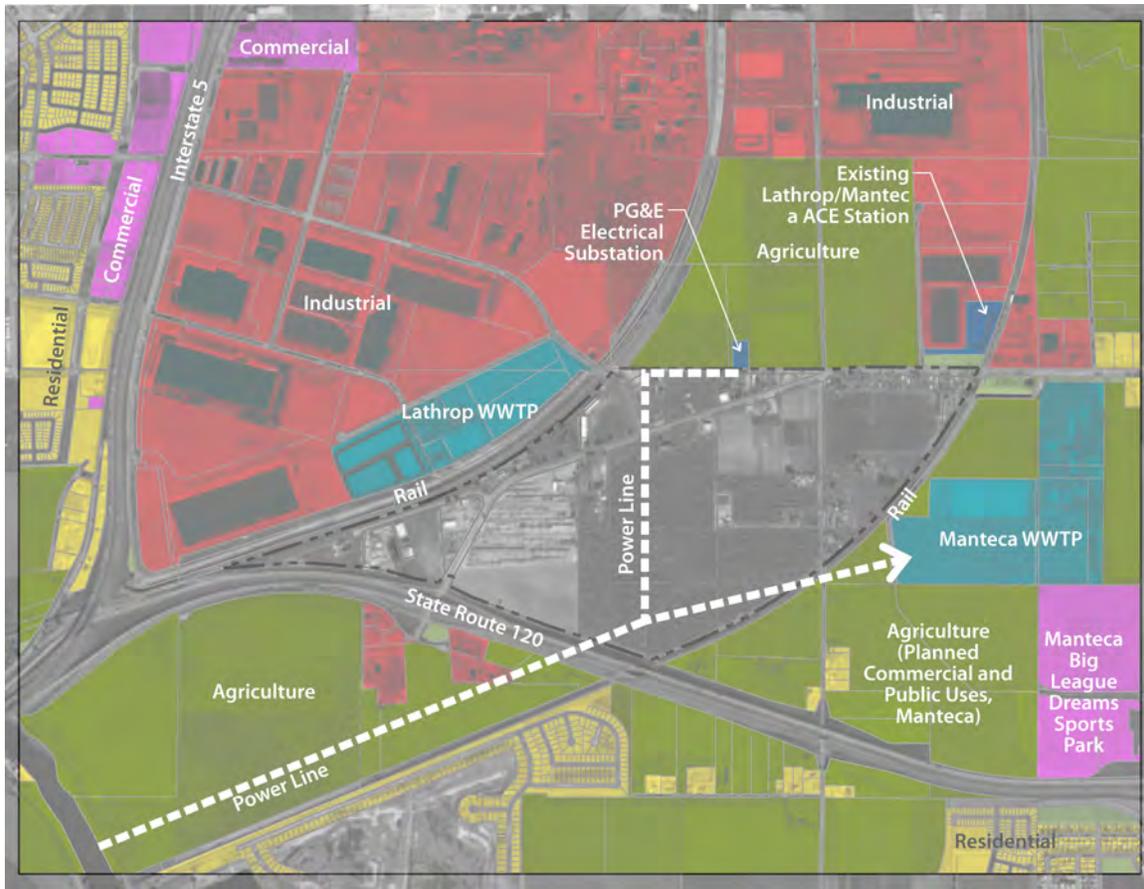


Figure 2.5: Surrounding Land Uses

#### 2.6.4 Topography and Drainage

The Plan Area is essentially flat with elevated rail lines and roadways—State Route 120, along the boundaries of the Plan Area. Elevation contour lines generally trend west, with the highest elevation at 25 feet and the lowest lying areas at 10 feet. Based on this observation, the Plan Area generally slopes and drains towards the west.

#### 2.6.5 Biological Resources

Existing uses within the LGBPSP Plan Area have greatly disturbed on-site biotic resources, including industrial, rural residential homes, row crops, grazing and orchards.

- **Farmland** – With the implementation of the Lathrop Gateway Business Park and conversion of the Plan Area from agricultural practices to urban uses, the California Department of Conservation (CDC) classifications estimates a loss of Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, and Unique Farmland.

- **Special Status Species** – Due to previous development, intensive agriculture, and associated lack of suitable habitat, the likelihood of special-status plants and animals within the Plan Area is considered extremely low. Although no special-status wildlife species are anticipated based on Moore Biological Consultants assessment, potential habitat for numerous species exist, including the California tiger salamander, vernal pool crustaceans, Burrowing owl, Swainson's hawk, White-tailed kite, and riparian brush rabbit.
- **Wetland Resources** – The Plan Area, within the San Joaquin Delta watershed, has wetland and aquatic features. These resources are potentially subject to jurisdiction of the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act. Further study and delineation by Moore Biological Consultants will be completed during the CEQA process associated with this specific plan effort.

A more comprehensive discussion, as well as proposed conservation and mitigation strategies, is included within the EIR document associated with the Lathrop Gateway Business Park Specific Plan.

### 2.6.6 Cultural Resources

Based on archival records, no previously recorded historic or prehistoric sites are located within the Plan Area. However, field surveys, completed by Gensis Society, have indicated one historic-period archeological site with six isolates. No further research has been completed to determine if the site qualifies as a unique archeological resource as defined by CEQA (Section 21083.2 of CEQA and Section 15064.5 of the State CEQA Guidelines).

Field surveys, completed by Gensis Society, have indicated twenty-two buildings more than 50 years old that may be considered potential historic sites. These buildings include commercial and industrial buildings as well as residences.

A more comprehensive discussion of cultural resources is included within the EIR document associated with the Lathrop Gateway Business Park Specific Plan.

### 2.6.7 Noise

The identified, primary noise-producing elements associated with the Lathrop Gateway Business Park project include traffic on the local roadway network, trains, and project construction. In addition, on-

site noise exposure is anticipated on the southern Plan Area boundary due to SR 120 traffic. A more comprehensive discussion of noise as well as mitigation measures is included within the EIR document associated with the Lathrop Gateway Business Park Specific Plan.

### 2.6.8 Circulation

Regional vehicular access to the LGBPSP is provided primarily by State Route 120 (SR 120), an east-west facility along the southern boundary of the Plan Area, providing access to Interstate 5. In the vicinity of the Plan Area, SR 120 is a four-lane freeway. Access to and from SR 120 from the Plan Area is provided via Guthmiller Road. Improvements are planned for the Guthmiller Interchange that would include signalization at the on/off ramp intersections as well as widening and reconfiguring of off-ramps.

Additionally, a McKinley Road Interchange is currently under consideration for the intersection of SR 120 and McKinley Avenue, south of the Plan Area. A California Department of Transportation Project Study Report (PSR) has been approved (June 2008) and is included in the San Joaquin County RTIP.

Local access within the Plan Area consists of Yosemite Avenue/Guthmiller Road, D'Arcy Parkway and McKinley Avenue, all two-lane roads.

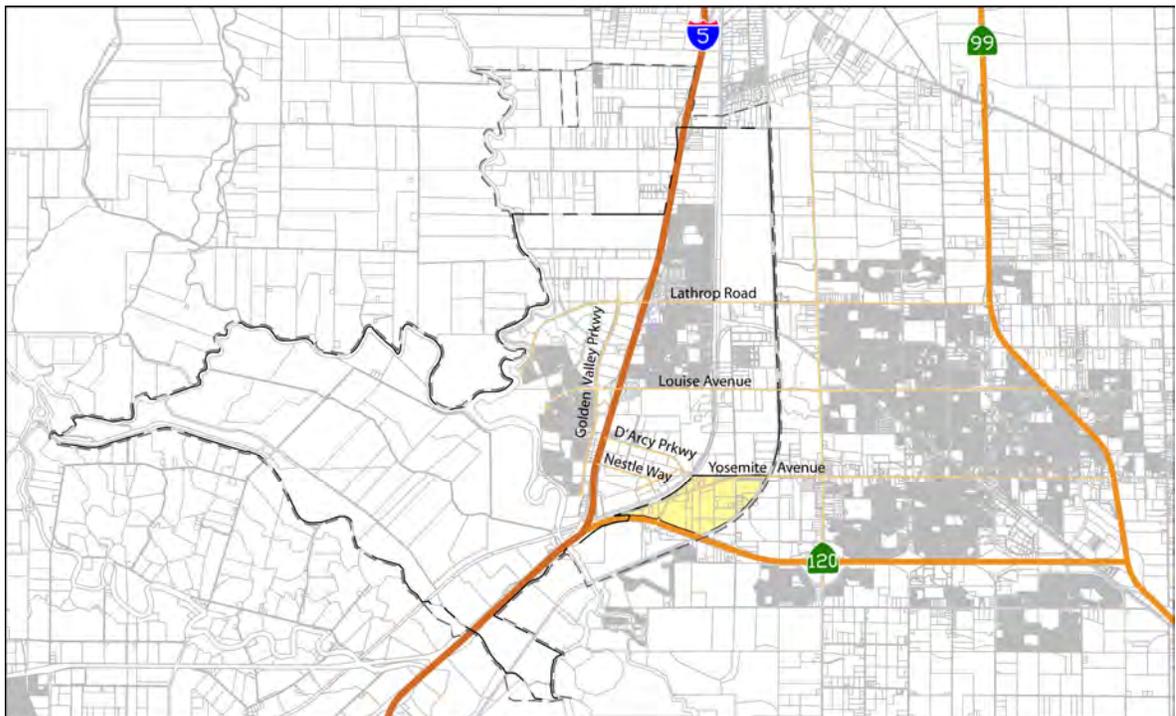


Figure 2.6: Existing Circulation

Although the existing transportation system in the vicinity of the Plan Area is heavily dependent on the automobile for most daily trips, existing rail and bus transit facilities, and planned bicycle facilities offer alternative modes. The Lathrop-Manteca Altamont Commuter Express (ACE) is a commuter rail line connecting Stockton to San Jose. The Lathrop-Manteca station is north of the Plan Area. Modesto Area Express (MAX) provides service between Modesto and the Lathrop-Manteca ACE station. San Joaquin Regional Transit (SJRTD) is anticipated to provide bus service to the Plan Area.

### **2.6.9 Infrastructure**

The Lathrop Gateway Business Park Specific Plan Area currently has minimal infrastructure and does not utilize City services. Currently, water is provided by on-site wells. Existing businesses and residents use septic or leach fields. Pacific Gas and Electric currently provides electricity and gas service to the area. Chapter 6 discusses the infrastructure systems that will be constructed to support the proposed project.

## 3.0 Land Use

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### 3.1 INTRODUCTION

This chapter discusses and summarizes the different land uses proposed within the Lathrop Gateway Business Park Specific Plan Area, provides policies by general land use type in refinement to the broad direction provided by the General Plan, and lists the development standards for each individual land use category. The Land Use Plan and the land use categories discussed within this chapter describe zoning for all of the properties within the Plan Area. The City of Lathrop General Plan Map and Lathrop Gateway Business Park Land Use Map show the boundary of the Plan Area to indicate that a separate document (i.e. this document) exists, and that all subsequent applications must be prepared to be consistent with this Specific Plan document.

The development standards provided in this Specific Plan are also contained in the development standards shown in the Lathrop Gateway Business Park Zoning Ordinance. Design Guidelines have been prepared for each land use group and can be found in Chapter 5.

The formulation of this Land Use Plan was influenced by a variety of factors including physical site constraints and adjacent land uses as discussed in Chapter 2, Context and Setting. It responds to the desires expressed by property owners, the City of Lathrop, the environmental analyses required by the EIR, and infrastructure studies prepared and reviewed with the appropriate agencies and service providers. The result is a comprehensive Land Use Plan that includes a balanced mix of employment-generating land uses, organized in a logical manner and efficiently served by infrastructure.

The Land Use chapter is to be used in conjunction with other sections that discuss the details of the circulation system, public facilities, infrastructure, financing, and potential phasing. It is acknowledged that this Specific Plan document may evolve over time, and it may periodically be amended in response to market changes and community desires, as discussed in the Implementation and Administration chapter. As property owners and builders elect to develop their properties, they will be required to follow a specified Site Plan review process, submitting entitlements for detailed plan review and

eventual approval. These plans will be designed based on the policies and standards contained in this and other chapters.

### **3.2 OVERVIEW OF LAND USES—KEY ELEMENTS OF THE LAND USE PLAN**

The Land Use Plan (Figure 3.1) illustrates the distribution of land uses within the Plan Area. Table 3.1 provides a summary of these land uses. The number of acres and therefore allowable square footages of developable areas may vary slightly depending on more accurate survey information and the final alignment of roadways; however, the total acreages and building square footage projections establish an approximate carrying capacity for the Plan Area.

The City of Lathrop is composed of several natural and manmade boundaries—freeways, major roadways, a major river, railroads, and other features—creating logical land use and circulation configurations. The Plan Area, bounded by State Route 120 to the south, the Union Pacific Railroad to the east and west, and Yosemite Avenue/Vierra Road to the north, is a logical 384-acre development area with convenient access for commercial and industrial uses. The Land Use Map establishes a framework for commercial, business park, and industrial land uses with a projected potential of approximately 5,434,894 square feet of employment-generating development. The regionally-oriented Lathrop Gateway Business Park development uses will not only be convenient to City residents, but is also anticipated to draw from nearby cities to aid in reducing business and employment commutes to distant job centers.

Table 3.1: Land Use Summary

| <b>Land Use</b>   |    | <b>Acreage<br/>[Net]<sup>1</sup></b> | <b>Total Sq.<br/>Ft. Per<br/>Land Use</b> | <b>FAR<br/>Range</b> | <b>FAR<br/>Target</b> | <b>Max. Sq. Ft.</b> |
|---|----|--------------------------------------|---|----------------------|-----------------------|---------------------|
| Commercial Office   | CO | 56.7                                 | 2,469,852                                 | .20 to .60           | 0.30                  | 740,956             |
| Limited Industrial  | LI | 167.6                                | 7,300,656                                 | .15 to .65           | 0.43                  | 3,139,282           |
| Service Commercial  | SC | 83.0                                 | 3,615,480                                 | .15 to .66           | 0.43                  | 1,554,656           |
| Well Site   | W  | 2.9                                  |   |                      |                       |                     |
| Detention   | D  | 15.6                                 |   |                      |                       |                     |
| Open Space  | OS | 1.6                                  |   |                      |                       |                     |
| Subtotal  |    | 327.4                                |   |                      |                       |                     |
| Major & Existing Roads <sup>2</sup>   |    | 56.5                                 |   |                      |                       |                     |
| <b>TOTAL</b>  |    | <b>383.9</b>                         |   |                      |                       | <b>5,434,894</b>    |
| <sup>1</sup> Net acreage does not include existing/major roadways and detention basin facilities.             |    |                                      |   |                      |                       |                     |
| <sup>2</sup> Major and existing roads include pedestrian and bicycle multi-use paths within the right-of-way. |    |                                      |   |                      |                       |                     |



**Legend**

- |   |   |
|---|---|
|  Limited Industrial                |  Well Site                     |
|  Commercial Office                 |  Open Space                    |
|  Service Commercial                |  Potential Future Right-of-Way |
|  Detention (Approximate Location)* |  Project Boundary              |

\*Basin locations and size shown are conceptual and subject to additional land planning and engineering. Basins may be relocated and reconfigured within each drainage area.

|  |  |                  |  |
|--|--|------------------|--|
| <b>Figure 3.1: Land Use Plan</b>                                   |  | Date: April 2010 |  |
| Lathrop Gateway Business Park Specific Plan<br>Lathrop, California |  | NOT TO SCALE     |   |

### 3.2.1 Land Use Sectors

For land use planning purposes this 384-acre community can be considered as three interdependent sectors. Each of the three sectors is defined by its land use, location, size, character, and function. The sectors are united and defined by a system of connecting streets, with multi-use pedestrian and bikeway corridors connecting one district to another.

The land uses within the Lathrop Gateway Business Park Plan are arranged according to mutual compatibility and with those requiring highest visibility and accessibility located nearest to major arterial intersections, highways, or interchanges. Uses requiring less dependence on visibility are generally located inboard from these interchanges and intersections. Following are the three main sectors as defined by this Specific Plan:

#### Service Commercial Sector

The Service Commercial Sector is located in the eastern and northern portions of the Plan Area, both east of McKinley Avenue and north of Yosemite Avenue. This area is envisioned for uses not as vitally dependent on highway visibility as Commercial Office uses but nevertheless is afforded immediate arterial road access to and from McKinley and Yosemite Avenues in the eastern sector of the Plan Area. In addition, this sector of the Specific Plan Area is immediately accessible to the ACE transit line station at Yosemite Avenue and the Union Pacific Railroad line. This land use area is envisioned to be characterized by service and materials-oriented users such as professional and administrative support services, automotive, truck, boat, and other vehicle sales and services, bicycle shops, building materials businesses, blueprint and photocopying services, carpenters' shops, communications equipment shops, freight forwarding terminals, wineries and wine cellars, eating establishments serving the immediate area, other product sales and services, equipment and machinery repair, general, light, and technology-based industrial-oriented services, warehousing and distribution, and the like. Please refer to the Lathrop Gateway Business Park Zoning Ordinance (LGBPZO) for an itemized list of permitted uses under this land use category.

Table 3.1 summarizes the Service Commercial land use acreage and allowable square footage.

## Limited Industrial Sector

Located in the central portion of the Specific Plan Area with immediate access from both Yosemite and McKinley Avenues, the Limited Industrial Sector is comprised entirely of Limited Industrial uses south of Yosemite Avenue, stretching to the Union Pacific Railroad line and SR 120 at the Plan Area's southern boundary and eastward to McKinley Avenue. Envisioned as an important employment-generating land use, this Limited Industrial Sector would allow for a broad range of use types such as industrial, manufacturing, assembly, warehousing/distribution, office, limited ancillary retail sales, supporting retail services, trailer and recreational vehicle sales, research and development, equipment and machinery repair, rental, and other such uses and services necessary to support them. Because it is anticipated that a substantial portion of this Sector's users will likely be warehousing, manufacturing, and the like, this area does not depend as heavily on visibility from major transportation corridors and therefore is located along only a limited portion of the SR-120 highway corridor. However, for the purposes of truck transport of goods and services, easy access to the highway from McKinley and Yosemite Avenues is essential. Please refer to the LGBPZO for the full range of permitted uses under this land use category.

Table 3.1 summarizes the Limited Industrial land use acreage and allowable square footage.

## Mixed Commercial Office/Limited Industrial Sector

For this Sector, Commercial Office (CO) uses form the main part of this planning area and have been directed toward the State Route 120/Guthmiller interchange and corridor to capitalize on the vehicular access, visibility, and the logical "capture" market for these uses along the freeway corridor. Locating CO uses on the west and east sides of Guthmiller Road, north of SR 120, creates a hub or core of retail commercial land uses around the interchange, with opportunity for office uses to the east and northeast. In addition, a section of Limited Industrial uses is located in the more "isolated" far western corner of the Sector along SR 120 and the Union Pacific Railroad, as this land use is not as heavily dependent on immediate freeway accessibility.

This mix of uses provides regional as well as local-serving business/professional workspace, service, and product sales with an additional opportunity for light industrial type users along the railroad and freeway. The Lathrop Gateway Business Park Zoning Ordinance provides a full description and listing of permitted businesses in this Sector. Sections 3.5.1 and 3.5.2 below, provide a description of

development standards for both land use designations in the Mixed Commercial Office/Limited Industrial Sector.

Table 3.1 summarizes the Commercial Office and Limited Industrial land use acreage and allowable square footage.

### **3.2.2 Commercial, Office, and Industrial Uses—Potential White, Blue, and “Green-Collar” Jobs**

The Lathrop Gateway Land Use Plan proposes three categories of employment-generating land use categories: Commercial Office (CO), Service Commercial (SC), and Limited Industrial (LI). Considered together, a total of 307.3 acres of employment-based uses are incorporated in the Lathrop Gateway Business Park Plan Area. This allocation of retail commercial, office and industrial land uses is appropriate given the location of the Plan Area in relation to existing roadways, as well as the ability to provide business and other commercial opportunities in proximity to housing and regional transportation. In addition, this Business Park provides for an optimum opportunity for Lathrop and surrounding cities to contribute to a healthy jobs/housing relationship, resulting in fewer vehicle miles traveled and a lessening of the collective carbon footprint for the area.

The Commercial Office (CO) designation provides for an employment community of business centers with both commercial and office components that are dependent on vehicular access and, in some cases, visibility from arterial streets and SR-120.

The Service Commercial (SC) employment community along the McKinley Avenue corridor will provide area-serving commercial and services for the workers of within the Plan Area, other parts of Lathrop, Manteca, Tracy, and beyond.

A light industrial employment community of various potential uses anchors the heart of this employment-based Plan Area. It is designated Limited Industrial (LI) and is envisioned to provide an area for a broad range of light industrial, warehousing, office, research and development jobs in a well-organized landscaped setting. A possible mix of one, two or three story buildings and (limited) support retail jobs (coffee shops, deli shops, etc.) are also seen as potential occupants.

In addition, given its location, together with the State and federal incentive programs currently in progress and anticipated in coming years for “green” and sustainable industry growth, so-called “green-collar” jobs may also become a viable component within the Plan Area. The term “green-collar jobs” here is meant to depict jobs associated with products and services contributing to lessening of “carbon

footprints” in the environment. Examples might be assembly, manufacturing, management within a plant or facility that deals in such energy-saving enterprises as solar panels, wind farm equipment, recycling facilities, businesses related to electric or hybrid automobiles, or other energy-saving products and services. This potential for green business park development and operation is common to all three specific land use categories within the Lathrop Gateway Business Park.

### 3.2.3 Land Uses near Transit Station

The Lathrop-Manteca ACE station is currently located at the northwest intersection of Yosemite Avenue and the UPRR tracks, just to the north of the project site. This station location, in addition to the provision for a system of walkways, bikeway, and vehicular connections to the station (see Chapter 4 for circulation description), provides a functional multi-modal transportation network accommodating automobiles, bicycles, pedestrians, and other various forms of transit. Service Commercial (SC), Commercial Office (CO), and Limited Industrial (LI) land uses are located such that transit/pedestrian and transit/bicycle trips for future employees and visitors are convenient and highly accessible.

### 3.2.4 Public and Quasi-Public Uses

The Land Use Plan depicts three public or quasi-public facilities, consisting primarily of the a pedestrian/bicycle multi-use network, detention and retention basins, well sites, open space and other public easements on the site.

*Pedestrian/Bicycle Multi-Use Paths:* Within the Plan Area, a Class I (8-foot multi-use path, separated from roadway) is planned to traverse the project site from the southwest corner along the south side of the existing UPRR alignment and then within the Yosemite Avenue right-of-way through to the site’s eastern boundary and beyond. In addition, a Class I bikeway is also planned along McKinley Avenue from Yosemite Avenue to the UPRR in the south. This bikeway system will provide access to all main roads on the site, as well as to the Lathrop-Manteca ACE Transit station just off-site to the northeast at Yosemite Avenue and the UPRR line. A Class II bike route is proposed within the right-of-way along D’Arcy Parkway in the Plan Area.

Please see Chapter 4, Circulation, and Chapter 5, Design Guidelines, for more detail and description of the Pedestrian/Biking Greenway system.

*Detention/Retention Facilities:* Land is allotted within the Plan Area for detention and/or retention facilities for the purpose of managing stormwater runoff and preventing flooding within the site and surrounding communities. Five sites have been proposed for these facilities as indicated in the Land

Use Plan (Figure 3.1). Precise locations and calculations of detention/retention facilities will be confirmed and finalized in later stages of the development process

Please refer to Chapter 6, Public Services and Infrastructure, for more detail on the project storm drainage system.

Well Site Facilities: Within the Plan Area there is a need for as many as three City well sites for a total of 2.9 acres. The location and size of each well site is indicated on the Land Use Plan (Figure 3.1) in this document. In the event that not all well sites are needed within the Plan Area, well sites shall revert to limited industrial uses, or the predominant surrounding land use designation.

Open Space: Within the Plan Area, open space is designated as landscape buffer and slope banks between on-site land uses and major roadways, including SR 120. Other easements and greenways are also considered part of the open space designation.

Sports and Recreation Facilities: Though not required or mandated, provision is made within this Specific Plan for the construction and use of outdoor recreation facilities such as recreation fields, fitness equipment and courses, or other such uses intended for the physical recreation and well-being of the community and/or the employee users.

Please refer to the LGBPZO for the full range of permitted uses under this land use category. Recreation and open space amenities will be included as part of the landscape coverage requirement specified in the development standards of the Lathrop Gateway Business Park Zoning Ordinance. In addition, these facilities should be consistent with Chapter 5, Design Guidelines.

### **3.2.5 Interim Land Uses**

The Lathrop Gateway Business Park Plan Area currently supports existing agricultural uses, such as row crops and orchards, and associated support buildings and facilities. Farm houses and rural ranchettes are also located along McKinley Avenue and Yosemite Avenue. In addition to these uses, existing industrial uses are located in the western most part of the Plan Area, along Guthmiller Road, including equipment sales and other industrial fabrication. Because some of these uses will remain until the property is developed in accord with the Plan Area designated land uses, the agriculture, residential and industrial facilities, uses and lots are referred to in this document as Interim Uses.

Because the build-out of the Plan Area is anticipated to take place over an extended period of years, the Interim Uses described above may remain present for many years. These uses are referenced in Section

3.5, Land Use Regulations and Standards, for the Lathrop Gateway Business Park land uses in the three land use areas.

Interim Agricultural uses are subject to Agricultural Development Standards and Use Regulations located in the City's Zoning Ordinance. Refer to Chapter 17.116 of the Lathrop Zoning Ordinance for more specific information regarding Nonconforming Uses and Structures.

Right-to-Farm provisions for the Lathrop Gateway Business Park development are discussed in Section 8.3 of this specific plan document.

### **3.3 CALCULATION OF LAND USE INTENSITIES AND ALLOWABLE SQUARE FOOTAGES**

At time of final development plans the maximum allowable net square footage for a particular parcel or parcels is calculated by multiplying the final (surveyed) net developable area in acres within the parcel by the allowable target Floor Area Ratio (F.A.R.) for that land use designation or zone. The actual acres used in this calculation may vary slightly from the "approximate" acres shown on the Land Use Plan and Table 3.1 of this Specific Plan and will be determined by more accurate survey and boundary information, as well as final street alignments. The calculation of F.A.R. intensity shall not include arterial and collector streets, (as measured from right-of-way to right-of-way) or other land uses designated on the Land Use Plan (well sites, wetland areas, landscape/bikeway corridors, electrical substations, private recreation facilities, detention areas, etc.) as well as other incidental public facility sites.

The total net square footage quantities identified by the Land Use Map is intended to set an overall "holding capacity" for the Plan Area, and this number has been utilized in the preparation of technical studies, financing plans, and the EIR.

### **3.4 LAND USE AND SITE LAYOUT FLEXIBILITY**

The Land Use Plan (Figure 3.1) illustrates the general locations and distribution of land use parcels within the Specific Plan Area as described earlier in this Chapter. It should be understood that the Land Use Plan is diagrammatic in nature and does not necessarily represent final road alignments, land use configurations, or acreages.

The land uses described in this document may be further refined in more detail with future parcel maps and site plan applications, without requiring a Specific Plan Amendment. Given that the Land Use Map is conceptual in nature, allowance is made within this document for flexibility in the City's review of

future more detailed applications. Land Use and Site Design Flexibility might include, but are not limited to, the following:

- Re-locating collector roads and/or intersections to correspond to existing property lines,
- Re-locating collector roads and/or intersections to accommodate a specific development program, building product types, or parcel layout arrangement,
- A change in the alignment of a drainage channel or in the location and size of detention areas,
- Inclusion of a park or public/semi-public gathering area or open space within a parcel or cluster of buildings
- Re-locating collector roads to allow for more efficient use of parcelization for building and parking areas on-site,
- Arrangement, re-configuration, dispersion, or consolidating of buildings, parking and landscape areas,
- Minor deviations in land use intensity (Floor Area Ratio) standards for particular projects, with the concurrence of reviewing agencies,
- Introduction of specific user types not specified in the Lathrop Gateway Business Park Zoning Ordinance, but which are compatible and consistent with the purpose and intent of the land use sector and zoning classification, and/or
- Other such relatively minor deviations from the existing Specific Plan.

Acceptability of final land use and site layouts will be evaluated based upon the following criteria:

- Consistency with the prescribed land use development and design standards, in accord with the Specific Plan,
- Building, parking and site design consistency for each land use parcel as described in the Design Guidelines (Chapter 5),
- A consistent application of the stated principles, as laid out in the Specific Plan and the City General Plan,
- Potential economic benefits of a particular land use, building type, site feature, configuration of buildings, road alignment, or other deviation from the Specific Plan that would outweigh

the benefits of strict adherence to the Lathrop Gateway development standards and Zoning Code, and/or

- The employment benefit of a land use, configuration, or other factor within the Specific Plan area which deviates from the Specific Plan.

### 3.5 LAND USE REGULATIONS AND DEVELOPMENT STANDARDS

The following section provides the land use regulations and development standards pertinent to each Specific Plan land use designation as described in Section 3.2.1 and illustrated on the Land Use Map.

The specific plan land use designations differ from the Lathrop Gateway Business Park Zoning Ordinance (LGBPZO). The City’s General Plan land use designations differ from this specific plan document. Due to discrepancies in land use terminology between these three documents, the following table has been provided:

| <b>Land Use per General Plan</b> |    | <b>per Specific Plan</b> |      | <b>per LGBPZO</b> |
|----------------------------------|----|--------------------------|------|-------------------|
| Office                           | O  | Commercial Office        | CO   | CO-LG             |
| Limited Industrial               | LI | Limited Industrial       | LI   | IL-LG             |
| Service Commercial               | SC | Service Commercial       | SC   | CS-LG             |
| Well Site                        | W  | Public/Quasi-Public      | P/QP | P/QP-LG           |
| Open Space                       | OS | Public/Quasi-Public      | P/QP | P/QP-LG           |



### 3.5.1 Commercial Office (CO)

#### 3.5.1.1 Purpose and Intent

The Commercial Office district is envisioned to include administrative, educational, bio-tech, medical, R&D and other professional and commercial office uses as described in Section 3.2.1, with retail commercial and highway-oriented uses near and along the SR 120 Corridor. Supporting lodging and eating services are also envisioned within this District.

#### 3.5.1.2 Floor Area Ratio

A maximum F.A.R. range of .20 to .60 is allowed; however, a target F.A.R. of .30 has been used to determine the Plan Area maximum square footage for this Land Use designation.

#### 3.5.1.3 Allowable Land Uses

Permitted uses within the designation are itemized in the LGBPZO (Lathrop Gateway Business Park Zoning Ordinance). These standards shall supersede any conflicting standards listed in other documents.

#### 3.5.1.4 Commercial Office Development Standards

The minimum lot area, lot width, setbacks and other development standards for the CO designation are as set forth in the LGBPZO. These standards shall supersede any conflicting standards listed in other documents. Commercial Office developments shall also be subject to design guidelines contained within Chapters 5 and Site Plan/Architectural Design Review.



### 3.5.2 Limited Industrial (LI)

#### 3.5.2.1 Purpose and Intent

The Limited Industrial Land Use, as described in Section 3.2.1 is envisioned as an important employment-generating land use, intended to provide for well-designed groupings of buildings for manufacturing, assembling, construction, maintenance, administrative office, research and development, bio-tech, warehousing, distribution, and service commercial uses.

#### 3.5.2.2 Floor Area Ratio

A maximum F.A.R. range of .15 to .65 is allowed; however, a target F.A.R. of .43 has been used to determine the Plan Area maximum allowable square footage for this Land Use designation.

#### 3.5.2.3 Allowable Uses

Permitted uses within the LI designation are itemized in the LGBPZO (Lathrop Gateway Business Park Zoning Ordinance). These standards shall supersede any conflicting standards listed in other documents.

#### 3.5.2.4 Limited Industrial Development Standards

The minimum lot area, lot width, setbacks and other standards for the LI designation are as set forth in the LGBPZO. These standards shall supersede any conflicting standards listed in other documents. Limited Industrial developments shall be subject to design guidelines contained within Chapters 5 and Site Plan/Architectural Design Review.



### 3.5.3 Service Commercial (SC)

#### 3.5.3.1 Purpose and Intent

The SC district is located on a main roadway corridor along McKinley Avenue and Yosemite Avenue, complementing other commercial and industrial uses to the west and south. As described in Section 3.2.1, this district would be characterized by a variety of service-oriented uses, including large-scale service and sales centers, communication centers, storage/warehousing, energy production centers, equipment sales and other service centers, with allowance for a limited number of small support retail stores, and locally-serving eating shops and stores. In addition, other uses may also include professional and administrative support services, automotive, truck, boat, and other vehicle sales and services, building materials businesses, reproduction services, carpenters' shops, communications equipment shops, freight forwarding terminals, and wine-oriented businesses and services.

#### 3.5.3.2 Floor Area Ratio

An F.A.R. range of 0.15-0.66 is permitted within the Service Commercial land use. A target F.A.R. of .43 has been used to determine the Plan Area maximum allowable square footage for this Land Use designation.

#### 3.5.3.3 Allowable Land Uses

Permitted uses within the SC designation are itemized in the LGBPZO (Lathrop Gateway Business Park Zoning Ordinance). These standards shall supersede any conflicting standards listed in other documents.

#### 3.5.3.4 Service Commercial Development Standards

The minimum lot area, lot width, setbacks and other standards for the SC designation are as set forth in the LGBPZO. These standards shall supersede any conflicting standards listed in

other documents. Service Commercial developments shall be subject to design guidelines contained within Chapters 5 and Site Plan/Architectural Design Review.



### 3.5.5 PUBLIC AND QUASI-PUBLIC FACILITIES (P/QP)

#### 3.5.5.1 Purpose and Intent

The Public and Quasi-Public designation is defined by several sub-categories: pedestrian/bicycle multi-use network, detention and retention facilities, well sites, open space buffers and slope banks, other public easements and any sports recreational facilities, fields, or equipment areas, as described in Section 3.2.4 above.

#### 3.5.5.2 Allowable Uses

Permitted uses within the designation are itemized in the LGBPZO. Descriptions, standards, and guidelines shown in this Specific Plan are consistent with the Lathrop Gateway Business Park P/QP Zoning District and shall supersede any conflicting standards listed in other documents.

#### 3.5.5.3 Public and Quasi-Public Development Standards

Development standards for the P/QP designation can be found in the Lathrop Gateway Business Park Zoning Ordinance, based on each land use sub-category. Public and quasi-public uses may also subject to design guidelines contained within Chapter 5 and Site Plan/Architectural Design Review.

## 4.0 Transportation and Circulation

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### 4.1 OVERVIEW

This chapter describes the proposed circulation system and transportation alternatives associated with the Lathrop Gateway Business Park and summarizes the information contained in the *Traffic Impact Study* prepared by Wood Rodgers, Inc. The study area extended from the Union Pacific Railroad tracks to the west, Union Pacific Railroad to the east, Vierra Road and Yosemite Avenue to the north and SR 120, contiguous with the southern boundary of the Plan Area.

The Circulation Plan is designed to provide for the efficient movement of goods and people and allows for several modes of transportation including automobile, truck, bus transit, bicycle, and pedestrian. This chapter provides the requirements of Plan Area roadways, bikeways, and walkways as well as public transit. The implementation of the Lathrop Gateway Business Park Specific Plan will provide additional roadway, bus transit, bicycle, and pedestrian linkages between the project area and the surrounding communities, improving connectivity within this portion of the City.

The Circulation Plan provides connections to existing and future roadways as identified in the City of Lathrop's General Plan Circulation Diagram. These connections provide both regional and local mobility between land uses within and adjacent to the Plan Area. It is the intent of the Circulation Plan to comply with the requirements of the Surface Transportation Assistance Act (STAA). Specific requirements and improvements, consistent with STAA standards, will be specified and implemented in future phases of the entitlement process. The phasing and financing of the proposed roadway improvements is summarized in Chapter 7 Project Financing Plan.

### 4.2 EXISTING ROADWAYS

The Plan Area is bounded on the west by Union Pacific Railroad (UPRR) tracks, on the north by Vierra Road and Yosemite Avenue, on the south by SR 120, and on the east by a second track of Union Pacific Railroad. McKinley Road runs north-south through the Plan Area.

Regional access to the Plan Area is provided primarily by SR 120, an east-west facility contiguous with the southern boundary of the project site. Access to and from SR 120 and the plan area is provided via the Guthmiller Road/SR 120 interchange. Interstate 5 is located approximately 1 mile west of the site.

Local access within the region is provided by a network of arterial, collector streets and minor roads.

These roadways are described below:

- **Yosemite Avenue** is an east-west two-lane arterial, beginning from Guthmiller Road and continuing east through Manteca. Yosemite Avenue transitions to West Yosemite Avenue east of McKinley Avenue intersection, eventually becoming a collector roadway, East Yosemite Avenue, in Manteca. Yosemite Avenue has an extension that begins at Guthmiller/Yosemite intersection and heads westward along the UPRR. Yosemite Avenue has two signalized intersections within the Plan Area: McKinley Avenue and D'Arcy Parkway intersections. The roadway is paved with shoulders, but does not have curbs and gutters. Yosemite Avenue is a truck route for commercial and industrial uses north of the Plan Area via D'Arcy Parkway and McKinley Avenue.
- **Guthmiller Road** runs southwest to northeast, connecting between SR 120 and Yosemite Avenue. As a two-lane arterial, Guthmiller Road provides regional access for commercial and industrial truck traffic to sites north of the Plan Area in Lathrop as well as to sites east in the City of Manteca. The roadway is paved with shoulders, but does not have curbs and gutters. There are no signalized intersections, including at the SR 120 interchange.
- **McKinley Avenue** is a two-lane arterial providing north/south connection through the Plan Area and extending to Lathrop Road in the north. The roadway is paved with minimal paved shoulders and no curbs and gutters.
- **D'Arcy Parkway**, a paved two-lane collector roadway, provides a northern connection between the Plan Area and Interstate 5 through the Crossroads Commerce Center Industrial Business Park. The roadway has shoulders, curbs and gutters, and an at-grade crossing of the UPRR north of Yosemite Avenue. The intersection of D'Arcy Parkway and Yosemite Avenue is signalized.
- **Vierra Road** is an east/west minor roadway that parallels the northern boundary of the Plan Area. Vierra Road creates a five-point intersection with Yosemite Avenue and

McKinley Avenue at the east terminus and a substandard cul-de-sac at the western end adjacent to D'Arcy Parkway. This roadway has minimal shoulders and no curbs and gutters.

#### 4.3 PLANNED HIGHWAY INTERCHANGE IMPROVEMENTS

Improvements are currently planned for SR 120/Guthmiller Road interchange to provide more efficient vehicular circulation through the Plan Area. Additionally, a new interchange at SR 120 and McKinley Avenue was approved in June 2008. Both interchanges will greatly improve accessibility and safety to and from the Plan Area.

SR 120/Guthmiller Road Interchange improvements include:

- Signalized intersection at the on/off-ramp,
- Tight diamond interim interchange, transitioning to a single cloverleaf and widened diamond configuration at ultimate build-out,
- Eastbound and westbound SR 120 off-ramp widened from one to three lanes, and
- Existing westbound on-ramp will be replaced with a two-lane loop on-ramp and will merge to one lane westbound SR 120.

McKinley Avenue Interchange is an approved future new interchange, proposed and studied through a Project Study Report (PSR) by the California Department of Transportation. The future interchange is programmed as a Tier 1 improvement in the San Joaquin County RTIP. With an anticipated completion of 2020, the interchange will initially provide diagonal on/off-ramps in each direction of SR 120. In later phases, as projected build-out warrants, a two loop on-ramp will be constructed to provide capacity to serve the Cities of Lathrop and Manteca.

#### 4.4 PROPOSED CIRCULATION SYSTEM

The Lathrop Gateway Business Park Specific Plan outlines a well-structured network of roadways, bikeways and walkways to serve the project. The circulation system will provide convenient and safe access to all areas within the Plan Area, as illustrated in Figure 4.1, Circulation – Vehicular. The creation of a well-connected hierarchy of travel modes allows for the efficient flow of vehicular traffic, but also encourages and facilitates walking, biking, public transit, and other alternatives to single-occupancy vehicles.

San Joaquin Regional Transit District (SJRTD) will provide bus service to the Plan Area. Currently, no bus routes are provided to the Plan Area. The Lathrop-Manteca Station, located north of the Plan Area, of the Altamont Commuter Express (ACE) Rail Service provides regional service between Stockton and San Jose; Modesto Area Express (MAX) provides bus connection between Modesto and the ACE station. The design of the Land Use Map and the policies contained within this document encourage the use of existing public transit, as well as expansion of routes to the Plan Area with additional stops at key intersections. Land uses are generally more intense adjacent to Guthmiller Road/Yosemite Avenue to encourage ridership, as it is anticipated that bus service will expand along this corridor as development occurs.

Connecting to the off-street bicycle and pedestrian paths of the City of Lathrop's Bicycle Transportation Plan, Class I (off-street) and Class II (on-street) bike routes have been designated along all arterial and minor arterial roadways. To encourage pedestrian trips within the Plan Area and to surrounding areas, all arterial and local streets include sidewalks. Sidewalks are provided along both sides of all streets within the Plan Area, except along Vierra Road where a southern sidewalk is provided, to accommodate pedestrian travel and to allow convenient access to curbside parking.

The Traffic Impact Study prepared by Wood Rodgers, Inc. summarizes the existing and projected traffic counts for certain selected street segments within the Plan Area, summarizes the cumulative traffic counts and provides a basis for the roadway sizing shown on the Circulation Plan (Figure 4.1). It demonstrates that the proposed Circulation Plan is consistent with the General Plan, which specifies a minimum Level of Service (LOS) "C" on arterials and LOS "D" for all interchange ramps. For additional detail, please refer to the Traffic Study contained in the EIR associated with this Specific Plan.

#### **4.4.1 Roadways**

The new roadway system for the Lathrop Gateway Business Park is based on a pattern of streets that organizes and provides access into and through the Plan Area. The roadway system calls for expansion of existing roads, construction of new roads, and the addition of signals at various intersections. Generally, the proposed Phasing and Capital Improvement Program will install full roadway improvements curb-to-curb and required street lighting for arterial roadways from intersection to intersection as these roadway segments are triggered by development. The approach to and the timing of roadway improvements should be logical and comprehensive as to accommodate development phases and demands, while avoiding piecemeal improvements. Phasing is discussed in more detail in Chapter

7, Project Financing Plan. Public and private financing, fee programs and other financing mechanisms will be utilized to ensure the early completion of roadways.

**Arterial Streets** include either six, five, and four-lane facilities. This category of street will serve to convey "cross-town" traffic. These streets will provide for efficient access through the City of Lathrop, and connections to major commercial uses, employment centers, and amenities. These streets have been excluded from the calculations of developable acres in the Land Use Plan. The following is a summary of the proposed roadway improvements:

- Yosemite Avenue will be expanded to 5 traffic lanes from Yosemite Court to D'Arcy Parkway and will be expanded to 4 traffic lanes from D'Arcy Parkway east to the Manteca city limits.
- Guthmiller Road will be expanded to 6 traffic lanes from SR 120 to the intersection of Yosemite Avenue.
- McKinley Avenue may be expanded depending on state funding and Caltrans determination of the needs for the area.

**Minor Arterial Streets** will provide secondary access to the Plan Area from other development areas within the City.

**Local Streets** will connect to arterial and minor arterial roadways. These connections allow access into development areas and discourage an internal street pattern of through traffic. The internal network of streets allows employees and patrons to circulate between land uses without traveling on arterial streets.

#### 4.4.1.1 Arterial Streets

Arterials include Yosemite Avenue, Guthmiller Road, and McKinley Avenue. All arterials include provisions for two-way traffic, most with a dividing median, and a Class I off-street pedestrian/bicycle multi-use path. No on-street parking is allowed.

#### 4.4.1.2 Arterial Street Standards

1. A minimum Level of Service (LOS) C shall be maintained on all roadways with the exception of those roadway segments on which the City makes a finding of over-riding consideration.
2. Arterial street intersections should provide designated left and right turn lanes to facilitate optimal traffic flow.

3. Individual development site driveway cuts should be limited on all arterial streets to facilitate optimal traffic flow.
4. Arterials shall be designed for their dual roles as vehicular and non-vehicular transportation corridors, with landscaped off-street multi-use pedestrian and bicycle paths.
5. The City Engineer or the Community Development Department may allow alternatives to the proposed roadway sections or landscape corridors subject to design review.
6. Streetscapes shall be designed in accordance with final street section details and the design guidelines found in Chapter 5.

#### **4.4.1.3 Minor Arterial Streets**

Minor arterial streets are located in the Plan Area. All minor arterial streets include provisions for two-way traffic, none with a dividing median, and a Class II on-street bicycle route. On-street parking has been omitted.

#### **4.4.1.4 Minor Arterial Street Standards**

1. A minimum Level of Service (LOS) D shall be maintained on all minor arterials, with the exception of those roadway segments on which the City makes a finding of over-riding consideration.
2. A minimum intersection spacing of 900 to 1,000-feet shall be provided between Minor Arterial Streets intersecting Arterial Streets.
3. The City Engineer or the Community Development Department may allow alternatives to the proposed roadway sections, roundabout prototypes, or landscape corridors, subject to design review.
4. Streetscapes shall be designed and landscaped in accordance with final street section details and the design guidelines found in Chapter 5.

#### **4.4.1.5 Local Streets**

Local Streets consist of internal circulation between land uses and connect to arterial and minor arterial streets within the Plan Area.

#### 4.4.1.6 Local Street Standards

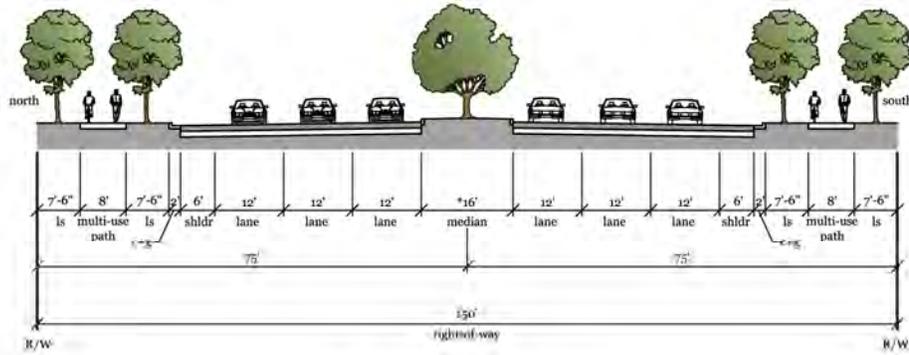
1. Districts should be designed with internal connecting streets to encourage a more open and accessible network and to improve the distribution of traffic throughout the roadway network.
2. Multiple points of access to development areas are encouraged, to maximize the number of streets that carry traffic and the distribution of traffic loads from each development area.
3. The City Engineer or the Community Development Department may allow alternatives to the proposed roadway sections, alleys, or landscape corridors, subject to design review.
4. With respect to the portion of Street C connecting Yosemite Avenue to Vierra Court, this street shall be aligned such that its eastern right-of-way runs along the western boundary of parcels “Espinosa” and “3-Dog Chicks” (APNs 241-280-01 and 241-280-02). See Appendix B for the Ownership Map.
5. Streetscapes shall be designed in accordance with final street section details and the design guidelines found in Chapter 5.



**Legend**

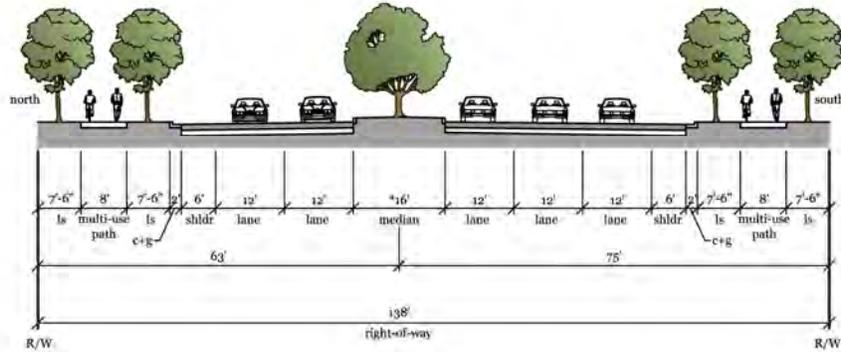
- 6-Lane Arterial
- 5-Lane Arterial
- 4-Lane Arterial
- 4-Lane Minor Arterial
- Local Commercial/Industrial
- Vierra Court Road/Street C
- Yosemite Court
- Project Boundary

|  |              |                  |
|--|--------------|------------------|
| <b>Figure 4.1: Circulation - Vehicular</b>                         |              | Date: April 2010 |
| Lathrop Gateway Business Park Specific Plan<br>Lathrop, California | NOT TO SCALE | <br>             |



### 6-Lane Arterial

(Guthmiller/Yosemite Avenue, Highway 120 to Yosemite Court)  
150' Right-of-Way



### 5-Lane Arterial

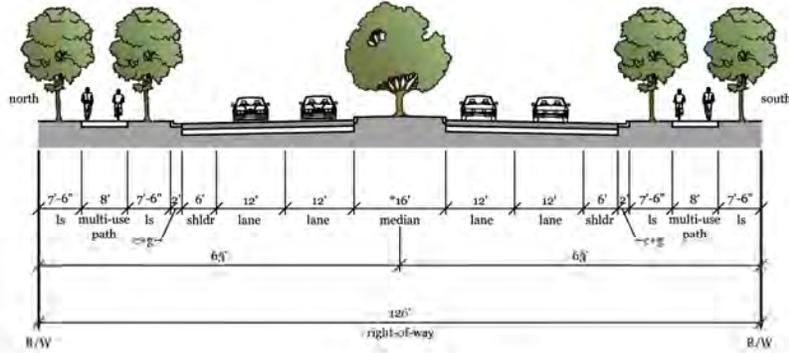
(Yosemite Avenue, Yosemite Court to D'Arcy Parkway)  
138' Right-of-Way

**Legend**

- sw sidewalk
- ls landscape
- c+g curb and gutter
- bl bike lane
- lane driving lane
- shldr shoulder
- R/W right-of-way

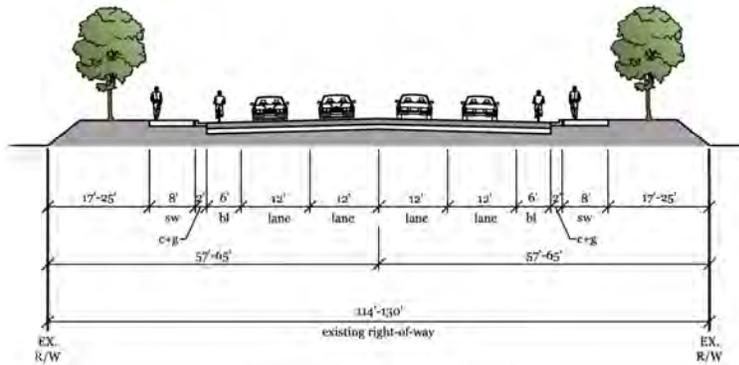
\* Median to be reduced from 16' to 4' where turn lanes are required.

|  |              |                  |
|--|--------------|------------------|
| <b>Figure 4.2: 6-Lane &amp; 5-Lane Arterial Sections</b>           |              | Date: April 2010 |
| Lathrop Gateway Business Park Specific Plan<br>Lathrop, California | NOT TO SCALE | <br>             |



### 4-Lane Arterial

(Yosemite Avenue, east of D'Arcy Parkway to eastern property boundary, and McKinley Avenue)  
126' Right-of-Way



### 4-Lane Minor Arterial

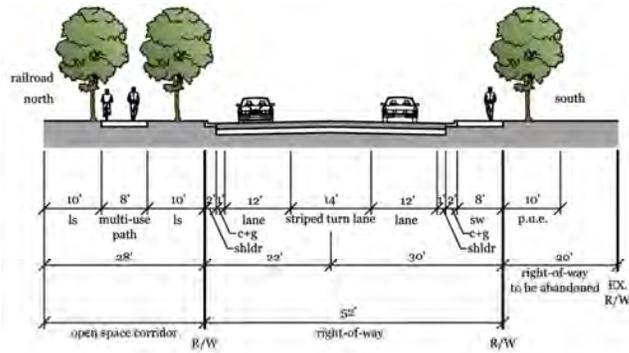
(D'Arcy Parkway, on-street bike lane and no parking)  
114' to 130' Right-of-Way

**Legend**

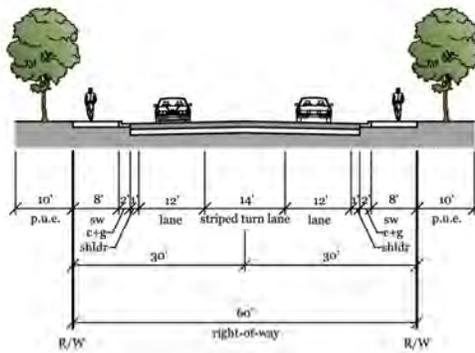
- sw sidewalk
- ls landscape
- c+g curb and gutter
- bl bike lane
- lane driving lane
- shldr shoulder
- R/W right-of-way
- EX. R/W existing right-of-way

\* Median to be reduced from 16' to 4' where turn lanes are required.

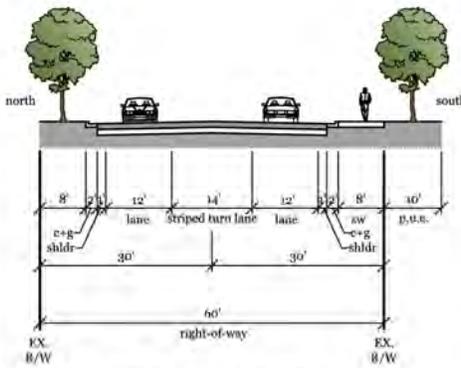
|  |              |                  |   |
|--|--------------|------------------|---|
| <b>Figure 4.3: 4-Lane Arterial &amp; Minor Arterial Sections</b>   |              | Date: April 2010 |   |
| Lathrop Gateway Business Park Specific Plan<br>Lathrop, California | NOT TO SCALE | N<br>⊕           | <b>WOOD RODGERS</b><br>DEVELOPING INNOVATIVE DESIGN SOLUTIONS |



**Yosemite Court**  
 (2-lanes, multi-use path on north side)  
 52' Right-of-Way



**Local Commercial/Industrial**  
 (Internal collector, no parking)  
 60' Right-of-Way



**Vierra Court**  
 (No parking)  
 60' Right-of-Way

- Legend**
- sw sidewalk
  - ls landscape
  - c+g curb and gutter
  - bl bike lane
  - lane driving lane
  - shldr shoulder
  - R/W right-of-way
  - EX. R/W existing right-of-way

|  |              |                  |  |
|--|--------------|------------------|--|
| <b>Figure 4.4: Local Sections</b>                                  |              | Date: April 2010 |  |
| Lathrop Gateway Business Park Specific Plan<br>Lathrop, California | NOT TO SCALE |                  |  |

#### 4.4.2 Bikeways

A comprehensive system of bikeways is proposed for the Plan Area that will allow for convenient access between land uses, thereby encouraging bicycling as an alternative mode of transportation (Figure 4.8). There are two fundamentally different types of bikeways: those in dedicated open space corridors and those along streets. Both serve the primary function of providing bike connections between major activity centers in the plan. All bikeways within the Plan Area will be consistent with and become an extension of the City of Lathrop Bicycle Transportation Plan; the bikeway plan identified in this specific plan should be implemented to the maximum extent possible.

Bicycle facilities are generally categorized into three distinct classes.

- Class I (Bike Path or Trail) - Provides a paved trail completely separated from vehicular traffic.
- Class II (Bike Lane) - Provides a paved striped lane at the edge of the street for one-way bike travel.
- Class III (Bike Route) – Sign-designated, shared use routes with vehicle traffic on a minor street.

An extensive Class I bike trail system is proposed in the City of Lathrop Bicycle Transportation Plan.

Within the Lathrop Gateway Business Park Specific Plan Class I bike paths, providing 8-feet of pavement, shall be provided along the open space adjacent to Union Pacific Railroad, continuing on Yosemite Avenue (south side only) to the eastern boundary of the Plan Area. In addition, Class I bike paths will be provided along the south side of Guthmiller Road, to connect to Yosemite Avenue, and along McKinley Avenue. These paths will provide off-street connections throughout the Plan Area, exceeding the mandate of the City of Lathrop's Bicycle Transportation Plan.

Class II bike lanes shall be located adjacent to minor arterial streets, providing a 6-foot striped lane adjacent to the 2-foot curb and gutter. Class II bike lanes will connect to the off-street, Class I bike path, serving as an extension of the bikeway network in the City of Lathrop. Separated 8-foot sidewalks are located adjacent to all streets, to provide a safe and attractive environment that encourages pedestrian activity throughout the Plan Area.

Class III bike routes can be designated on local streets to provide further connectivity between key land uses and between individual project areas. Class III routes can be analyzed, identified, and designated during the review of more detailed future site plans.

The usefulness of the bike system depends, in part, on providing reasonably direct routes to the primary activity centers within the Plan Area. Each district shall be designed to facilitate pedestrian and bicycle access to services, shopping and jobs. In addition, the bikeway system shall provide a connection to neighboring developments, transit stations, and the regional network.

#### **4.4.2.1 Bikeway Standards**

1. The off-street bicycle/pedestrian network shall include an informational signage program (e.g., “1/2 mile to town center”).
2. Class I bike lanes shall be provided as identified by (Figure 4.5).
3. Class I bike lanes shall be provided as connection to regional trails and transit facilities within and outside the Plan Area.
4. Private developers shall incorporate Class I bike lanes that are within their proposed tentative maps as identified on the trail diagram (Figure 4.5), including Yosemite Avenue.
5. Class II bike lanes shall be located within the right-of-way of other minor arterial streets.

#### **4.4.3 Walkways**

A comprehensive hierarchy of pedestrian walkways is proposed (Figure 4.5). Sidewalks shall be provided along all streets within the Plan Area, providing a pleasant and comfortable walking experience. This comprehensive system of pedestrian walkways will encourage walking or biking to work and will allow convenient connections within the business park to other areas. Employees and patrons will be able to walk between commercial and office centers, thereby encouraging an alternative to vehicular travel.

##### **4.4.3.1 Walkway Standards**

1. The off-street bicycle/pedestrian network shall include an informational signage program (e.g., “1/2 mile to town center”).
2. A sidewalk shall be provided along the face of any retail commercial buildings, allowing storefronts or office buildings to be linked.



## **4.5 ALTERNATIVE TRANSPORTATION MODES**

### **4.5.1 Bus Transit**

The Plan Area currently has no bus service. It is anticipated that San Joaquin Regional Transit District (SJRTD) will provide bus service to the Plan Area. With the build-out of the Lathrop Gateway Business Park, bus service will likely be expanded to serve new businesses through a re-routing of the Intercity services between Tracy, Manteca, and Stockton. Generally, routes are anticipated along Yosemite Avenue within the Plan Area. Although it is considered unlikely, expanded bus service may also include routes that link internally through the Plan Area to provide connections to employment or shopping areas.

To support public transit and the likelihood that bus routes will follow arterial roadways, the Land Use Plan has been configured to place highest-intensity land uses adjacent to Yosemite Avenue/Guthmiller Road. This type of configuration will maximize the potential for ridership. Proposed stops are illustrated on Figure 4.6. Final locations for bus stops and bus routes within the Plan Area will be determined as development occurs and in conjunction with SJRTD.

#### **4.5.1.1 Bus Transit Standards**

1. Bus turnouts will be provided with the design of arterial and/or collector streets. The location of turnouts, typically on the far side of major intersections, with sidewalk access to nearby intersections with controlled crossings, shall be coordinated with the SJRTD and improvement standards.
1. Benches and bus shelters will be provided, as directed by the SJRTD when bus service is provided.

### **4.5.2 Rail Transit**

North of the Plan Area, the Lathrop-Manteca station of the Altamont Commuter Express (ACE) Rail Service provides regional service between Stockton and San Jose; Modesto Area Express (MAX) provides bus connection between Modesto and the ACE station. The proximity of the station to the Plan Area provides for convenient access to commercial and employment uses. There is also opportunity for pedestrian and bicycle connection between the ACE station and the Plan Area along Yosemite Avenue.

### **4.5.3 Park-and-Ride Facility**

A Park-and-Ride facility may also be considered within the Plan Area due to the ideal location close to a major highway intersection. If a facility of this kind is located in the Plan Area, SJRTD may serve the

facility as a regional Park-and-Ride location for San Joaquin Commuter bus services. Additional coordination with SJRTD, as development occurs, will be necessary in determining the benefit of a Park-and-Ride facility.



- Legend**
-  Existing ACE Transit Stop
  -  Possible Transit Stop (per Specific Plan)
  -  Project Boundary

|  |              |  |   |
|--|--------------|--|---|
| <b>Figure 4.6: Circulation - Transit</b>                           |              | Date: April 2010   |   |
| Lathrop Gateway Business Park Specific Plan<br>Lathrop, California | NOT TO SCALE |  |  |

## 5.0 Design Guidelines

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### 5.1 INTRODUCTION

The Design Guidelines give form to the vision for the Lathrop Gateway Business Park development. By establishing minimum standards for character, building design, and landscape elements, this document, together with the City's zoning code, ensures a coherent design language that exemplifies the contemporary planning ideals: diversity, connectivity and sustainability.

The following guidelines provide site design and architectural standards, including provisions for landscaping and sustainability efforts applicable to development within the Plan Area. All development proposals within the Plan Area must adhere to the standards and guidelines set forth in this document.

These guidelines and standards are consistent with and provide a companion document to the Lathrop Gateway Business Park Zoning Ordinance. Standards not addressed within this document shall be subject to the Lathrop Municipal Code.

### 5.2 PURPOSE

The purpose of the guidelines and standards for commercial, office, and industrial development is to ensure consistency of design and district compatibility across a wide range of uses within the three Lathrop Gateway Business Park development designations.

These guidelines provide clear standards for the development of a well-designed project: compatibility with adjacent land uses, contribution to the character of the streetscape and community-wide vision, and a vibrant community that encourages alternative modes of transportation.

The Lathrop Gateway Business Park Specific Plan encourages a blending and overlapping of different land use types. Therefore, these guidelines are general and apply to all three districts. Projects should

not be designed as secluded developments, but should be conceived in relation to the context of the surrounding community.

### 5.3 SECTOR VISION

To follow is a brief description and vision of each sector within the Plan Area:

#### **SERVICE COMMERCIAL SECTOR**

The Service Commercial Sector is envisioned to allow for a wide spectrum of employment uses, while providing flexibility for office, light industrial, and the possibility of some retail uses. Some limited commercial uses can take advantage of proximity to major roadways, creating visibility and easy access from the road. These could be located closer to the corner of Yosemite and McKinley Avenues. It is recognized that signage and corporate identity is likely to be important to most tenants. Buildings may be designed to vary in scale, massing, material, and color, however, they should achieve a visual compatibility with each other. Varying material, color, and scale often serves to avoid a “mega-store” appearance. Secondary and tertiary buildings may be located away from major roadways, and although these buildings are not focal features of the site, consideration to scale, massing, material and color is essential. Buildings in the Service Commercial Sector should stand alone as exemplary objects of commercial architecture, considering all elevations of a building, and should also function and aesthetically coalesce as a unified whole with other buildings in the area.

#### **LIMITED INDUSTRIAL SECTOR**

Envisioned as a prominent employment-generating land use, this Sector should provide a high degree of functionality, including convenient access to major roadways. Buildings within this area may likely be warehouse, manufacturing, assembly and repair-type buildings. Careful consideration should be placed in the material, color, and scale of buildings as well as the articulation of each façade. Although multiple industries will most likely be on-site, the architecture styling and detailing of buildings should create cohesion and compatibility across the Sector. The environment of the area should be simple and concentrate on commerce, while providing key outdoor amenities for employees. Within the Limited Industrial Sector, pedestrian connection and amenities, such as landscaped picnic areas or small court areas, may be considered where possible and practical.

## **MIXED COMMERCIAL OFFICE/LIMITED INDUSTRIAL SECTOR**

The Commercial Office area of this mixed sector, the western region of the site, capitalizes on access and visibility from State Route 120. The Limited Industrial site, though it enjoys high freeway visibility along SR 120, need not be as accessible from the freeway as the office and commercial uses. Envisioned as a campus style development, with buildings arranged in an orderly landscaped setting, office and commercial buildings are encouraged to be clustered on the site to the extent practical, and located in close proximity to the SR 120 interchange and Guthmiller/Yosemite Avenue corridor. With the proximity to major corridors and SR 120, the Mixed Commercial Office/Limited Industrial Sector should attract visitors, both local and regional, with opportunity for freeway-oriented retail uses in southeast Lathrop. The architecture should be of high quality and thematically compatible, helping to anchor the area, providing a pleasing image and visual entryway to the Lathrop Gateway Business Park development. Where feasible, parking should be placed behind buildings or landscaped areas. Groupings of buildings should be located to take advantage of landscaping, visibility, and potential gathering or entry spaces for employees and visitors. Clearly identified walkways should connect buildings to each other and to the surrounding site and other sectors. Opportunities for either horizontal mixed-use, office adjacent to commercial, or vertical mixed-use, office over commercial, may be considered where feasible and practical.

### **5.4 ORGANIZATION**

General principles guide the overall Lathrop Gateway Business Park development and lay the foundation for standards and guidelines to be developed. There are both standards and guidelines provided for the entire Plan Area, and standards and guidelines that apply to each designation. All site design standards and guidelines are organized into two sections: 1) site design and 2) architecture. Within each section, subcategories further define and illustrate design objectives through written descriptions and photographic examples that convey desired elements. Supporting the design objectives are standards and guidelines, defining how desired development should be achieved.

### **5.5 LATHROP GATEWAY BUSINESS PARK PRINCIPLES, STANDARDS AND GUIDELINES**

The Lathrop Gateway Business Park Specific Plan (LGBPSP) strives for a realistic and attractive development. The Lathrop Gateway Business Park, within the existing and surrounding landscape, will continue to advance the economic vitality and job growth in Lathrop by creating a development of

quality site design and architecture. To achieve these goals, the following planning and design principles have been developed to assist designers and developers in meeting the City's preference.

All commercial and industrial projects within the Plan Area should be designed to meet, or exceed, the following planning and design principles:

1. Create quality site design.
  - a. Design pedestrian accessible buildings.
  - b. Design building heights and street widths at an appropriate scale; minimize parking between buildings and the street.
  - c. Encourage design elements that consider environmental conditions, like sun, shade, wind, etc., to improve the pedestrian experience and provide natural environmental control.
  - d. Encourage high-quality streetscape with landscape expressions.
  - e. Provide outdoor lighting for safety and security; minimize outdoor lighting from spilling over to adjacent properties, especially existing residences.
2. Encourage distinctive architecture.
  - a. Encourage interesting building elevations through design styles, ancillary elements, and materials that are consistent with other exemplary developments in and around the region.
  - b. Use design styles, elements, and materials that compliment—or do not visually compete with—surrounding context and scale of neighboring land uses.
  - c. Integrate a hierarchy of streets and project entries through the use of entry gateways and landscaping to attract visitors and appeal to employees.
  - d. Encourage the incorporation of franchise architecture and interesting design elements into buildings, including colors and building relief, taking care that overall quality design standards are met.

## 5.5.1 SITE DESIGN

The Lathrop Gateway Business Park is intended to be a vibrant mix of uses dispersed throughout three coherent and organized districts. Due to the wide variety of uses allowed within the Plan Area, circulation, site planning, landscaping, and architecture should be the key elements that unify all districts. Projects are encouraged to provide a safe and functional environment for all users and patrons, including pedestrian, bicycle, and automobile. Development should reflect quality and visual appeal as it relates to adjacent streets and surrounding development.

The site design section is divided into two sub-sections:

- Site Planning
- Architecture

### 5.5.1.1 SITE PLANNING



#### A. CIRCULATION

The objective of the Lathrop Gateway Business Park Specific Plan circulation is to promote efficient and safe movement of goods and people throughout the site. The circulation design should take into account all types of users: vehicle, pedestrian and bicycle.

The design of access for districts and individual project sites should tie land uses and existing roadways into the overall circulation network in the Plan Area. In some cases, the internal circulation may be part of the larger Plan Area circulation and street network.

Pedestrians should have continuous sidewalks, free of obstructions, and with convenient access to buildings and other adjacent land uses. Additionally, pedestrian connections are encouraged between site buildings, parking and other adjoining uses.

Additional modes of travel, including bicycle and public transit, should be considered as a part of each development project. Bicyclists should have consistent access from major roadways into and around each district.

The following circulation design guidelines apply to all districts of the Lathrop Gateway Business Park Specific Plan:

1. Land uses that are automobile dependent should be designed to minimize the conflict between pedestrians, bicycles, and automobiles, by the following means:
  - Place buildings at the setback from public rights-of-way and use the public sidewalk to create pedestrian entries;
  - Create pedestrian-only connections between public sidewalk and buildings, avoiding crossing drive-thru lanes wherever possible; or
  - Place vehicle entrances and drive-thru areas away from main pedestrian entries.
2. Each district should provide pedestrian and bicycle connection to adjacent uses within the Lathrop Gateway Business Park Specific Plan. This would include public sidewalk connection to internal project circulation for pedestrians and public right-of-way bicycle paths to internal on and off-street routes for bicycles. These connections should be well lit and marked for the safety of its users.



## B. BUILDING PLACEMENT & PARKING

Building placement and orientation is key in creating a safe and efficient site design. Buildings with uses that rely on visibility should be placed close to adjacent streets and specifically on high-volume corners. Those buildings along street frontages should have interesting elevations to anchor highly visible sites and create an identity for each land use area. Optimal building placement on the site can create opportunities for public or employee spaces, encourage pedestrian connections, establish an interesting streetscape, and provide drive-by advertising for the companies. Building placement and parking orientation considerations can greatly increase the efficiency of a building. Simple site planning and sustainability efforts should be considered as part of site design.

The following building placement and parking design guidelines apply to the all districts of the Lathrop Gateway Business Park Specific Plan:

1. Where feasible and desirable, buildings should maintain close proximity to streets;
2. Buildings should be sited to attract users:
  - Entrances should be designed to accommodate safe pedestrian travel;
  - Parking should have close proximity to buildings;
  - Create spaces with gathering areas, plantings, bicycle parking, or other amenities between or adjacent to buildings;
  - Minimize excessive setbacks that detract from the streetscape, or else optimize excessive setback areas in distinctive landscaping; and
  - Building elevations should consider the human-scale design elements on ground floor facades and specifically at building entrances.

3. Parking areas should be designed for circulation efficiency and safety of all users:
  - Large areas of parking should be screened from view as much as possible and placed away from major rights-of-way, behind buildings, or obscured with landscape treatments, such as berms, tall shrubs, and trees;
  - Shared parking between projects and districts is encouraged;
  - Landscaping should be provided in parking areas as specified by the landscaping section in this chapter; and
  - Pedestrian pathways and walkways, clearly marked with enhanced paving material, should be provided through parking areas as direct routes to building entries.
4. Loading and delivery areas should be located appropriately to minimize their visibility, potential circulation, noise, and light conflicts. Screening these areas with landscaping, buildings, fences or walls is encouraged.
5. Corner and mid-block buildings should be oriented towards the public right-of-way and should be designed to achieve the following:
  - Where feasible and desirable, driveway entrances and stacking lanes should be separated from public pedestrian spaces and crossings.



### C. REFUSE, STORAGE & EQUIPMENT AREAS

The design and placement of refuse containers, service areas, loading docks, and similar facilities should be considered as part of the overall site design of a project. In general these uses should be located as to not interfere or detract from circulation, parking, and adjacent uses, and in most cases should be out of view.

The following design guidelines apply to all districts of the Lathrop Gateway Business Park Specific Plan as it relates to refuse, storage and equipment areas:

1. Trash/recycling enclosures and service and loading docks areas should be big enough to accommodate the site's needs, but located in areas as to not interfere with on-site circulation and parking;
2. Trash and outdoor storage facilities should be placed away from public streets and/or screened from view with materials consistent to adjacent building exteriors or other mature plantings; and
3. Trash and outdoor storage that is visible from upper stories should be screened with trellis or other horizontal cover and should be consistent with the architectural style of adjacent buildings. Furthermore, trash enclosures should be designed—through colors, materials, details, and/or forms, that serve to compliment associated building design for the particular building complex it serves.
4. Trash and outdoor storage facilities are encouraged to include a covered roof and sewer drain as described in the Public Works Stormwater Standards.



## D. LANDSCAPING

The intent of the landscape design within each district is to provide continuity throughout the Plan Area. Landscaping guidelines will specify standards for streetscape, public space, and parking lot design within the district. Through the use of deciduous and evergreen plant material, year round interest will be given to the site with an evenly layered plant design. This layered plant design will screen or diminish adverse views and utilities. Plant materials should be easy to maintain while attractive and diverse. Designers shall emphasize the use of low-water use plants with a lush character and vibrant colors.

The streetscape within the Plan Area will be unified through a consistent palette of ground cover, shrub, and street tree. The street tree will create a canopy along all public streets to increase aesthetics of the project while providing shade and creating a walkable development. All street trees will be a minimum of 15 gallons in size at time of planting and centered in the parkway strip sidewalk or planted at least 4' behind the sidewalk. A mix of evergreen and deciduous trees is encouraged as primary and accent tree options.

The landscaping of public spaces should be carefully considered to attract visitors. Trees with a consistent canopy should be used in areas where shade is desirable. In general, the landscaping of public spaces should complement the other features and amenities of the area, becoming a backdrop to pedestrian activities.

Parking lots will have drive aisles and parking aisles delineated through parking lot medians and planter strips. Ground cover, shrubs, and trees will be planted within the medians and planter strips, where feasible and practical. When a median or planter strip is adjacent to a parking stall, all plant material and irrigation shall be kept eighteen inches from the curb, or confined to low groundcover or lawn, to allow for car overhang and door swing. Trees should provide a shade canopy, reducing heat island effect: a sustainable site planning measure. It is recommended that 50% shade be provided within the



parking lot. (Estimated shade diameter is projected at 15 years from time of planting.) Parking lot shade trees shall conform, at a minimum, to standards and requirements shown in the Municipal Code.

Irrigation and water conservation is mandatory. Irrigation systems should be designed to ensure the efficient use of water and avoidance of overspray and overwatering. To help ensure an efficient irrigation system, plants should be grouped in Hydrozones, which is a combination of plants with similar water needs. The use of low-water native and adaptive plants is highly encouraged. All landscape areas must be irrigated with an automatic irrigation system controlled by a timer. Use of drip irrigation is encouraged where practical and most effective, especially in shrub and tree areas.

Where feasible and desirable, drainage and water quality measures should be employed in on-site landscape areas. Using landscape strips and medians for percolation, drainage swales, and rain gardens is highly encouraged. Use of as many sustainable landscape techniques is highly recommended and can result in substantial maintenance cost savings.

Where specific landscape standards are not covered in this Design Guidelines Chapter, or within the Lathrop Gateway Business Park Zoning Ordinance, reference Chapter 17.92 of the Lathrop Municipal Code.

The following design guidelines apply to all districts of the Lathrop Gateway Business Park Specific Plan as it relates to landscaping:

1. Landscaping should be used to define outdoor spaces, softening and complementing structures, and should also be used for utilitarian qualities:
  - Become a backdrop to pedestrian outdoor gathering places;
  - Screening parking, loading, storage, and equipment areas;

- Provide shade and enhancement to the streetscape, parking lots, and pedestrian outdoor gathering places; and
  - Directional, defining entries and pedestrian ways.
2. Landscaping and trees should be employed in parking areas to break up expanses of hardscape and to minimize heat island effect;
  3. Where feasible and desirable, mature trees and plantings should be maintained and incorporated into the landscape design;
  4. Natural and existing vegetation should be preserved where possible and incorporated into the new landscaping. Retention and detention areas should be planted to create the appearance of natural vegetation. Careful selection of plant types is necessary to ensure survival and be compatible with the proper functioning of the drainage system;
  5. Conservation and efficient use of water is at the forefront of the Lathrop Gateway Business Park Specific Plan landscaping objective:
    - Plants should be selected and grouped according to their maintenance and water use profile. In all cases, low-maintenance and drought tolerant plantings are highly encouraged;
    - Planting of turf areas should be kept at a minimum. A maximum of 10% of the total landscaped site area may be irrigated turf. Drought-tolerant ground covers and shrubs are lower maintenance and seen as more desirable;
    - All landscaped areas should be designated for maximum water efficiency and irrigated through automatic irrigation system controlled by a timer. Non-potable or recycled water should be used to the extent feasible;
    - Use alternative and porous paving options for pedestrian pathways and non-vehicular and bicycle circulation to maximize infiltration of water runoff;
    - Curb, headerboards, pavers, and other materials should be used to minimize water run-off and define landscaped areas; and

- Water features should be designed for maximum maintenance and water efficiency.
6. Where feasible and desirable, landscape strips and medians should be programmed for the treatment and conveyance of water run-off. Landscaping used for percolation, drainage swales, and rain gardens are highly encouraged.



## E. WALLS & FENCES

Walls and fences in the Plan Area are intended to provide screening between projects and adjacent uses where necessary, helping to define edges of arterial and collector streetscapes and providing security to property. It is anticipated that there will be limited use of walls, except where needed for sound attenuation or where desired for entry features or for screening unsightly elements, such as trash areas. The material and design for the walls and fencing may vary throughout the district, depending on location and specific needs. Both masonry and wood fences are permitted in the Plan Area.

The following design guidelines apply to all districts of the Lathrop Gateway Business Park Specific Plan as it relates to walls and fences:

1. Walls and fences will not be permitted if they aren't necessary for specific screening, gateway, aesthetic, or security purposes;
2. Tall walls and fences are discouraged along arterial and collector roadways, as they diminish the street scene. Fences and walls should not exceed a maximum height of six feet, unless special screening and/or security issues are demonstrated and require a building permit and design review.

Low decorative or auto-screening walls, 2 to 4-feet in height, may serve to enhance a building area or streetscape, if tastefully designed;

3. Walls and fences, used at property frontages or for screening, should be designed as an extension of a building's architecture; top caps on masonry walls and wood fences are encouraged. Self clinging or supported vines shall be planted at regular intervals along walls to ensure coverage within 5 years in order to discourage graffiti and soften the overall appearance of the wall;
4. Where long expanses of wall or fence are unavoidable, articulation in the form of wall offsets or landscaping should be implemented; and
5. Where security fencing is required, a combination of solid and open grill work is encouraged. Barbed or razor wire fences are prohibited.



## F. PUBLIC SPACES AND PEDESTRIAN AMENITIES

It is the intent of the public spaces and pedestrian amenities section to promote usable public gathering spaces oriented toward pedestrian users that function as an amenity to the development. These outdoor spaces should be visually pleasing, appropriately scaled, and should encourage greater activity within each district. As well as providing pedestrian-oriented features and amenities, these spaces should connect pedestrians with the site and surrounding uses.

It is encouraged that an employee or public gathering place be provided for appropriate projects in each district. The scale and program of the space should be appropriate to the adjacent building and type of users. It is encouraged to site these spaces in well-lit, secure, and interactive areas where they can become an integrated feature.

The following design guidelines apply to all districts of the Lathrop Gateway Business Parkway Specific Plan as it relates to public spaces and pedestrian amenities:

1. An employee or public gathering place should be encouraged in appropriate projects within each district. These amenities can include, but are not limited to, small recreation areas or other open space facilities. These areas will count toward the landscape requirement designated for each land use district.
2. Employee or public gathering space placement should be appropriate to each district:
  - Within the Commercial Office District, gathering areas should be placed as much toward the center of clustered buildings as feasible to create a sense of place and a convenient destination for users;
  - Within the Limited Industrial District, gathering places should be placed between or adjacent to buildings to encourage employee health and well-being; and

- Within the Service Commercial District, gathering places should be placed where appropriate to encourage employee and visitor interaction.
3. Pedestrian connections should be established within projects and districts, where logical and practical. Areas for respite for users should be encouraged.



## G. LIGHTING & FURNITURE

Lighting is an important element in the landscape and should be used to contribute to a safe and attractive environment. Natural areas will need little light while street intersections will require illumination levels safe for pedestrian crossings. Lighting is also used to reinforce the development's overall design theme and create a consistent sense of place by adding a common, thematic element that is repeated along all major roadways. It is recommended that one street light product type be specified for the entire Plan Area. The height of lights will vary depending on application. Light standards will typically be higher along roadways, and will be lower in pedestrian areas.

Site furniture is encouraged in outdoor areas and public spaces. The driving goal for the use of landscape elements is to create enjoyable outdoor spaces and furnish comfortable amenities for relaxation and leisure. Site furniture visible from public streets, plazas, and pedestrian linkages should be of a compatible style and design. Fixtures and furniture may vary in style, color, and materials from this standard design if they are used in enclosed courtyards or other locations where land uses require unique appeal. Designers shall give emphasis to vandalism-resistant criteria when selecting all site fixtures and furniture.

The following design guidelines apply to all districts of the Lathrop Gateway Business Parkway Specific Plan as it relates to lighting and furniture:

1. Outdoor lighting should be specified and designed consistent with the zoning code for this Plan Area;
2. Exterior lighting, including parking areas, should be architecturally integrated with the style of the building and colors and materials used;
3. Parking lighting should be arranged to provide uniform illumination throughout parking areas and should achieve a minimum average of one foot-candle and a maximum of three;
4. Architectural lighting may be used to highlight special features on or around the building, or to illuminate key entrances or other areas of access;
5. All lighting should utilize cut-off type fixture to minimize visibility from adjacent areas and should be the appropriate size and height given the activities for which they are designed. Lighting used for pedestrian connectors and gathering spaces should be lower, bollard-type or footlight fixtures and should not exceed 3-4 feet in height;
6. Where feasible and desirable, the use of pedestrian amenities, such as benches, drinking fountains, lighting, and trash receptacles, is encouraged. These elements may be sited in public gathering places and as respite along pedestrian connectors; and
7. The design of lighting and furniture for the Plan Area should be compatible throughout the development.



### 5.5.1.2 ARCHITECTURE

Architecture within the Lathrop Gateway Business Park should establish project identity and enhance the character of the development and the City of Lathrop. As a high quality development, a complimentary design language should be established throughout the Plan Area. The scale and massing of surrounding uses and districts should be considered and compatible elements repeated in new buildings to create a cohesive development.

The architecture section is divided into two sub-sections:

- Massing, Scale, and Form
- Style and Design Details



#### A. MASSING, SCALE, AND FORM

The design objective of this section is to encourage buildings that consider the human scale, cultivate active areas, and are compatible with adjacent development. Buildings should be clustered to create compact, multi-story structures that concentrate activities and related programmatic uses. Building height and massing should consider the surrounding context. Projects should consider the human scale at the ground floor and at entries to buildings. Buildings should take on varying form to increase visual interest and break up the monotony of large structures. In addition, horizontal and vertical wall articulation should be encouraged through the use of wall and second floor offsets, recessed entries and windows, human-scale awnings, overhangs and arcades.



## B. STYLE AND DESIGN DETAILS

The objective of the style and design detail section is to establish clear direction in terms of architectural styling and theme for the Gateway Business Park development. The style and design of the buildings will enhance the character of the Lathrop Gateway Business Parkway Specific Plan and set it apart as a distinct and high quality development. While these guidelines do not prescribe a specific style of architecture for the Plan Area, the objective is to allow a diversity of styles while considering the context of surrounding development.



## C. ROOFLINE

1. Rooflines should be clearly articulated by using the following feature:
  - Parapets are encouraged to conceal flat roofs and to screen any rooftop equipment, such as HVAC units, from public view. Parapets should not exceed 15% or 1/3 of the supporting wall height. All parapets should feature three-dimensional cornice treatments;



## D. ENTRIES

1. Building entrances should be designed for access both by patrons arriving via automobile and by foot or bicycle;
2. Each entry should be protected from the elements;
3. Entries should create an architectural point of interest using one or more of the following methods:
  - Wall recesses;
  - Roof overhangs;
  - Canopies;
  - Arches or arcades;
  - Columns; and/or
  - Signage.
4. Entries should incorporate windows to provide natural light and air; and
5. Where feasible and desired, pedestrian amenities, such as seating, lighting, fountains, sculptures, boulders, etc., should be incorporated into entry designs.





## E. MATERIALS & COLORS

1. All building elevations must include architectural patterns that include at least (2) of the following elements:
  - Color change;
  - Texture change;
  - Material change; and/or
  - A wall offset, reveal, or projection of at least 12 inches in depth.
2. Exterior materials should be durable and high quality to prevent degradation and for the ease of maintenance:
  - Large expanses of smooth material such as concrete should be broken up with expansion joints, reveals, recesses, or changes in texture and color;
  - Large expanses of highly reflective surface and mirror glass exterior walls should be avoided to prevent heat and glare impacts on the adjacent public streets and properties; and
  - High quality metal may be used as exterior siding or in large expanses only if approved by planning staff. It may be used for minor architectural features and trims.

3. Colors should be compatible throughout each district, while allowing for individuality to each development area. A varied and rich color palette is encouraged, although it should be noted that color should not be used as an attention-seeking device. Colors should be used to enhance a building's presence and bring together other materials throughout the project; and
4. Building trim and other accent elements may feature brighter colors, if desired, but should always compliment the base color. Neon tubing is prohibited from building trim or accent areas.



#### F. WINDOWS & DOORS

1. Ground floor, storefront-type glazing for display purposes along public façade frontages should be used as appropriate to enhance the exterior wall area;
2. Windows and/or other appropriate building features should be used on upper levels to break up large wall areas and create visual interest;
3. Window and door openings should be framed with trim, or recessed a minimum of 4 inches from the building face; and
4. Where feasible and useful, use operable windows for maximum environment control and passive heating/cooling options.





## G. FACADES

1. Facades of 100-feet or more in length are encouraged to break-up the elevation using one of the following techniques:

- Wall and/or second floor offsets; or
- Recessed entries or windows.

2. Facades that face public streets should create visual interest by using one or more of the following techniques:

- Human-scale elements, like awnings or overhangs;
- Arcades or recesses; or
- Entry areas.





## H. SIGNAGE

1. Color and material options for signs should always compliment the architectural style of the building;
2. Signage should be scaled appropriately for its given location;
3. Building signage should be located near to the related business entry, or as identity feature as seen from major travelways;
4. Signing should maintain a visual consistency throughout a project area. When more than one sign is required for a given business or area, both signs should maintain visual compatibility with one another;
5. Signage text should be kept to a minimum and scaled appropriately for placement and legibility purposes;
6. Wall signs, monument signs, and low-profile freestanding signs are encouraged;
7. Signage for pedestrian and bicycle way-finding is encouraged; and

8. Lighting is allowed to illuminate signage at night. Lighting should be designed appropriately as to not create hazardous glare for pedestrians, bicyclists, and vehicles. Both externally and internally illuminated signage is allowed.
9. Neon signs are not permitted.
10. At key entry areas along Guthmiller Road and Yosemite Avenue, project-wide decorative entry features and monument signs shall be located to identify and enhance the image of the Lathrop Gateway Business Park. Developers and builders of the project shall work with City Staff to establish appropriate locations and criteria for this project-wide monumentation and signage.

## 5.6 DESIGN REVIEW

In accordance with Section 8.1.1, of this Specific Plan, generally, all commercial, office, and industrial projects within the Plan Area will be subject to Site Plan and Architectural Design Review by the City; design review shall be implemented before issuance of building permits. Also, all public improvements (such as landscape plantings, street and entry signs, lighting, or special paving) are subject to Site Plan and Architectural Design Review. All Design Review procedures will be conducted in compliance with 17.100 and 17.104 of the Lathrop Municipal Code.

## 6.0 Public Services and Infrastructure

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The provision of public services and the construction of onsite and offsite infrastructure improvements will be required to accommodate development proposed by the Lathrop Gateway Business Park Specific Plan. It is an objective of the Lathrop Gateway Business Park Specific Plan to provide services and infrastructure that meet City standards, integrate with existing and planned facilities and connections, and do not diminish services to existing residents or businesses within the City.

This chapter of the Specific Plan provides an overview of the public services and major infrastructure improvements needed to serve build-out of the Plan Area. Services addressed include open space and recreation, police protection, animal services, and fire protection. Utilities addressed include potable water, wastewater, recycled water, drainage and flood control, electric, natural gas, communications, and solid waste.

Details relating to phasing and financing are discussed in section 6.3 of this chapter and Chapter 7, Financing, with specific improvement and other obligations provided for in the Lathrop Gateway Business Park Specific Plan development agreements.

### 6.1 PUBLIC SERVICES

#### 6.1.1 Open Space & Recreation

The City of Lathrop does not have adopted park/open space dedication or fee requirements for non-residential development. Such requirements are associated with residential uses which create the primary demand for, and benefit from proximity to, recreational facilities. Although open space and recreation facilities are not required or mandated, provision is made within Chapter 3, Land Use, and Chapter 5, Design Guidelines, for the construction of outdoor amenities.

#### 6.1.2 Police Protection

The City of Lathrop contracts with the San Joaquin County Sheriff's Department for police protection services. The Lathrop Police Department acts as a division of the Sheriffs Department, with those

deputies assigned to the City only working in the City limits and receiving specialized training reflective of the needs of an incorporated city. Administrative offices for the Department are located on 7th Street within Lathrop, approximately two miles north of the Plan Area. The Lathrop Police Department provides services such as emergency law enforcement, routine patrol, traffic enforcement, a Crime Stoppers program, and a Crime Prevention Through Environmental Design program. The Police Department has a service goal of 1.5 officers per 1,000 residents.

New development in the Lathrop Gateway Business Park Specific Plan will be required to pay the City's Capital Facility Development Fee to offset capital facility costs associated with police protection. In addition, development will be required to pay its pro rata share of start-up and ongoing costs as specified in the Lathrop Gateway Business Park Specific Plan development agreements.

### **6.1.3 Animal Services**

The City of Lathrop will provide animal services to the Plan Area. Animal Services Officers protect the health and safety of humans and animals, and are responsible for enforcing local and state laws regarding animals and their humane treatment. Services include, but are not limited to, patrol, stray/abandoned animal pick-up, aggressive animal impounds, injured animal pick-up, humane investigations, nuisance investigations, wild animal complaints/impounds, licensing, dead animal impounds, adoption, and education. Lathrop contracts with the City of Manteca for animal shelter services.

New development in the Lathrop Gateway Business Park Specific Plan will be required to pay the City's Capital Facility Development Fee to offset capital facility costs associated with animal services. In addition, development will be required to pay its pro rata share of start-up and ongoing costs as specified in the Lathrop Gateway Business Park Specific Plan development agreements.

### **6.1.4 Fire Protection and Emergency Services**

The Lathrop Gateway Business Park Specific Plan is within the service area of the Lathrop-Manteca Fire Protection District (LMFPD). The District has four fire stations, two of which are located within the City of Lathrop. Station 34, located northwest within the Mossdale Landing project, will initially be the first responder to serve the Plan Area. In addition, Station 31, located on East J Street in Lathrop, and Station 32, located within Nile Garden in Manteca, will both also provide service to the Plan Area.

The LMFPD maintains delivery standards for the provision of emergency services of up to three minutes in urban areas and four to five minutes in rural areas. The LMFPD strives to achieve a ratio of 1.2 firefighters per 1,000 residents in order to maintain current service levels.

The City's Public Safety Element requires the expansion of fire service to meet identified response times. The City of Lathrop's land use map designates a fire station site at the northeast corner of McKinley Boulevard and Yosemite Avenue. It is anticipated that a station will be constructed at this location, or at an alternate site in the immediate vicinity, with the timing and location as determined in coordination with LMFPD. This new station will provide service to the Plan Area within the LMFPD's response times.

Development in the Lathrop Gateway Business Park Specific Plan will pay all applicable fire service fees and assessments required to fund its fair share of LMFPD facilities and services. In addition, all development is required to conform to the California Fire Code, the City's Fire Sprinkler Ordinance, fire flow standards, and other applicable requirements.

## 6.2 INFRASTRUCTURE

### 6.2.1 Potable Water

#### 6.2.1.1 Supply

Potable water will be supplied to the Lathrop Gateway Business Park Specific Plan by the City of Lathrop. Funding will be provided by the developers. The City is expected to provide potable groundwater from an expansion of the City's well field and potable surface water from Phase 1 and/or the Phase 2 expansion of the South County Surface Water Supply Program (SCSWSP) by the South San Joaquin Irrigation District (SSJID). It is anticipated that ultimately approximately two-thirds of the water needed for the Plan Area will come from the SCSWSP, with the remainder coming from the expansion of City wells. There is an identified need for as many as three City well sites within the Plan Area (wells Number 21 through 23). As shown on Figure 6.1, Well Number 21 is constructed along with a water treatment facility within the Plan Area. The City has purchased a site for future Well 22 within the Plan Area, but has not yet constructed the well. A portion of the Well 22 site will be needed for right-of-way in order to widen McKinley Road to its ultimate width. The proposed site plan accommodates additional land for Well 22 that may be needed when McKinley Road is widened. The site for Well 23 has not yet been purchased, but has been identified.

In accordance with the requirements of the State of California, the City has prepared a citywide Urban Water Management Plan (UWMP) and a project-specific Water Supply Assessment Report (WSAR). These studies evaluate the City's current and future water demands (including those of the Plan Area) against water supplies to ensure that adequate water is, or will be, available to accommodate the Lathrop Gateway Business Park Specific Plan. The studies conclude that with the combined groundwater and SCSWSP surface water sources there are adequate water supplies available to serve the Plan Area.

Table 6.1 identifies Plan Area water demand by phase per the Lathrop Gateway Business Park Specific Plan WSAR. The availability of potable water is a primary factor regulating the level of development provided for in the Plan Area.

In addition to the potable supply, the Lathrop Gateway Business Park Specific Plan makes maximum use of recycled wastewater for the irrigation of public rights of way and open space. Further, the potential exists for the irrigation of private open space areas and other

landscaping with the use of recycled wastewater (See Section 6.2.3 for further discussion on recycled water).

**Table 6.1: Estimate Water Demand**

| WATER DEMAND BY PHASE |                                |              |                      |             |                      |             |                      |             |                      |             |                      |             |                      |
|-----------------------|--------------------------------|--------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|
| Land Use Description  | Average Demand Factor (gpd/ac) | PHASE 1      |                      | PHASE 2     |                      | PHASE 3     |                      | PHASE 4     |                      | PHASE 5     |                      | PHASE 6     |                      |
|                       |                                | Acres        | Average Demand (gpd) | Acres       | Average Demand (gpd) | Acres       | Average Demand (gpd) | Acres       | Average Demand (gpd) | Acres       | Average Demand (gpd) | Acres       | Average Demand (gpd) |
| Commercial Office     | 2000                           | 0.0          | 0                    | 0.0         | 0                    | 0.0         | 0                    | 0.0         | 0                    | 41.3        | 82,660               | 15.4        | 30,820               |
| Limited Industrial    | 2000                           | 80.4         | 160,860              | 18.9        | 37,700               | 55.4        | 110,780              | 0.0         | 0                    | 0.0         | 0                    | 12.9        | 25,700               |
| Service Commercial    | 1500                           | 0.0          | 0                    | 0.0         | 0                    | 0.0         | 0                    | 48.7        | 73,035               | 0.0         | 0                    | 34.3        | 51,495               |
| Well Site             | 0                              | 2.4          | 0                    | 0.5         | 0                    | 0.0         | 0                    | 0.0         | 0                    | 0.0         | 0                    | 0.0         | 0                    |
| Detention Basins      | 300                            | 6.5          | 1,950                | 0.0         | 0                    | 0.0         | 0                    | 2.5         | 738                  | 1.6         | 471                  | 5.1         | 1,530                |
| Open Space            | 0                              | 0.0          | 0                    | 0.0         | 0                    | 0.0         | 0                    | 0.0         | 0                    | 0.0         | 0                    | 1.6         | 0                    |
| Major Roads (ROW)     | 0                              | 41.8         | 0                    | 0.4         | 0                    | 3.7         | 0                    | 5.0         | 0                    | 8.8         | 0                    | -3.1        | 0                    |
| <b>Total</b>          |                                | <b>131.1</b> | <b>162,810</b>       | <b>19.8</b> | <b>37,700</b>        | <b>59.1</b> | <b>110,780</b>       | <b>56.2</b> | <b>73,773</b>        | <b>51.7</b> | <b>83,131</b>        | <b>66.2</b> | <b>109,545</b>       |

| CUMULATIVE WATER DEMAND BY PHASE |                                |              |                      |              |                      |              |                      |              |                      |              |                      |              |                      |
|----------------------------------|--------------------------------|--------------|----------------------|--------------|----------------------|--------------|----------------------|--------------|----------------------|--------------|----------------------|--------------|----------------------|
| Land Use Description             | Average Demand Factor (gpd/ac) | PHASE 1      |                      | PHASE 2      |                      | PHASE 3      |                      | PHASE 4      |                      | PHASE 5      |                      | PHASE 6      |                      |
|                                  |                                | Acres        | Average Demand (gpd) |
| Commercial Office                | 2000                           | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 41.3         | 82,660               | 56.7         | 113,480              |
| Limited Industrial               | 2000                           | 80.4         | 160,860              | 99.3         | 198,560              | 154.7        | 309,340              | 154.7        | 309,340              | 154.7        | 309,340              | 167.5        | 335,040              |
| Service Commercial               | 1500                           | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 48.7         | 73,035               | 48.7         | 73,035               | 83.0         | 124,530              |
| Well Site                        | 0                              | 2.4          | 0                    | 2.9          | 0                    | 2.9          | 0                    | 2.9          | 0                    | 2.9          | 0                    | 2.9          | 0                    |
| Detention Basins                 | 300                            | 6.5          | 1,950                | 6.5          | 1,950                | 6.5          | 1,950                | 9.0          | 2,688                | 10.5         | 3,159                | 15.6         | 4,689                |
| Open Space                       | 0                              | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 1.6          | 0                    |
| Major Roads (ROW)                | 0                              | 41.8         | 0                    | 42.2         | 0                    | 45.9         | 0                    | 50.9         | 0                    | 59.6         | 0                    | 56.5         | 0                    |
| <b>Total</b>                     |                                | <b>131.1</b> | <b>162,810</b>       | <b>150.8</b> | <b>200,510</b>       | <b>209.9</b> | <b>311,290</b>       | <b>266.1</b> | <b>385,063</b>       | <b>317.7</b> | <b>468,194</b>       | <b>383.9</b> | <b>577,739</b>       |

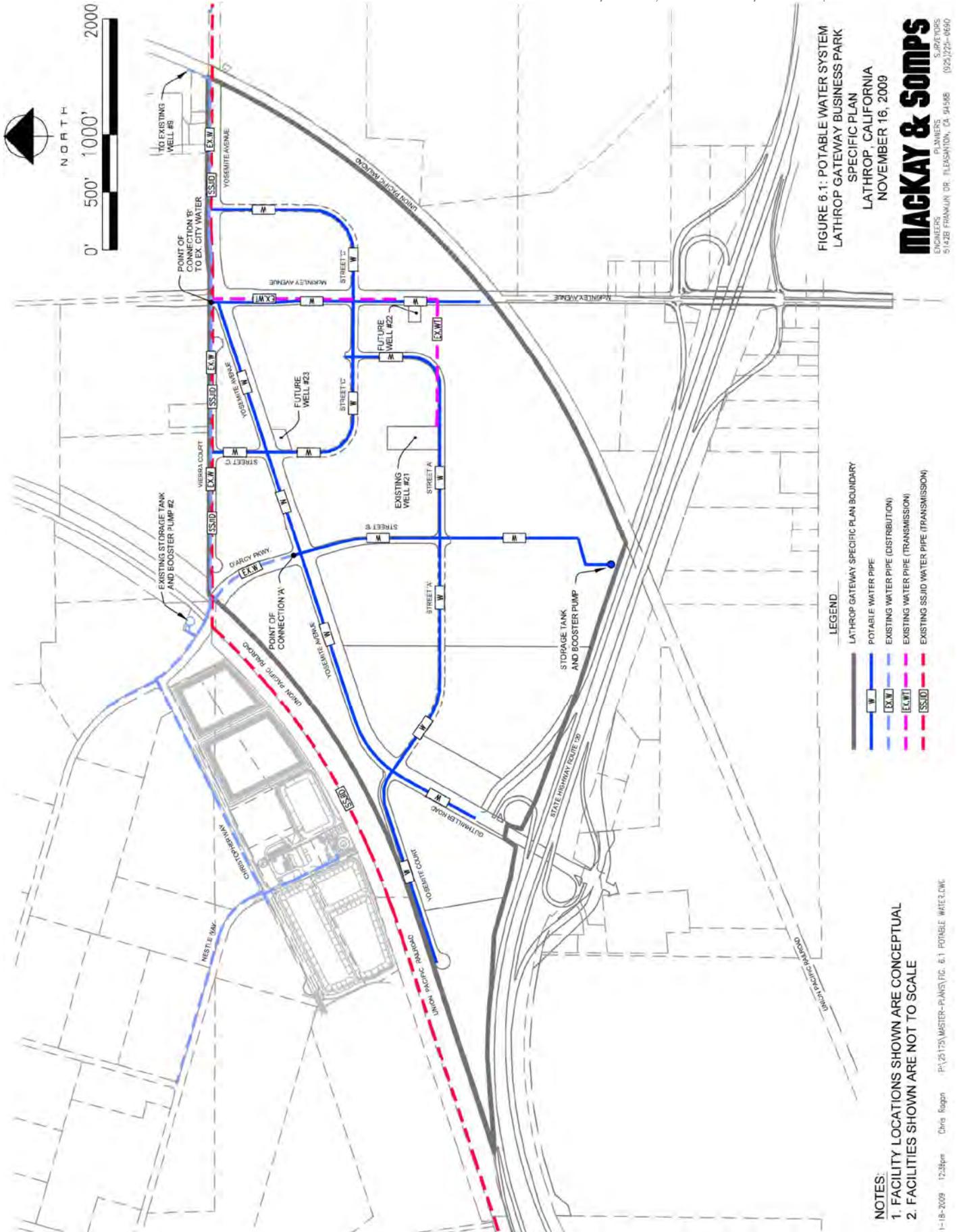


FIGURE 6.1: POTABLE WATER SYSTEM  
LATHROP GATEWAY BUSINESS PARK  
SPECIFIC PLAN  
LATHROP, CALIFORNIA  
NOVEMBER 16, 2009

**MACKAY & SOMPS**  
ENGINEERS, ARCHITECTS, PLANNERS  
51428 FRANKLIN DR., FOLSOM, CA 95630  
(916) 772-6600

- LEGEND**
- LATHROP GATEWAY SPECIFIC PLAN BOUNDARY
  - POTABLE WATER PIPE
  - EXISTING WATER PIPE (DISTRIBUTION)
  - EXISTING WATER PIPE (TRANSMISSION)
  - EXISTING SSJID WATER PIPE (TRANSMISSION)

- NOTES:**
1. FACILITY LOCATIONS SHOWN ARE CONCEPTUAL
  2. FACILITIES SHOWN ARE NOT TO SCALE

11-18-2009 12:34pm Chris Rogan P:\25175\MASTER-PLAN\FIG. 6.1 POTABLE WATER.DWG

### 6.2.1.2 Treatment

Treatment of water supply occurs, as necessary, to meet federal, state, and local standards. The SCSWSP surface water supply is treated at a centralized facility located outside the City of Lathrop, with Lathrop's groundwater treated at the wellhead. As a result, there is not a need for potable water treatment facilities within the Plan Area beyond well head treatment facilities.

### 6.2.1.3 Planned Potable Water Pipe Network

Each of the major roadways in the Plan Area includes a water main as shown on Figure 6.1. These proposed mains form a looped infrastructure water system into which individual industrial and commercial parcels will subsequently be connected. It is estimated that the water mains will be 12" diameter pipes. The exact size of the mains will be determined through a water model analysis that considers the rest of the City's water system and pressures necessary to meet fire flow requirements. The water model will be prepared with future planning efforts such as during tentative map processing.

### 6.2.1.4 Storage and Pressure

The City's Water Master Plan identifies three components of water storage including emergency, fire and equalization. Emergency storage is intended to provide water supply in the event there is a problem with the typical daily supply. Emergency supply can consist of "emergency only" wells and/or tank storage. Fire storage is intended to provide water supply to fight fires and must be accommodated by tank storage. Equalization storage is intended to help dampen out the impact of daily fluctuations in demand and must be accommodated by tank storage. While the City Master Plan does not explicitly indicate a storage tank is required in the Lathrop Gateway Business Park Specific Plan area it is anticipated that a tank will be needed. Based on a draft update to the City Master Plan, 25% of the maximum day demand is required to be provided by each new development in the City to accommodate equalization storage. It is also possible that some amount of emergency storage will be required. Based on the draft update, 75% of the maximum day demand is required to be provided for emergency storage of which 50% of it may be required to be accommodated by tank storage with the remaining amount to be accommodated through "emergency only" wells. The Master Plan as well as the draft update indicate that no additional fire storage is required in the City. Therefore based on the draft update to the City Master Plan a tank and booster pump may be required for the

Lathrop Gateway Business Park Specific Plan to store between 0.30 million-gallons and 0.75 million-gallons. The timing and size of the water storage tank and booster pump will be determined with future planning efforts such as during tentative map processing. The water tank could potentially be located anywhere within the Plan Area. The exact location of the water tank will be determined when more detailed development proposals are submitted. It may also be possible to expand the capacity of the existing tank and booster pump located along D'Arcy Parkway just north of the Plan Area.

## 6.2.2 Wastewater

At the time of Specific Plan approval, there was not a public sewer system within the Plan Area. Existing residences and other developments dispose of their wastewater through private septic systems. The City of Lathrop is responsible for providing wastewater collection to the Lathrop Gateway Business Park Specific Plan. Funding will be provided by the developers.

### 6.2.2.1 Estimated Wastewater Generation

The estimated wastewater generation from the Plan Area is approximately 318,480 gallons per day average dry weather flow (ADWF). Table 6.2 summarizes the estimated wastewater generation by phase.

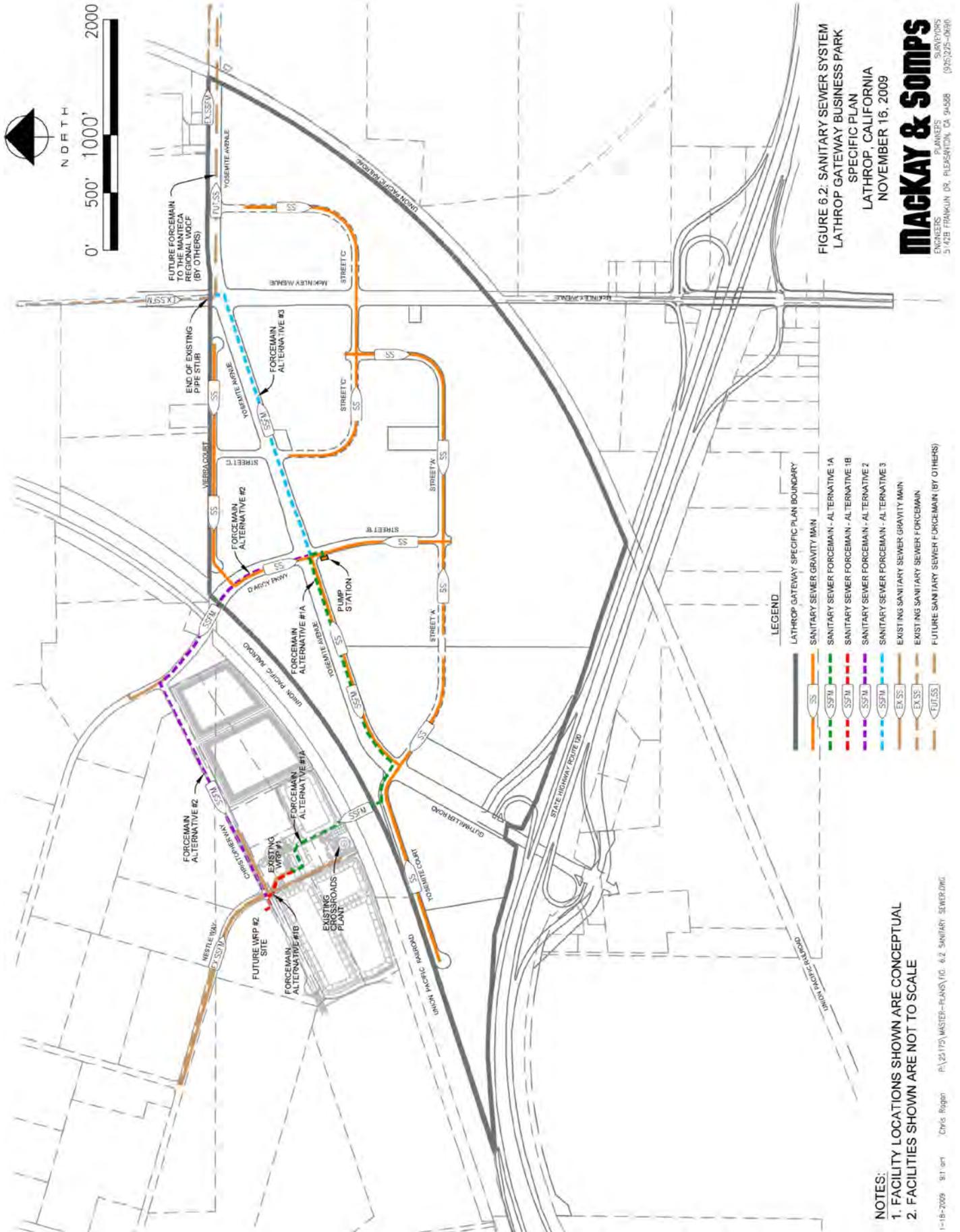
### 6.2.2.2 Planned Collection System

The Lathrop Gateway Business Park Specific Plan employs a gravity wastewater collection infrastructure system as shown on Figure 6.2. Due to the flat topography of the site, pumping systems are needed to convey collected wastewater to the treatment facilities. Force main systems convey wastewater from the pump station to the treatment plants.

Table 6.2: Estimate Wastewater Flows

| SEWER DEMAND BY PHASE |                                |              |                      |             |                      |             |                      |             |                      |             |                      |             |                      |
|-----------------------|--------------------------------|--------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|
| Land Use Description  | Average Demand Factor (gpd/ac) | PHASE 1      |                      | PHASE 2     |                      | PHASE 3     |                      | PHASE 4     |                      | PHASE 5     |                      | PHASE 6     |                      |
|                       |                                | Acres        | Average Demand (gpd) | Acres       | Average Demand (gpd) | Acres       | Average Demand (gpd) | Acres       | Average Demand (gpd) | Acres       | Average Demand (gpd) | Acres       | Average Demand (gpd) |
| Commercial Office     | 1200                           | 0.0          | 0                    | 0.0         | 0                    | 0.0         | 0                    | 0.0         | 0                    | 41.3        | 49,596               | 15.4        | 18,492               |
| Limited Industrial    | 900                            | 80.4         | 72,387               | 18.9        | 16,965               | 55.4        | 49,851               | 0.0         | 0                    | 0.0         | 0                    | 12.9        | 11,565               |
| Service Commercial    | 1200                           | 0.0          | 0                    | 0.0         | 0                    | 0.0         | 0                    | 48.7        | 58,428               | 0.0         | 0                    | 34.3        | 41,166               |
| Well Site             | 0                              | 2.4          | 0                    | 0.5         | 0                    | 0.0         | 0                    | 0.0         | 0                    | 0.0         | 0                    | 0.0         | 0                    |
| Detention Basins      | 0                              | 6.5          | 0                    | 0.0         | 0                    | 0.0         | 0                    | 2.5         | 0                    | 1.6         | 0                    | 5.1         | 0                    |
| Open Space            | 0                              | 0.0          | 0                    | 0.0         | 0                    | 0.0         | 0                    | 0.0         | 0                    | 0.0         | 0                    | 1.6         | 0                    |
| Major Roads (ROW)     | 0                              | 41.8         | 0                    | 0.4         | 0                    | 3.7         | 0                    | 5.0         | 0                    | 8.8         | 0                    | -3.1        | 0                    |
| <b>Total</b>          |                                | <b>131.1</b> | <b>72,387</b>        | <b>19.8</b> | <b>16,965</b>        | <b>59.1</b> | <b>49,851</b>        | <b>56.2</b> | <b>58,428</b>        | <b>51.7</b> | <b>49,596</b>        | <b>66.2</b> | <b>71,253</b>        |

| CUMULATIVE SEWER DEMAND BY PHASE |                                |              |                      |              |                      |              |                      |              |                      |              |                      |              |                      |
|----------------------------------|--------------------------------|--------------|----------------------|--------------|----------------------|--------------|----------------------|--------------|----------------------|--------------|----------------------|--------------|----------------------|
| Land Use Description             | Average Demand Factor (gpd/ac) | PHASE 1      |                      | PHASE 2      |                      | PHASE 3      |                      | PHASE 4      |                      | PHASE 5      |                      | PHASE 6      |                      |
|                                  |                                | Acres        | Average Demand (gpd) |
| Commercial Office                | 1200                           | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 41.3         | 49,596               | 56.7         | 88,088               |
| Limited Industrial               | 900                            | 80.4         | 72,387               | 99.3         | 89,352               | 154.7        | 139,203              | 154.7        | 139,203              | 154.7        | 139,203              | 167.5        | 150,788              |
| Service Commercial               | 1200                           | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 48.7         | 58,428               | 48.7         | 58,428               | 83.0         | 99,624               |
| Well Site                        | 0                              | 2.4          | 0                    | 2.9          | 0                    | 2.9          | 0                    | 2.9          | 0                    | 2.9          | 0                    | 2.9          | 0                    |
| Detention Basins                 | 0                              | 6.5          | 0                    | 6.5          | 0                    | 6.5          | 0                    | 9.0          | 0                    | 10.5         | 0                    | 15.6         | 0                    |
| Open Space                       | 0                              | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 0.0          | 0                    | 1.6          | 0                    |
| Major Roads (ROW)                | 0                              | 41.8         | 0                    | 42.2         | 0                    | 45.9         | 0                    | 50.9         | 0                    | 59.6         | 0                    | 56.5         | 0                    |
| <b>Total</b>                     |                                | <b>131.1</b> | <b>72,387</b>        | <b>150.8</b> | <b>89,352</b>        | <b>209.9</b> | <b>139,203</b>       | <b>266.1</b> | <b>197,631</b>       | <b>317.7</b> | <b>247,227</b>       | <b>383.9</b> | <b>318,480</b>       |



**FIGURE 6.2. SANITARY SEWER SYSTEM  
LATHROP GATEWAY BUSINESS PARK  
SPECIFIC PLAN  
LATHROP, CALIFORNIA  
NOVEMBER 16, 2009**

**MACKAY & SOMPS**  
ENGINEERS  
PLANNERS  
5142B FRANKLIN DR., PLEASANTON, CA 94588  
(925)225-0690

- LEGEND**
- LATHROP GATEWAY SPECIFIC PLAN BOUNDARY
  - SS SANITARY SEWER GRAVITY MAIN
  - SS1A SANITARY SEWER FORCEMAIN - ALTERNATIVE 1A
  - SS1B SANITARY SEWER FORCEMAIN - ALTERNATIVE 1B
  - SS2 SANITARY SEWER FORCEMAIN - ALTERNATIVE 2
  - SS3 SANITARY SEWER FORCEMAIN - ALTERNATIVE 3
  - EX SS1 EXISTING SANITARY SEWER GRAVITY MAIN
  - EX SS2 EXISTING SANITARY SEWER FORCEMAIN
  - FUT SS1 FUTURE SANITARY SEWER FORCEMAIN (BY OTHERS)

**NOTES:**  
1. FACILITY LOCATIONS SHOWN ARE CONCEPTUAL  
2. FACILITIES SHOWN ARE NOT TO SCALE

11-18-2009 8:1 am Chris Rogan A:\21173\MASTER-FILES\FIG. 6.2 SANITARY SEWER.DWG

### 6.2.2.3 Treatment

Wastewater generated by the Plan Area will be treated to meet federal, State, and City standards before it is disposed of. As shown on Figure 6.2, wastewater will be treated by future expansions to the City of Lathrop's Water Recycling Plant #1 and/or at future Water Recycling Plant #2. Alternatively, all or a portion of the Plan Area's sewage could be routed to the Regional Water Quality Control Facility located in the City of Manteca under an agreement between the two cities. Figure 6.2 shows alternative forcemain alignments for the wastewater to be routed to each location.

Pipe routes for recycled wastewater disposal are shown on Figure 6.3. At the time of Specific Plan approval, the City of Lathrop did not possess a river discharge permit. Although the City is pursuing such a permit, until one is approved all treated wastewater disposal will occur by irrigating landscaped areas and/or "disposal fields" (see Section 6.2.3.1 for more information on wastewater disposal strategies).

### 6.2.3 Recycled Water

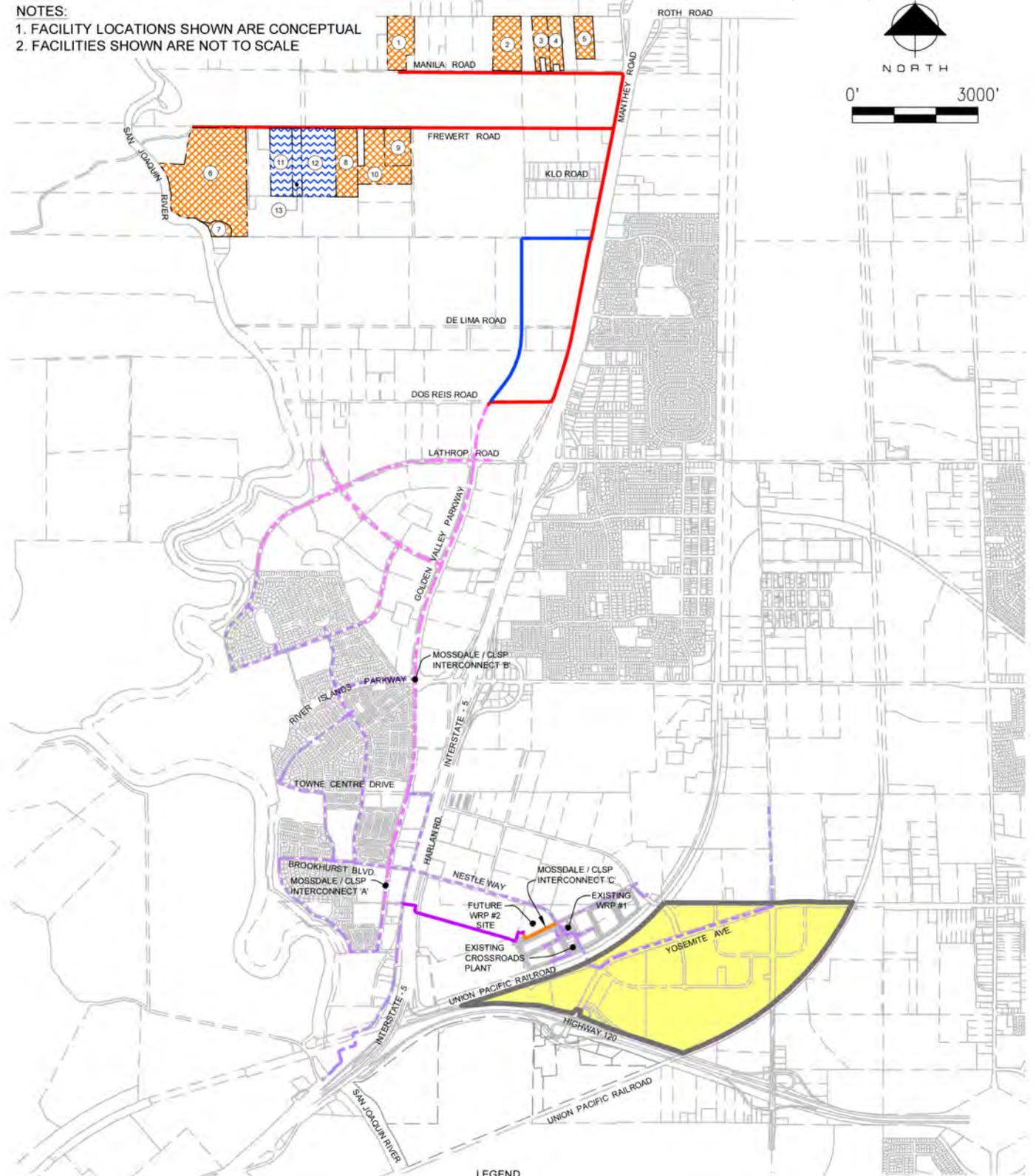
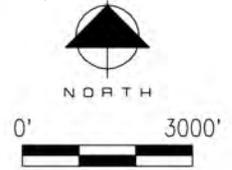
The Lathrop Gateway Business Park Specific Plan will maximize reuse opportunities for recycled water. The term "recycled water" refers to wastewater that has been treated and disinfected to tertiary levels. Water treated to this level has been determined by governmental regulations to be acceptable for human contact without cause for concern and is commonly used for irrigation. The use of recycled water is regulated by the Regional Water Quality Control Board (RWQCB) and the Department of Health Services, which apply stringent water quality, treatment and disinfection standards.

The use of recycled water for irrigation serves to conserve potable water for other uses. In addition, in the event the potable water supply is limited at any time, such as a "dry year" situation, the use of recycled water ensures a supply for landscaped areas and reduces the likelihood that potable water would be needed for this purpose.

The Lathrop Gateway Business Park Specific Plan proposes to make recycled water available for public irrigation uses. This includes irrigation of landscaped areas within street rights-of-way and open space. In addition, there may be potential for the use of recycled water for private irrigation uses as well, such as common open space areas and landscaping around buildings.

Criteria for management of the recycled water system and public education about it will be established in future reports (or other documents) and will be subject to City approval.

NOTES:  
 1. FACILITY LOCATIONS SHOWN ARE CONCEPTUAL  
 2. FACILITIES SHOWN ARE NOT TO SCALE



| LEGEND |   |
|--------|---|
|        | LATHROP GATEWAY SPECIFIC PLAN AREA                    |
|        | RECYCLED WATER DISPOSAL FIELD                         |
|        | RECYCLED WATER STORAGE BASIN                          |
|        | DISPOSAL FIELD / STORAGE BASIN I.D. NUMBER            |
|        | RECYCLED WATER PIPE - SEGMENT 1 - ALTERNATIVE A       |
|        | RECYCLED WATER PIPE - SEGMENT 1 - ALTERNATIVE B       |
|        | RECYCLED WATER PIPE - SEGMENT 2                       |
|        | RECYCLED WATER PIPE - "MOSSDALE / CLSP" INTERCONNECT  |
|        | EXISTING RECYCLED WATER PIPE "MOSSDALE SYSTEM"        |
|        | EXISTING RECYCLED WATER PIPE "CENTRAL LATHROP SYSTEM" |

FIGURE 6.3: RECYCLED WATER DISPOSAL  
 LATHROP GATEWAY BUSINESS PARK  
 SPECIFIC PLAN  
 LATHROP, CALIFORNIA  
 NOVEMBER 16, 2009

**MACKEY & SOMPS**  
 ENGINEERS PLANNERS SURVEYORS  
 3142B FRANKLIN DR, PLEASANTON, CA 94588 (925)225-0690

### 6.2.3.1 Recycled Water Storage Basins and Disposal Fields

Recycled water not utilized for on-site irrigation will be piped off-site to be held in storage basins and/or used for land application disposal. Storage basins are required to provide both daily and seasonal storage of the recycled water.

Based on general information about the depth to groundwater in the area and a preliminary estimate of the required storage volume at full build-out of the Lathrop Gateway Business Park Specific Plan, it is anticipated that the storage basins will be constructed partially below and partially above the elevation of the existing ground. The portion above grade is likely to be constructed with earthen berms not to exceed 15 feet high. It is expected that the storage basins will include a synthetic liner in order to prevent seepage into the ground to the maximum extent possible to avoid adverse impacts to groundwater. The required area of the basin is dependent on the depth as well as the amount of recycled water to be stored. The storage volume depends in turn on the amount of recycled water that can be disposed of through irrigation.

It is estimated that approximately 9.0 acres of land will be irrigated with recycled water within the developed portion of the Lathrop Gateway Business Park Specific Plan as listed in Table 6.3, if approved by the RWQCB. A preliminary estimate indicates that the minimum overall off-site basin area to serve full build-out of the Lathrop Gateway Business Park Specific Plan is approximately 21 acres, assuming an average basin depth of 14 feet with an additional two feet of freeboard (berms 12 feet above ground and basin bottom four feet below ground) and assuming 93 acres of off-site irrigated disposal fields. Sites that are under consideration to be used for basins and/or disposal fields are listed in Table 6.4 and are shown on Figure 6.3. Basins and disposal fields located in the North Lathrop area were approved with previous CEQA documents, the City's "5-year plan for wastewater capacity" and ultimately by the RWQCB in the City's Report of Waste Discharge (RWD) and Waste Discharge Requirements (WDR's). An annual water balance analysis will be prepared to determine the actual recycled water storage volume and irrigation area required. The water balance will be prepared with future planning efforts such as during tentative map processing. Verification that the disposal sites are available for the Lathrop Gateway Business Park Specific Plan will be included with the water balance analysis. In addition, it will be determined what is needed to "perfect" the

disposal sites as required by the City discharge permit and in the Waste Discharge Requirements (i.e. groundwater monitoring work plan, design plans, etc.).

**Table 6.3: Irrigated Area**

| <b>Land Use Description</b> | <b>Assumed Landscape Factor</b> | <b>Total Acres</b> | <b>Estimated Landscape Area</b> |
|-----------------------------|---------------------------------|--------------------|---------------------------------|
| Major Road Landscape        | 90%                             | 8.8                | 7.9                             |
| Open Space                  | 70%                             | 1.6                | 1.1                             |
| <b>Total</b>                |                                 | <b>10.1</b>        | <b>9.0</b>                      |

**Table 6.4: Possible Recycled Water Basins and Disposal Field Sites**

| <b>APN</b>   | <b>Owner</b>    | <b>North Village (Acres)</b> | <b>Approved in RWD</b> | <b>RWD Area I.D.</b> |
|--------------|-----------------|------------------------------|------------------------|----------------------|
| 191-150-07   | McFall          | 1.4                          | YES                    | 7                    |
| 191-250-03   | Cabebe          | 8.8                          | YES                    | 3                    |
| 191-250-06   | Bacay           | 10.3                         | YES                    | 5                    |
| 191-250-12   | Corales         | 9.5                          | YES                    | 4                    |
| 191-260-13   | Luckey          | 19.5                         | YES                    | 2                    |
| 191-260-17   | Hensley         | 22.9                         | YES                    | 10                   |
| 191-260-21   | Lakeside DM LLC | 20.0                         | YES                    | 8                    |
| 191-260-22   | Sanchez         | 31.4                         | YES                    | 12                   |
| 191-260-23   | Reedy           | 12.8                         | YES                    | 9                    |
| 191-260-25   | Bechtholds      | 18.1                         | YES                    | 1                    |
| 191-270-04   | Sanchez         | 7.6                          | YES                    | 13                   |
| 191-270-05   | Sanchez         | 20.0                         | YES                    | 11                   |
| 191-270-21   | McFall          | 92.4                         | YES                    | 6                    |
| <b>Total</b> |                 | <b>274.6</b>                 |                        |                      |

### 6.2.3.2 Off-site Improvements

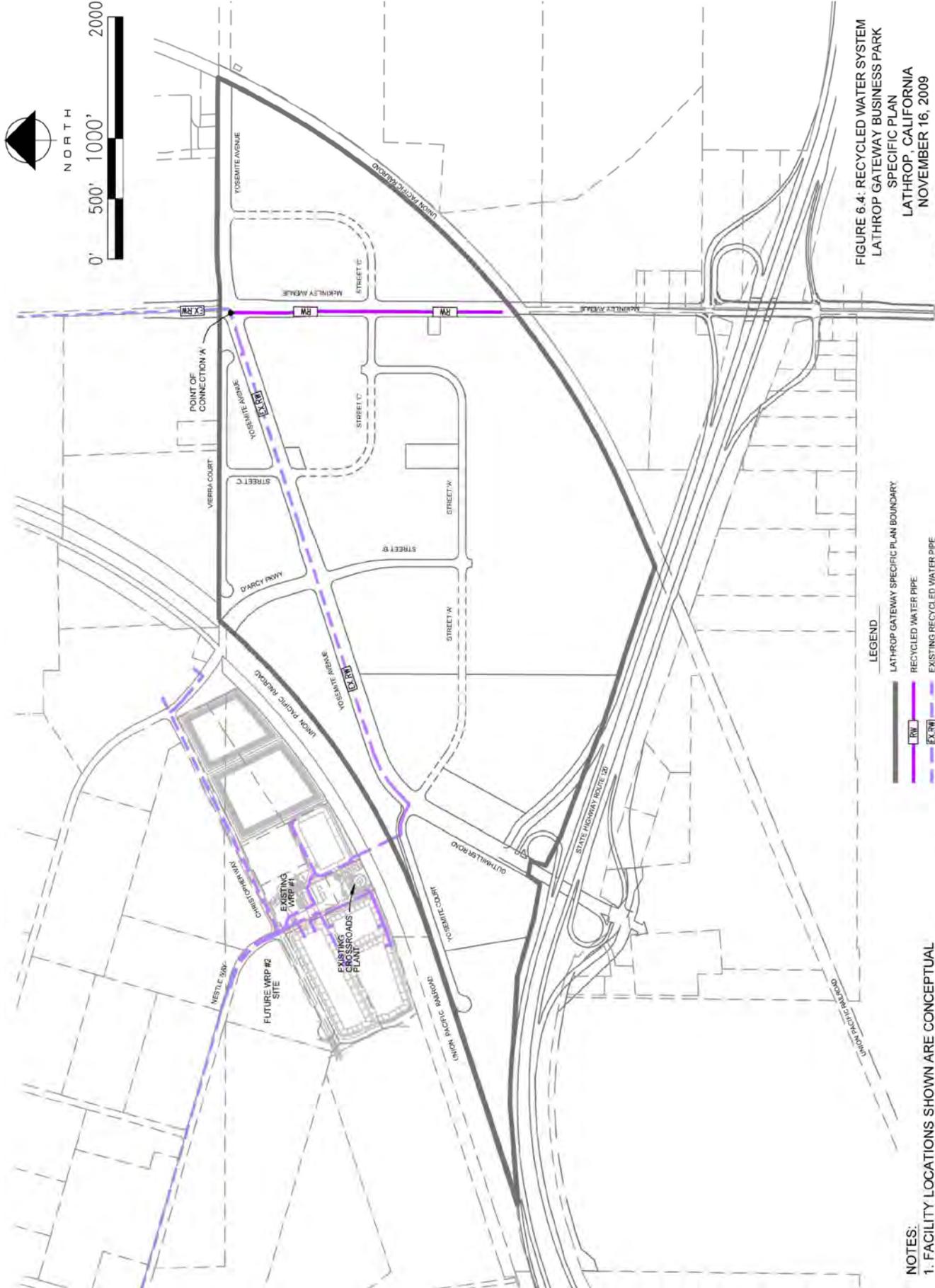
As wastewater is treated off-site, it must be returned to the Plan Area or sent to the off-site disposal areas. Figures 6.3 and 6.4 include the potential routing of offsite recycled water pipelines that would either return the water to the Plan Area or deliver it to the off-site disposal areas.

Two separate recycled water systems have been constructed in the City of Lathrop that may potentially be utilized to deliver recycled water to the North Lathrop disposal fields and basins. The first system was constructed with the Mossdale Landing project and is connected to the existing WRP #1 treatment plant. The second system was partially constructed with the Central

Lathrop Specific Plan project and was intended to be connected to the future WRP #2 treatment plant. Some of the pipelines to the North Lathrop disposal fields were previously approved and partially designed and constructed with the Central Lathrop Specific Plan project. The two systems may need to be connected to provide for the most flexible, efficient and economical system. Three potential interconnection points are shown on Figure 6.3. A recycled water model will be prepared with future planning efforts such as during tentative map processing.

#### **6.2.3.3 Planned Recycled Water Pipe Network**

An existing recycled water pipeline is located in Yosemite Avenue that was constructed with the Mossdale Landing project. A new pipeline will be constructed in McKinley Avenue, which will connect to the existing pipe. The recycled water pipes will enable public landscaping to be irrigated with recycled water. The internal roadways within the Lathrop Gateway Business Park Specific Plan area will not contain public landscaping and therefore recycled water pipes are not required in these streets.



**FIGURE 6.4: RECYCLED WATER SYSTEM  
LATHROP GATEWAY BUSINESS PARK  
SPECIFIC PLAN  
LATHROP, CALIFORNIA  
NOVEMBER 16, 2009**

**MACKAY & SOMPS**  
ENGINEERS PLANNERS SURVEYORS  
3142B HAWKIN LN, PLEASANTON, CA 94588  
(925)225-0610

- NOTES:**
1. FACILITY LOCATIONS SHOWN ARE CONCEPTUAL
  2. FACILITIES SHOWN ARE NOT TO SCALE
  3. REFER TO EXHIBIT 6.3 FOR OFFSITE RECYCLED WATER SYSTEM

11-18-2009 10:13am Civil/Regan PA\25173\MASTER-PLANS\FIC 6.4 RECYCLED WATER.DWG

## 6.2.4 Drainage and Flood Control

### 6.2.4.1 Existing Levee Conditions

An existing levee along the San Joaquin River protects the property from flooding. The Federal Emergency Management Agency (FEMA) has categorized the property as being in Zone X as shown on Flood Insurance Rate Map (FIRM) number 06077C0620F. The Zone X definition relevant to the Lathrop Gateway Business Park Specific Plan area is “areas protected by levees from 1% annual chance flood”. The FIRM map indicates that the levee has been provisionally accredited.

The levee is maintained by Reclamation District 17 (RD 17). RD17 is working with the Department of Water Resources, the Army Corps of Engineers, the Central Valley Flood Protection Board and FEMA to make improvements to the levee system to mitigate potential seepage concerns with the goal of achieving a fully accredited levee. FEMA is ultimately responsible for accrediting the levee. They provided a letter to RD 17 dated August 31, 2009 regarding the current status. The following are excerpts from the letter:

*...” This letter is to document the intent of the July 30, 2009 meeting in the city of Stockton, California, attended by representatives from RD 17, the cities of Stockton, Manteca and Lathrop, to discuss the Provisionally Accredited Levees (PALs) in San Joaquin County, California for the levee systems maintained by RD 17”...*

*...”The purpose of this letter is to declare FEMA’s position regarding the certification of the levee systems maintained by RD 17. It is our understanding that we will receive a complete data and documentation submission that meets the criteria stated in the Code of Federal Regulations, Title 44, Section 65.10 (44 CFR 65.10). That being the case, FEMA anticipates full accreditation of the levees listed above after the 44 CFR 65.10 data and documentation are provided and accepted”...*

### 6.2.4.2 Existing Local Drainage Conditions

At the time of Specific Plan approval, runoff from within the Plan Area was collected in a system of shallow agricultural ditches, roadside ditches and retention basins. Public storm drain facilities were not available.

With development of the Plan Area, both the total volume of runoff and the peak discharge rate into the San Joaquin River will increase. New drainage infrastructure improvements will be constructed to meet these needs.

The Lathrop Gateway Business Park Specific Plan project area drainage plan has been designed in cooperation with the City. A high degree of design flexibility is incorporated into the drainage program to allow sufficient latitude for each new development within the Plan Area to design an internal system that meets its site-specific needs, so long as the design is consistent with the overall Lathrop Gateway Business Park Specific Plan Project Area Drainage Plan.

#### **6.2.4.3 Planned Storm Collection System**

The Plan Area site is lower than the top of the San Joaquin River levee. Therefore, runoff must be pumped over the levee. To avoid adverse impacts to the levees near the Plan Area, peak discharge rates from development projects in the City of Lathrop have been limited to 30 percent of the 100-year flow rate. However, in an effort to minimize environmental impacts as well as reduce construction costs, the peak discharge from the Lathrop Gateway Business Park Specific Plan has been substantially reduced through the use of detention basins. The total peak discharge rate from the Lathrop Gateway Business Park Specific Plan area will be limited to 30 cubic feet per second (cfs), which is less than 10% of the peak 100-year flow rate. As shown on Figure 6.5, the Plan Area will consist of a system having the following three integrated components.

- Gravity lines that collect and deliver surface runoff;
- “Watershed” detention facilities that hold the runoff; and
- A pump station and force main that conveys water to a proposed San Joaquin River outfall structure.

A schematic layout of this drainage infrastructure is shown on Figure 6.5.



The Plan Area consists of six drainage sheds, sheds A through F. Each shed contains a detention basin to limit the overall discharge from the Plan Area to the San Joaquin River. Shed A contains a pump station in addition to the detention basin. The pump station is sized to accommodate the entire Plan Area. Sheds B through F will all discharge a limited amount of runoff into the collection system that connects to the Shed A basin and pump station. The basin sizes and locations as shown on Figure 6.5 are conceptual and subject to change based on future planning and engineering efforts so long as the overall maximum discharge rate from each sub-shed is not exceeded.

The proposed stormwater collection system functions by discharging all runoff directly into the river up to the point where the runoff rate exceeds the capacity of the pump station. When the rate of runoff exceeds the pump station capacity, water “backs up” into the detention basins until the runoff rate declines and once again equals the capacity of the pump station. The water level in the detention basins then decreases, emptying completely within a City mandated 24-hour period unless an extended period is approved by the City Engineer.

Based on preliminary information available at the time of Specific Plan approval, the approximate size of the detention basin and maximum allowable discharge rate for each watershed is summarized in Table 6.5. Storage is based on the maximum discharge rate shown.

**Table 6.5: Watershed Detention Basins and Discharge Rates**

| <b>Watershed</b> | <b>Maximum Discharge Rate (CFS)</b> | <b>Approximate Basin Area (acres)</b> | <b>Basin Storage (acre-feet)</b> |
|------------------|-------------------------------------|---------------------------------------|----------------------------------|
| A                | 30                                  | 6.5                                   | 22.3                             |
| B                | 4.9                                 | 2.4                                   | 9.3                              |
| C                | 3.3                                 | 1.5                                   | 2.8                              |
| D                | 1.6                                 | 1.2                                   | 2.5                              |
| E                | 1.5                                 | 1.2                                   | 2.3                              |
| F                | 2.5                                 | 2.6                                   | 5.9                              |

Relatively shallow groundwater exists throughout the Plan Area and is influenced by the water level in the river, sub-surface flow from areas of higher elevation to the east, and local irrigation practices. Even though the groundwater level may decline with a reduction in farming activities, it is possible that this high ground water condition will generally persist after development, impacting both the construction and future operation of the storm drain

system. Infiltration into the storm pipes through joints and underground structures can result in excessive pumping demands throughout the life of the Lathrop Gateway Business Park Specific Plan. This impact will be reduced by proper installation of pipes having rubber gasket sealed joints.

High groundwater can also impact the effectiveness of detention basins. To the extent that groundwater enters the basins, the storage available for the runoff is diminished. The bottom of the basins will be designed to maintain a minimum of two feet of separation from groundwater or other design measures will be implemented such as impervious liners with sub drain systems.

Initial development phases may utilize interim retention basins until the pump station, forcemain and outfall are constructed.

A storm drain pipeline corridor in Yosemite Avenue has been identified for future development along McKinley Road north of the project site. Drainage from the McKinley corridor is not a part of this project.

#### **6.2.4.4 Flood Protection**

Another key element of the Lathrop Gateway Business Park Specific Plan storm drain system is its ability to handle the runoff that occurs during a high intensity storm. The drainage system provides multiple layers of protection based on the severity of storm events:

- **10-year Event** - The underground system of pipelines is designed with capacity to accommodate the drainage flows anticipated to occur as a result of a 10-year storm event.
- **10 to 100-year Event** - When the capacity of the underground system is exceeded during an intense storm event (in excess of a ten-year event), water flows in the streets. By means of a descending gradient directing surface flow toward the proposed detention basin. This design method keeps the surface flow depth within acceptable limits (ie. one foot below floor elevations) and the threat of flooding posed to private property is minimized. An alternative design may be to incorporate underground pipes designed for the 100-year storm event. This type

of design would not require flow in the streets, although the street profile will still be required to descend toward an overland release point (e.g., a basin).

- **10 to 100-year Event with Pump Discharge Limited** - The Lathrop Gateway Business Park Specific Plan storm drain system is also designed to provide flood protection in circumstances requiring a reduction in flow rates of the system pumps that discharge into the San Joaquin River. Reclamation District 17 (RD-17) and the City may limit river discharge to pre-development levels whenever the river stage exceeds certain flood elevations. When pump discharge is limited, the Plan Area must be able to accommodate the volume of a 100-year, 48-hour storm without flooding buildings. Under these extreme circumstances, the volume of water that must be stored in the Plan Area may exceed the capacity of the detention facilities and will be held in the streets, parking lots and/or other areas.

The Lathrop Gateway Business Park Specific Plan grading concept must keep many of the streets within the watershed at approximately the same elevation. During a rare condition, when the San Joaquin River is high and the stormwater pumps must be reduced, this grading concept allows runoff to be spread throughout the shed avoiding excessive depth of inundation in any one area.

#### **6.2.4.5 Stormwater Quality**

The Lathrop Gateway Business Park Specific Plan drainage system will include features designed to ensure that the water quality of runoff meets current water quality standards in conformance with Phase II National Pollutant Discharge Elimination System (NPDES) regulations. Because the Plan Area discharges into the San Joaquin River, runoff quality must also meet standards of the regulatory agencies (RD-17, USACE, etc).

“First flush” runoff will be treated to the “maximum extent practicable” by implementing appropriate source and treatment control Best Management Practices (BMPs). These practices may include, but are not limited to:

- Basins
- Underground water quality vaults (ie. oil/water separator system)

- Disconnected roof leaders (i.e. roof leaders connect to “bubble-up” inlets in landscaped areas away from building foundations rather than to the storm drain system)
- Swales
- Downspout and/or inlet filters
- Porous Pavements
- Inlet stenciling
- Street sweeping

The specific means by which treatment is provided is subject to review by the City based on issues of effectiveness and compatibility with the overall development. Additional requirements may be imposed on some industrial and commercial uses.

## **6.2.5 Dry Utilities**

### **6.2.5.1 Electric Service**

Electrical service will be provided to the Plan Area by Pacific Gas and Electric (PG&E). Existing high voltage power lines (115Kv), within PG&E powerline easements, traverse through a portion of the Plan Area. Power lines existing within the Plan Area at the time of Specific Plan approval are shown on Figure 6.6.

It is anticipated that all existing overhead power lines 34.5Kv and under will be relocated and/or be placed underground as the Plan Area develops. New power lines constructed to serve the Plan Area, as well as all other utilities, will be installed underground in a typical joint trench.

Electricity will be provided in a timely manner to serve each development project as needed during the phased implementation of the Specific Plan.

### **6.2.5.2 Natural Gas**

Natural gas service is to be provided to the Plan Area by PG&E. The Plan Area ties into existing natural gas lines located in portions of the existing Yosemite Avenue right of way.

### **6.2.5.3 Communications**

Telephone service, cable television service, and possibly high speed data lines to the Plan Area are to be provided by the appropriate utility companies. Telecommunication systems will be located underground in a joint trench with gas and electric facilities.

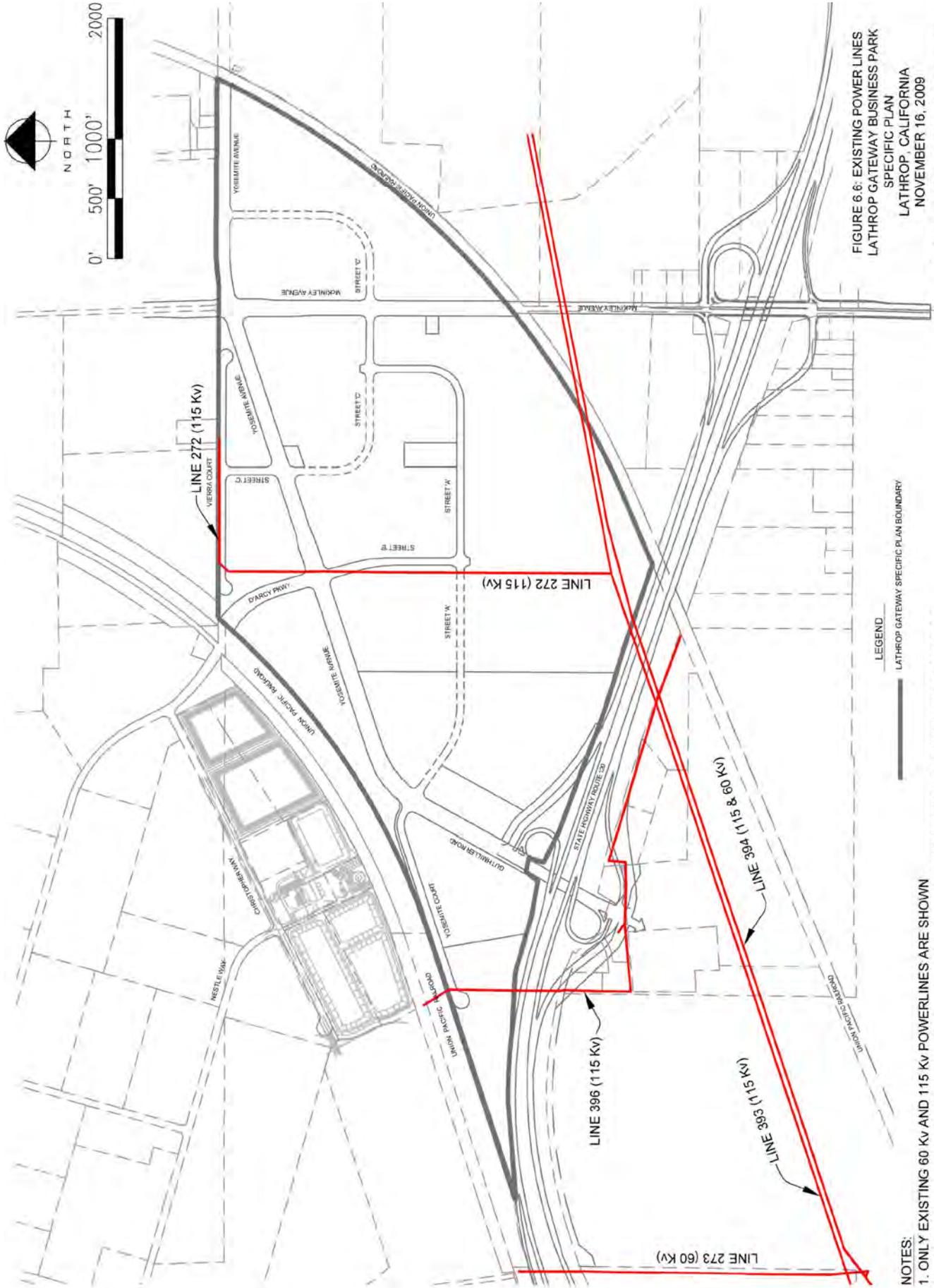


FIGURE 6.6: EXISTING POWER LINES  
LATHROP GATEWAY BUSINESS PARK  
SPECIFIC PLAN  
LATHROP, CALIFORNIA  
NOVEMBER 16, 2009

**MACKAY & SOMPS**  
ENGINEERS  
PLANNERS  
5142B FRANKLIN DR., PLEASANTON, CA 94588  
(925)275-6880

LEGEND  
LATHROP GATEWAY SPECIFIC PLAN BOUNDARY

- NOTES:
1. ONLY EXISTING 60 Kv AND 115 Kv POWERLINES ARE SHOWN
  2. EXISTING 17 Kv POWERLINES NOT SHOWN AS THEY WILL BE UNDERGROUNDED WITH DEVELOPMENT
  3. POWERLINES 272, 393, 394, 396 TO REMAIN IN-PLACE

T1-18-2009 1/23/10m Chris Rogan P:\251775\MASTER-PLANS\FIG. 6.6 EX. POWER LINES.DWG

### 6.2.6 Solid waste

Lathrop Environmental Services is the franchise waste hauler for residential and commercial uses in the City. San Joaquin County provides solid waste disposal facilities, including transfer stations and landfills. The City utilizes designated containers for the storage and collection of garbage; green (yard) waste; and paper, plastic, aluminum, and glass recycling. Both residential and nonresidential waste are hauled to the County's Lovelace Transfer Station, approximately 1 mile northeast of the City, and then to the County's Class III Foothill Sanitary Landfill in Linden.

To reduce solid waste collection, builders, as mandated by Assembly Bill 939 (Integrated Waste Management Act), are required to implement and utilize construction debris recycling programs. The Lathrop Gateway Business Park Specific Plan will comply with all federal, state, and local statutes and regulations relating to solid waste reduction and recycling.

## 6.3 PHASING PROGRAM

Implementation of the Lathrop Gateway Business Park Specific Plan is designed to allow for the coordinated phasing of project development with construction of supporting public improvements. In general, the Specific Plan phasing program has been structured to ensure that the improvements in each phase can support associated development, and that development in each phase can support the costs of required improvements.

Phasing is a critical component of the Lathrop Gateway Business Park Specific Plan for the following reasons:

- It allows the backbone infrastructure necessary to support development to be constructed and financed in manageable increments on an as-needed basis.
- It assures that construction of backbone infrastructure will stay ahead of the development it serves while, at the same time, providing flexibility to respond to changes in market conditions.
- It is more efficient because it minimizes the extent to which costly public improvements requiring on-going maintenance will be constructed only to sit unused until development occurs.
- It provides an opportunity to more closely coordinate land secured infrastructure financing with market absorption resulting in higher lien-to-value ratios.

The Lathrop Gateway Business Park Specific Plan phasing program is conceptual in nature and may be revised as entitlements and development progress. Final phasing plans will be subject to approval by the City of Lathrop.

### 6.3.1 Phasing Overview

The Lathrop Gateway Business Park Specific Plan land uses, and the backbone infrastructure required to serve these uses, are shown in this scenario to be developed in six phases. The intent is to develop the site sequentially beginning with Phase 1 and continuing through Phase 6. However, a high degree of flexibility has been built into the plan which will allow the project to be developed in a different sequence and in larger or smaller phases. The phase boundaries are shown on Figure 6.7, with land use by phase summarized on Table 6.6.

Each phase is designed to be able to provide adequate access and utilities for the development of large parcels.

Details relating to phasing are provided within the Lathrop Gateway Business Park Specific Plan development agreements and the Financing Plan.

**Table 6.6: Land Use By Phase**

| LAND USE SUMMARY BY PHASE |             |              |                  |             |                |             |                  |             |                |             |                |             |                  |
|---------------------------|-------------|--------------|------------------|-------------|----------------|-------------|------------------|-------------|----------------|-------------|----------------|-------------|------------------|
| Land Use Description      | Average FAR | PHASE 1      |                  | PHASE 2     |                | PHASE 3     |                  | PHASE 4     |                | PHASE 5     |                | PHASE 6     |                  |
|                           |             | Acres        | Square Feet      | Acres       | Square Feet    | Acres       | Square Feet      | Acres       | Square Feet    | Acres       | Square Feet    | Acres       | Square Feet      |
| Commercial Office         | 0.30        | 0.0          | 0                | 0.0         | 0              | 0.0         | 0                | 0.0         | 0              | 41.3        | 540,100        | 15.4        | 201,378          |
| Limited Industrial        | 0.43        | 80.4         | 1,506,518        | 18.9        | 353,076        | 55.4        | 1,037,499        | 0.0         | 0              | 0.0         | 0              | 12.9        | 240,691          |
| Service Commercial        | 0.43        | 0.0          | 0                | 0.0         | 0              | 0.0         | 0                | 48.7        | 912,003        | 0.0         | 0              | 34.3        | 643,028          |
| Well Site                 |             | 2.4          | 0                | 0.5         | 0              | 0.0         | 0                | 0.0         | 0              | 0.0         | 0              | 0.0         | 0                |
| Detention Basins          |             | 6.5          | 0                | 0.0         | 0              | 0.0         | 0                | 2.5         | 0              | 1.6         | 0              | 5.1         | 0                |
| Open Space                |             | 0.0          | 0                | 0.0         | 0              | 0.0         | 0                | 0.0         | 0              | 0.0         | 0              | 1.6         | 0                |
| Major Roads (ROW)         |             | 41.8         | 0                | 0.4         | 0              | 3.7         | 0                | 5.0         | 0              | 8.8         | 0              | -3.1        | 0                |
| <b>Total</b>              |             | <b>131.1</b> | <b>1,506,518</b> | <b>19.8</b> | <b>353,076</b> | <b>59.1</b> | <b>1,037,499</b> | <b>56.2</b> | <b>912,003</b> | <b>51.7</b> | <b>540,100</b> | <b>66.2</b> | <b>1,085,097</b> |

| CUMULATIVE LAND USE SUMMARY BY PHASE |             |              |                  |              |                  |              |                  |              |                  |              |                  |              |                  |
|--------------------------------------|-------------|--------------|------------------|--------------|------------------|--------------|------------------|--------------|------------------|--------------|------------------|--------------|------------------|
| Land Use Description                 | Average FAR | PHASE 1      |                  | PHASE 2      |                  | PHASE 3      |                  | PHASE 4      |                  | PHASE 5      |                  | PHASE 6      |                  |
|                                      |             | Acres        | Square Feet      |
| Commercial Office                    | 0.30        | 0.0          | 0                | 0.0          | 0                | 0.0          | 0                | 0.0          | 0                | 41.3         | 540,100          | 56.7         | 741,478          |
| Limited Industrial                   | 0.43        | 80.4         | 1,506,518        | 99.3         | 1,859,594        | 154.7        | 2,897,093        | 154.7        | 2,897,093        | 154.7        | 2,897,093        | 167.5        | 3,137,784        |
| Service Commercial                   | 0.43        | 0.0          | 0                | 0.0          | 0                | 0.0          | 0                | 48.7         | 912,003          | 48.7         | 912,003          | 83.0         | 1,555,031        |
| Well Site                            |             | 2.4          | 0                | 2.9          | 0                | 2.9          | 0                | 2.9          | 0                | 2.9          | 0                | 2.9          | 0                |
| Detention Basins                     |             | 6.5          | 0                | 6.5          | 0                | 6.5          | 0                | 9.0          | 0                | 10.5         | 0                | 15.6         | 0                |
| Open Space                           |             | 0.0          | 0                | 0.0          | 0                | 0.0          | 0                | 0.0          | 0                | 0.0          | 0                | 1.6          | 0                |
| Major Roads (ROW)                    |             | 41.8         | 0                | 42.2         | 0                | 45.9         | 0                | 50.9         | 0                | 59.6         | 0                | 56.5         | 0                |
| <b>Total</b>                         |             | <b>131.1</b> | <b>1,506,518</b> | <b>150.8</b> | <b>1,859,594</b> | <b>209.9</b> | <b>2,897,093</b> | <b>266.1</b> | <b>3,809,095</b> | <b>317.7</b> | <b>4,349,196</b> | <b>383.9</b> | <b>5,434,293</b> |

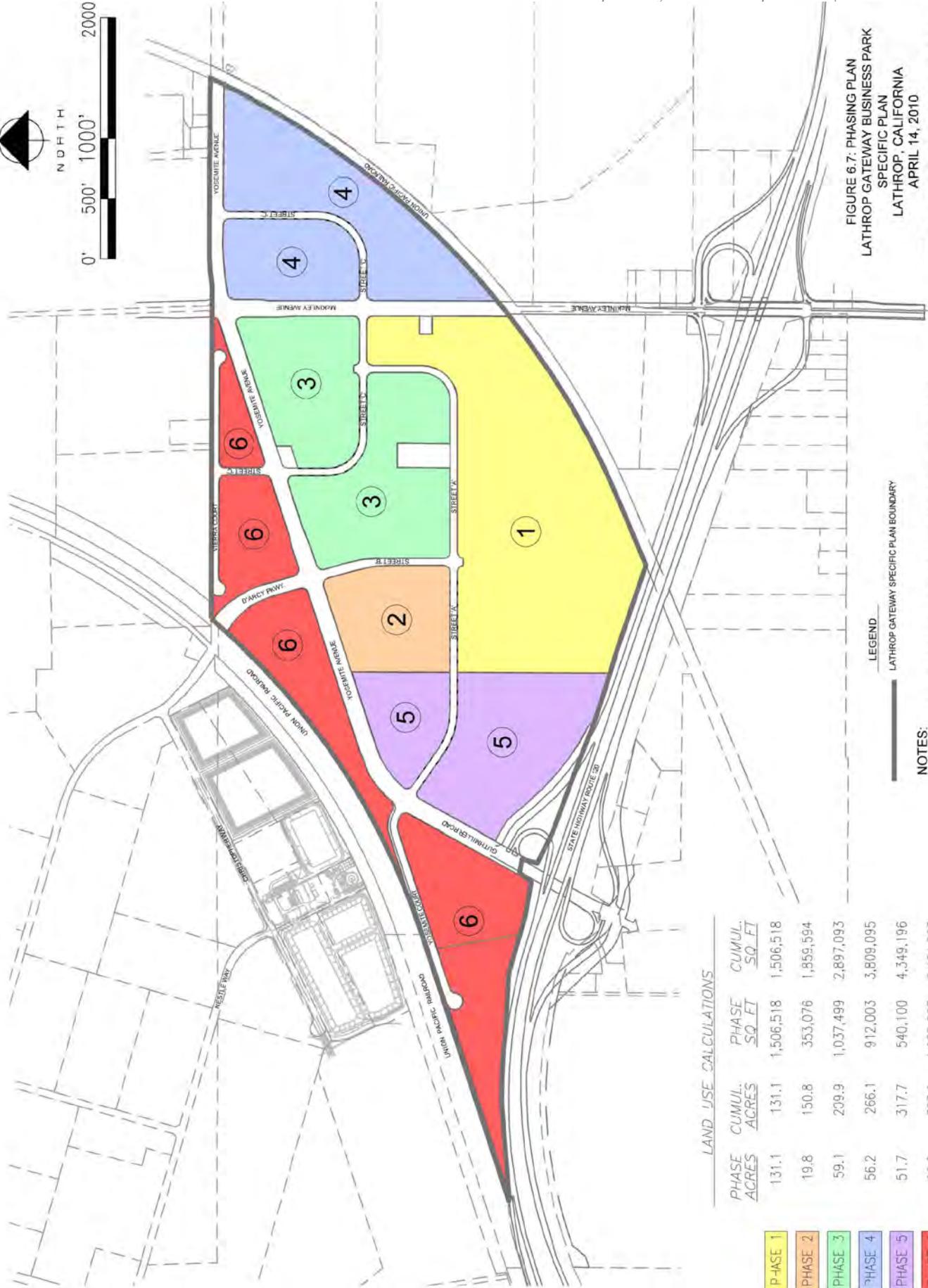
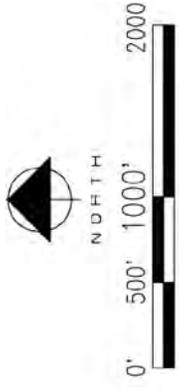


FIGURE 6.7: PHASING PLAN  
LATHROP GATEWAY BUSINESS PARK  
SPECIFIC PLAN  
LATHROP, CALIFORNIA  
APRIL 14, 2010

**MACKAY & SOMPS**  
ENGINEERS  
PLANNERS  
SURVEYORS  
5142E FRANKLIN DR. PLEASANTON, CA 94588  
(925)225-0800

LEGEND  
LATHROP GATEWAY SPECIFIC PLAN BOUNDARY

- NOTES:  
1. PHASING PLAN IS CONCEPTUAL AND SUBJECT TO CHANGE  
2. DEVELOPER RESERVES THE RIGHT TO MODIFY PHASING

LAND USE CALCULATIONS

| PHASE   | CUMUL. ACRES | PHASE SQ. FT. | CUMUL. SQ. FT. |
|---------|--------------|---------------|----------------|
| PHASE 1 | 131.1        | 1,506,518     | 1,506,518      |
| PHASE 2 | 19.8         | 353,076       | 1,859,594      |
| PHASE 3 | 59.1         | 1,037,499     | 2,897,093      |
| PHASE 4 | 56.2         | 912,003       | 3,809,095      |
| PHASE 5 | 51.7         | 540,100       | 4,349,196      |
| PHASE 6 | 66.2         | 1,085,097     | 5,434,293      |

04-11-2010 10:06am Chris Roggen P:\2012\MASTER-PLANS\FIG. 6.7 PHASING PLAN.DWG

### 6.3.2 Infrastructure Administration

A developer may request either changes to the initial infrastructure phasing plan shown in Figure 6.7, or the establishment of sub-phases. Changes to the initial infrastructure phasing plan or the establishment of sub-phases are explicitly allowed without amendment to the Lathrop Gateway Business Park Specific Plan provided the developer demonstrates, to the satisfaction of the Public Works Director, City Engineer and Community Development Director, that infrastructure improvements necessary to adequately serve the developing portion of the site will be provided in a timely manner and will be sufficient if no further development occurs.

Examples of permitted changes to phasing may include, but is not limited to, the following:

- Roadways may be constructed at less than full width, or full length, so long as the interim roadways are functional and safe, meet City improvement standards, and provide adequate access to those portions of the Plan Area site that are to be developed within a particular phase or sub-phase.
  - Certain segments of the water and/or recycled water systems may be deferred until needed to serve a particular phase or sub-phase so long as adequate looping and pressure are provided to serve those portions of the Plan Area that are to be developed within a particular phase or sub-phase.
  - Interim drainage solutions such as temporary retention may be employed until permanent facilities are complete so long as it is demonstrated to the satisfaction of the Public Works Director, that percolation requirements will be met and that flooding will not occur.
- Projects shall comply with NPDES standards.

A developer may also request that changes be made to the backbone infrastructure required to serve the Plan Area in order to respond to changing conditions of development or the availability of new technologies to address the infrastructure needs created by development. Such changes in the backbone infrastructure plan are explicitly allowed without amendment to the Lathrop Gateway Business Park Specific Plan provided a developer demonstrates, to the satisfaction of the Public Works and Community Development Directors, that the proposed changes meet certain performance or level of service standards prescribed in the project development agreements or, where applicable performance or level of service standards are not prescribed, result in a level of service that is at least comparable to the level of service that would have been provided had the changes not been proposed.

The City Manager and/or his/her designee shall memorialize in writing all approved changes to Lathrop Gateway Business Park Specific Plan phasing and backbone infrastructure requirements, and shall compile and maintain a comprehensive record of all such changes. The City Manager may at his/her discretion refer any said changes to the City Council for review and approval.

## 7.0 Financing

---

### 7.1 INTRODUCTION

This chapter presents a financing plan that identifies the public facilities required for Lathrop Gateway Specific Plan and describes how these facilities will be financed through a combination of financing mechanisms either existing or newly created by the City for the Specific Plan. The financing plan includes an identification of infrastructure required, a set of financing principles and policies, a description of available financing mechanisms, and an action program for implementing the preferred financing mechanisms. The financing plan will ensure that all infrastructure and public facilities required to serve the Lathrop Gateway Business Park area are funded and constructed in a timely manner, that equitable distribution of costs proportionate to benefit occurs, and that cost-efficient financing mechanisms are utilized.

### 7.2 PROJECT DESCRIPTION

The Lathrop Gateway Business Park Specific Plan creates a planning framework and set of regulations for the creation of a new business park in Lathrop. The land use plan, as described in Chapter [3], will include commercial/office, limited industrial (e.g., warehouse and distribution uses) and service commercial uses. The project is strategically located along Highway 120 with good access to both the I-5 and US 99 corridors and is expected to be developed over the next 10 to 20 years.

The types of uses and the timing of development will influence the need for infrastructure and the related need for funding in a variety of ways. Thus the financing plan recognizes that real estate value created is the basis of most of the financing mechanisms available. The Lathrop Gateway Business Park area with a mix of commercial uses will create real estate values proportional to rents for the commercial space. These values will generally be less than residential or mixed-use districts of the City. At the same time infrastructure requirements will be lower as commercial uses typically create less demand for public facilities.

### 7.3 INFRASTRUCTURE

A list of major infrastructure required for the Lathrop Gateway Business Park area has been identified by MacKay & Soms as a part of the preparation of the Specific Plan:

- Roadways including improvements or expansions to the Guthmiller/SR 120 Interchange, Guthmiller Road, Yosemite Avenue, McKinley Avenue, D’Arcy Parkway, and Streets A-C
- Traffic signals including signals at Yosemite and Street “A”, D’Arcy Parkway, McKinley, and Street “C”
- Sanitary sewer pump and force main
- Storm drain detention basin, pump station, and outfall to San Joaquin River
- Water system and recycled water system

The major infrastructure items shown do not include site improvements typically installed pursuant to a subdivision map including “in-tract” streets, in-street utilities, site-specific drainage facilities, and grading. In addition to the items shown, new development in the area will be subject to various existing City fees for public facilities and planning and building-related services and applicable regional fees for transportation or other infrastructure. Given the likely extended period of development of the Business Park it will be necessary to establish a phasing plan for the major public facilities required to assure adequate financial capacity.

### 7.4 FINANCING PRINCIPLES AND POLICIES

Financing the public facilities required for the Lathrop Gateway Business Park Specific Plan shall be guided by the following five principles and supporting policies. These principles and policies will guide future City decisions regarding public facility requirements, formation of financing entities, establishment of financing mechanisms, conditioning of project approvals, and administration.

- 1. Future development within the Lathrop Gateway Business Parkway Specific Plan should pay the full costs of infrastructure needed to serve the Specific Plan area, except where other funding sources are appropriate and available.**

Policy 1.1: New development shall pay costs of major public facilities required for development of the area, as identified in this Specific Plan.

Policy 1.2: Existing landowners should only be required to pay fees, assessments or taxes associated with the LGBPSP public facilities proportional to benefits received. If required

infrastructure costs exceed benefits, and the related ability of the City to impose costs through map conditions, ordinance-based fees, or special benefit assessments, costs will need to be reduced and/or other sources of funding applied (e.g. City-wide sources, grants, etc.)

- Policy 1.3: Development shall pay all existing City-wide impact fees and fund additional off-site mitigation as may be specified by the Specific Plan EIR.
- Policy 1.4: Properties outside the Plan Area that benefit from infrastructure created pursuant to the Plan should bear a proportional financial obligation to the extent possible.
- Policy 1.5: Landowners and the City will actively pursue applicable outside funding for infrastructure improvements within the Plan Area, e.g., State and federal funding sources, etc.

**2. The City should facilitate LGBPSP area infrastructure financing through establishment of necessary financing mechanisms and measures based on the infrastructure needs and a feasible and legally established special tax or assessment burden for the property.**

- Policy 2.1: The City will coordinate with landowners and developers in the establishment of the appropriate Plan Area financing mechanisms such as an area development impact fee or land secured financing district, and coordinate with other local government entities as may be required.
- Policy 2.2: The City, with landowner consent, will establish debt financing mechanisms (e.g. Mello-Roos Community Facilities District) to leverage future special tax capacity to fund infrastructure and lower fee and exaction burdens.
- Policy 2.3: The City will consider deferred assessments or special taxes on properties that are vacant or underutilized relative to Specific Plan designations and densities.
- Policy 2.4: The City will consider the use of surcharges on water and sewer rates for the Lathrop Gateway Business Park (and other benefitting areas) to fund needed improvements to water and sewerage infrastructure.
- Policy 2.4: The City will consider entering into development agreements with developers, consistent with existing City ordinances and as necessary to enable the establishment of needed infrastructure financing mechanisms.

**3. The financing mechanisms should be consistent with and serve to implement the Land Use Plan of the Lathrop Gateway Business Parkway Specific Plan.**

Policy 3.1: The City will apply land use regulations and financing mechanisms that encourage full development of the Plan Area in a timely manner.

Policy 3.2: The financing mechanisms applied should be flexible to account for project-specific circumstances, changing market conditions, and more refined facility and cost data that will become available over time.

Policy 3.3: Fee burdens and assessments should be calculated upon maximum or near-maximum permitted densities to promote consistency with the Plan and a disincentive to underutilization.

**4. Total infrastructure and financing costs in the Plan Area should fall within industry standards of financial feasibility.**

Policy 4.1: Utilize financing mechanisms and related measures that assure that infrastructure cost burden borne by new development in the Plan Area is feasible from a market perspective. Such measures include construction and reimbursement agreements which can lower costs generally associated with public construction projects.

Policy 4.2: Develop an infrastructure phasing schedule that links the timing of infrastructure construction to the timing of commercial building development and related facility demand to the extent possible.

**5. If a landowner is required to dedicate land or make improvements (e.g., oversizing infrastructure) with a higher value than the benefits that landowner receives, the excess value should be reimbursed from other benefiting properties and/or City funding sources.**

Policy 5.1: Require dedication of land for road improvements and construction of public improvements consistent with City-wide policies and development standards.

Policy 5.2: Establish reimbursement mechanisms for developers who oversize infrastructure or dedicate excess land.

Policy 5.3: Provide credits against City fees to the extent that specific properties build infrastructure of broader City-wide benefit, and/or build public facilities which would otherwise be funded by City fees.

**7.5 FINANCING MECHANISMS AND RESOURCES**

A number of financing mechanisms can be used to fund the public services, facilities and infrastructure associated with the Lathrop Gateway Business Parkway Specific Plan, consistent with Constitutional limitations, statutory requirements, and past practices in the City of Lathrop. **Table 1** provides a conceptual summary of how public facility costs could be funded with the available sources and mechanisms. The ultimate mix of financing mechanisms will be determined in the implementation process, based on current estimates of public facility costs, the pattern of development, and on subsequent actions involving the City and their public finance experts, property owners, and developers.

**Table 1. Major Infrastructure Items and Potential Funding Mechanisms**

| Infrastructure Item | Potential Funding Sources                      |                                |                    |              |
|---------------------|--|--------------------------------|--------------------|--------------|
|                     | Area Development Impact Fee or CFD Funding [1] | Existing City Fee Programs [2] | Rate-based funding | Other [3, 4] |
| Roadways            | X  | X                              |                    | X            |
| Traffic Signals     | X  | X                              |                    |              |
| Sanitary Sewer      | X  | X                              | X                  |              |
| Storm Drain [5]     | X  | X                              | X                  |              |

[1] Developer may propose the use of Mello-Roos CFD or Assessment District for certain public facilities.  
 [2] Certain facilities may be funded, reimbursed, or credited through City development impact fees, in accordance with City policy.  
 [3] To the extent that other areas of the South Lathrop area develop and the Gateway Area oversized or provides infrastructure benefiting other areas reimbursement payments will be established.  
 [4] Other financing could include state and federal grants, to the extent available.  
 [5] Includes pump and force main.

Source: MacKay and Soms; Economic & Planning Systems

## 7.5.1 Area-Specific Fees, Dedications and Exactions

### 7.5.1.1 Area Development Impact Fees

Area development impact fees may be enacted by a legislative body (i.e., city or county) through adoption of an ordinance pursuant to Government Code Section 66000 (Mitigation Fee Act). Such fees do not require a public vote to be enacted, but they do require public hearings. Specific development impact fees must be directly related to the benefits received. They do not create a lien against property, but must be paid in full at the time building permits (or certificate of occupancy) are issued. The principal use of these fees is for encumbering properties that would not otherwise enter into an assessment district (AD) or Mello-Roos Community Facilities District (CFD). Fees are established so that these properties pay their fair share at the time they are ready to be developed. Specific Benefit fees might be used, for example, in situations in which the number of owners of small developable parcels was so large that property owners would have difficulty organizing an AD or a CFD.

Proceeds may be used to reimburse property owners who pay up-front costs for facilities benefiting other properties. Benefiting properties may be given the option to finance the fees by entering into an assessment district or Mello-Roos CFD.

### 7.5.1.2 Dedications and Exactions

Under the Subdivision Map Act, developers may be required to dedicate land or make cash payments for public facilities required or affected by their project (e.g., road right-of-way fronting individual properties). Dedications are typically made for road and utility rights-of-way, park sites, and land for other public facilities. Cash contributions are made for other public facilities that are directly required by their projects (e.g., payments for a traffic signal).

### 7.5.1.3 Development Agreements

A development agreement is a contract between a public agency and a developer that provides developers with assurances that the land use entitlements for a project will not be changed in the future, and that specifies public sector commitments to financing, phasing and other elements of project implementation. In return for these public considerations and assurances, the developer may be asked to make financial commitments beyond those that could be justified through typical subdivision ordinance dedications and exactions and/or impact fees, which are both limited by the "rational nexus" criteria.

## 7.5.2 Assessment and Special Tax Secured Financing

### 7.5.2.1 Special Assessment Districts (1911, 1913, 1915 Acts)

California law provides procedures to levy assessments against benefiting properties and issue tax-exempt bonds to finance public facilities and infrastructure improvements. Assessment districts, also known as improvement districts, are initiated by the legislative body (e.g., city council), subject to majority protest of property owners. Assessments are distributed in proportion to the benefits received by each property as determined by engineering analysis, and form a lien against property. Special assessments are fixed dollar amounts and may be prepaid, although they are typically paid back with interest over time by the assessed property owner. Only improvements with demonstrable property-specific benefits (e.g., roads, sewer, and water improvements) may be financed with assessments.

### 7.5.2.2 Mello-Roos Community Facilities Districts

California's Mello-Roos Community Facilities Act of 1982 allows for the creation of a special district authorized to levy a special tax and issue tax exempt bonds to finance public facilities and services. A CFD may be initiated by the legislative body or by property owner petition, and must be approved by a two-thirds majority of either property owners or registered voters (if there are more than 12 registered voters living in the Plan Area). Special taxes are collected annually with property taxes, and may be prepaid if prepayment provisions are specified in the tax formula. The special tax amount is based upon a special tax lien against the property. There is no requirement that the tax be apportioned on the basis of direct benefit. Because there is no requirement to show direct benefit, Mello-Roos levies may be used to fund improvements of general benefit, such as schools, fire and police facilities, libraries, and parks, as well as improvements that benefit specific properties. The provision also allows for the allocation of cost burdens to alleviate burdens on specific classes of development. Special taxes can also be structured to address vacant lands and deferred development.

### 7.5.2.3 Landscape and Lighting Maintenance Districts

Landscaping and lighting maintenance districts (LLMDs) may be used for installation, maintenance, and servicing of landscaping and lighting through annual assessments on benefiting properties. LLMDs may also provide for construction and maintenance of appurtenant features, including curbs, gutters, walls, sidewalks or paving, and irrigation or

drainage facilities. They may also be used to fund and maintain parks above normal park standards maintained from General Fund revenues.

### **7.5.3 Utility Rate Surcharges**

The City operates water and sewer utilities and charges rates for providing water and removing sewer effluent. These rates can include charges for infrastructure, including debt service for revenue bonds used to build needed facilities. So long as water and sewer rates are held within reasonable market limits this strategy can off-set need for development or land-based funding sources. Revenue debt can also be more cost-effective. In this instance the City could levy a surcharge for a Gateway Business Park (and other benefitting properties) that requires facility capacity increases.

### **7.5.4 Citywide Sources**

The City has a number of existing impact fees. These fees are not expected to provide significant funding to offset the costs of developing backbone infrastructure in the Lathrop Gateway Business Parkway Specific Plan; however, further investigation is appropriate to determine the extent of funds that may be committed to Plan Area infrastructure costs. In addition, it may be appropriate to provide fee credits to Plan Area developers to the extent that Plan Area developer-constructed improvements and public facilities provide City-wide benefits.

### **7.5.5 Impact Fees and Connection Charges**

Impact fees or "connection charges" may be adopted by local legislative bodies (city or county) and levied against new development at the permit stage to offset the costs for a wide variety of public facilities and infrastructure improvements. The conditions for imposition of impact fees were formalized by the passage of AB 1600 (Government Code Section 66000), which institutionalized prior case law on the subject (e.g., Nollan). Although not limited to the stricter definition of benefit applied to assessment districts, the fees must be shown to have a "rational nexus", or relationship between costs and the impact or demand caused by the new development. A major deficiency of impact fees and connection charges is that they are typically collected over time as development occurs. To the extent that funding is needed "up front" for a particular facility, fee funding is not sufficient. Additionally, programmed or expected development that does not occur when expected, or never occurs, exacerbates the initial problem. The City currently has adopted impact fees and connection charges for a variety of public facilities and City costs.

### 7.5.6 Federal and State Grants

The City has in the past received funding for public facilities from other levels of government, including the State and federal government. Historically, these funding sources were more available; however, several sources of grant funding still remain and several new programs have recently been established. Further investigation of potential funding sources is appropriate. However, since the availability of funding from these sources is unknown, it has not been assumed that these sources would be available for development financing.

## 7.6 IMPLEMENTATION ACTIONS

Implementation of the Specific Plan financing principles and policies will occur through a series of actions as described below. These actions can be modified to respond to varying circumstances, including variations in the infrastructure financed and the timing and intensity of Specific Plan development. The sequence of actions presented reflects their general priority.

### 1. Finalize Cost and Phasing Assumptions

Action 1.1: The City must provide final direction concerning the backbone infrastructure and facilities to be financed as a part of the Lathrop Gateway Business Parkway Specific Plan. A decision regarding the inclusion of one facility or another may have significant consequences for the financial feasibility of development in the Plan Area as a whole and for the potential to provide other needed facilities.

Action 1.2: The City should establish a financing program that includes a final set of infrastructure costs that will be financed within the Specific Plan. The City should assemble a local basic improvement program for the Lathrop Gateway Business Parkway Specific Plan as a part of the adoption of financing mechanisms, such as an area impact fee or a land secured financing district. This improvement program should be based upon the major public facilities listed in the Specific Plan, but would reflect more detailed cost estimates that become available over time.

Action 1.3: As part of the City's Capital Improvement Program or the area-specific financing program the City will establish a schedule of infrastructure phasing based upon a realistic development scenario. The timing and magnitude of costs will determine to what extent bonding is required and the degree to which it will be possible to fund improvements on a pay-as-you-go basis. This task serves to ensure that a financially feasible and acceptable infrastructure program is achieved.

## **2. Establish a Financing Program**

Action 2.1: Select the appropriate financing mechanisms as part of developing the financing program for the Specific Plan Area. The overall logic and premise of the financing program should be considered and tested to assure that it is sound and feasible, given the perspective of the involved parties including the City, landowners, developers, and other agencies.

## **3. Implement and Administer Financing Program**

Action 3.1: Implementing the financing program within the context of overall Specific Plan implementation may require adoption of an area-specific ordinance and/or the establishment of land secured financing districts. The City will need to assemble the public financing professionals necessary to establish these mechanisms and follow established procedures in their formation.

Action 3.2: Following creation of the financing mechanisms the City will need to administer each mechanism assuring the expedient flow of funds for construction of needed infrastructure, proper auditing, and responsiveness to changing conditions.

## 8.0 Implementation & Administration

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This chapter describes the plan review procedures, development agreements, Specific Plan amendment procedures, enforcement, mitigation monitoring and other mechanisms to be utilized to implement or revise the Lathrop Gateway Business Park Specific Plan.

### 8.1 PLAN REVIEW PROCESS

#### 8.1.1 Community Development Department Review

The Specific Plan represents the "master plan" for the Lathrop Gateway Business Park Plan Area. Subsequent to adoption of the Specific Plan, individual project applications will be reviewed to determine consistency with the Specific Plan and other regulatory documents. Applications such as commercial, office, or industrial development plans, use permits, variances and the like, will be reviewed using established Community Development Department and Planning Division procedures.

Development applications will be submitted to the City of Lathrop's Planning Division. The Planning Division will conduct an initial review of the application for completeness and consistency with the adopted Specific Plan, as well as other ordinances and standards. The applicant will be notified within 30 days of the initial submittal date of any deficiencies that must be rectified to deem the application complete. If the applicant or the City believes that an Amendment to the Specific Plan is warranted, an Amendment to the Specific Plan may be requested in accordance with section 8.3 Amendment Procedures. The request must provide adequate justification. The application may also be subject to environmental review as discussed in the following section.

Site Plan/Architectural Design Review—Generally, all commercial, office, and industrial projects within the Plan Area will be subject to Site Plan/Architectural Design Review by the City; design review shall be implemented before issuance of building permits. Also, all public improvements (such as landscape plantings, street and entry signs, lighting, or special paving) are subject to Site Plan/Architectural Design Review. All Site Plan/Architectural Design Review procedures will be conducted in compliance with 17.100 and 17.104 of the Lathrop Municipal Code.

### 8.1.2 Public Improvement Plans

The on-site and off-site public improvements necessary to serve the Lathrop Gateway Business Park Specific Plan Area need to be specifically designed. The applicants shall prepare for City review and approval Public Improvement Plans, consisting of detailed engineering designs and documents for all utilities necessary to develop the land uses identified in the Specific Plan. These plans shall include an infrastructure sequencing program that will allow orderly development throughout the Specific Plan area. The sequencing program shall prioritize roads, water, sewer, drainage and other utilities that must be in place prior to specific levels of development.

### 8.1.3 Environmental Review

The EIR prepared for the Lathrop Gateway Business Park Plan will serve as the master environmental assessment document for development within the Plan Area. Individual project applications will be reviewed for consistency with the Specific Plan EIR. If consistency is determined and the project meets the criteria established in Section 15182 of the CEQA guidelines no subsequent environmental review is necessary. The intent of the EIR associated with the specific plan is to cover all development consistent with this document, stream-lining the permitting and review process.

All individual project applications must comply with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The SJMSCP, prepared by San Joaquin County and other participating agencies, protects special-status plants and wildlife and their habitats, while allowing for planned growth in the County. This protection is accomplished by, 1) identifying important habitats and habitat features to aid in the development of protection areas, and 2) establishing a funding mechanism through which project proponents can provide replacement habitat while enabling them to meet their no net loss of habitat value goals. Although the SJMSCP is voluntary, project proponents as part of this Specific Plan will be required to participate in the SJMSCP by contributing appropriate impact fees and implementing mitigation as identified by the SJMSCP.

Upon receipt of an application the City shall also initiate an initial study and environmental review of the project and may request additional environmental or engineering studies to address site-specific concerns that have not been adequately addressed by the Environmental Impact Report (EIR) or supporting studies in order to meet CEQA requirements.

In some cases, where an individual project application is deemed inconsistent with the specific plan or EIR, additional environmental information may be required. For example, a more detailed traffic study may be required for an individual project application. Upon review of this additional information, the

City will make a determination as to whether or not the more detailed information provides evidence that the proposed individual project will cause more significant environmental impacts beyond the scope originally anticipated during the master program analysis. If the City determines that there would be environmental impacts beyond the scope originally anticipated during the original study, further environmental review and a separate environmental document may be required. Conversely, the City may make a determination that the additional information does not raise new environmental issues and is within the scope of the original EIR, and therefore compliant with CEQA requirements.

The foregoing discussion details the initial project review and environmental review submittal procedures. Projects submitted for consideration will be reviewed for consistency with any development standards, design guidelines, mitigation measures and other applicable conditions of approval, which were adopted as part of the Specific Plan.

## 8.2 Development Agreements

Subject to the provisions of the Specific Plan, the property owners and the City may execute Development Agreements in accordance with Government Code and local ordinance. The Development Agreements will set forth the infrastructure improvements, public dedication requirements, landscaping amenities, and other contributions to be made by a property owner in return for guarantees by the City that certain land uses and densities in effect at the time of execution of the agreement will not be modified. These agreements should only be arranged where the developer is prepared to proceed in accordance with a time table for seeking the required approvals and commencing construction.

Both the City and the project sponsors would commit themselves to proceed with the terms of the agreement. The City can agree to process future development applications in accordance with the Plan and laws that were in existence when the agreements were made. The City then commits to maintaining its planning or zoning statutes related to the developments for an agreed-upon period of time. In return, the developer/applicant agrees to develop according to an agreed-upon time schedule or commit to other measures which the City might otherwise have no authority to require the developer/applicant to perform.

Generally, Development Agreements include the following provisions, or similar variations:

- Specify how the Specific Plan and General Plan will be implemented in connection with the Development Agreement,

- Provide the terms for reimbursement in the event that a developer provides advance funding for facilities which have community benefit,
- Provide for adequate public facilities for each project phase in a timely manner,
- Shorten the approval process by consolidating and coordinating various discretionary approvals, and
- Specify the monetary responsibilities of the developers.

### **8.3 RIGHT-TO-FARM PROVISIONS**

It is recognized that the Lathrop Gateway Business Park Specific Plan Area has on-site and off-site existing agricultural uses of various kinds and intensities. It is also acknowledged that as the project site builds out, several existing parcels on-site could remain in their existing agricultural state for some foreseeable period of time. In order to ensure the viability of the on-going agricultural uses, this Specific Plan shall require that a “right-to-farm” provision be included as a part of any subsequent stage in the land entitlement process. Along these same lines, an entitlement application or document shall mandate full right-to-farm disclosures at point-of-sale of lots within the Plan Area. This provision shall include all properties on site which may be impacted or affected by on-going farming operations.

### **8.4 AMENDMENT PROCEDURES**

In order to ensure consistency between the Specific Plan and the General Plan, there is a necessity for adoption of an amendment to the City General Plan. The General Plan is amended for the purpose of adding Specific Plan land use designations that will accommodate the types and densities of development envisioned for the Lathrop Gateway Business Park Plan Area. This is for the purpose of fulfilling the long term goals of the City for this area and establishing a more detailed description of this vision for the City of Lathrop.

With respect to future proposed changes in the Specific Plan, large project specific plans are adopted in a dynamic development environment, often with lengthy build-out horizons and multiple developers/builders. Situations may arise where future amendments to the adopted Specific Plan can be considered because of changing circumstances beyond the control of the Specific Plan. Additionally, because of unforeseen circumstances, some design guidelines or development standards may not be feasible on a particular parcel. In these situations, the procedures listed below will be followed to amend the adopted Specific Plan.

#### **8.4.1 Applicants**

Typically, property owners or developer will request amendments to a Specific Plan. There may also be circumstances where the City may wish to request an amendment to the plan. For example, the City may propose an amendment to the plan to address shifting land use patterns outside the Plan Area or changing demographics.

A Specific Plan processing fee to be determined by the City shall accompany applications for amendments submitted by property owners. This fee would be in addition to existing fees for accompanying development applications.

#### **8.4.2 Scope of Amendment**

Amendments to an adopted Specific Plan should be categorized as either minor or major. This determination is to be made by the Community Development Director or his/her designee. The Community Development Director or his/her designee shall administratively make a written determination as to whether or not a requested amendment is major or minor within 10 working days of receipt of the application. Those amendments considered major will be processed as set forth in 8.4.3 below. If the Community Development Director determines that a requested amendment is minor, the Director will either approve or deny the request using the criteria established in section 8.4.4. The Director's decision may be appealed to the Planning Commission within 10 working days of the decision.

A Specific Plan Amendment application fee shall accompany any applications for major and minor amendments to the Specific Plan. Amendments to the Specific Plan can include, but are not limited to changing land use designations, design criteria, development standards or policies. The Community Development Director shall determine the limits and acceptability of any proposed amendment to the Specific Plan.

No development plan, use permit or other entitlement shall be approved by the City and no public improvement shall be approved by the City until a finding has been made that the proposed entitlement or public improvement is in substantial conformance with this Specific Plan.

#### **8.4.3 Major Amendments**

The following are examples of what could be considered major amendments:

- Introduction of a new land use category not specifically discussed in this Specific Plan.

- Significant changes to the distribution of land uses, major acreage changes of land uses, or other changes affecting land use which may substantially affect the key planning concepts set forth in this Specific Plan.
- Significant changes to the collector street system that would substantially alter the land use or circulation concepts set forth in this Specific Plan.
- Changes to design guidelines and/or development standards which, if adopted would substantially change the physical character of the Plan Area as envisioned by the Specific Plan.
- Any change to the Plan that could significantly increase environmental impacts and are inconsistent with alternatives analyzed within the EIR.

*Application Requirements for Major Amendments:*

All Specific Plan Amendments shall be consistent with the City's General Plan. Major amendments may therefore require an accompanying General Plan Amendment and Zoning Ordinance revision.

Applications for major amendments to the adopted Specific Plan shall conform to the requirements set forth in the Lathrop Gateway Business Park Zoning Ordinance. Generally, the process for amending the Specific Plan is similar to that for amending the City's General Plan, with the main difference that there is no limitation to the number of Specific Plan amendments that may be approved in any one year. The materials and documents necessary to process a major amendment application should be consistent with those outlined in the City of Lathrop's Development Permit Form for Rezones/Amendments. A detailed justification statement shall be submitted which explains in detail why an amendment to the Specific Plan is warranted. All requirements of CEQA will be applicable. The Specific Plan processing fee, as previously mentioned, shall be submitted to cover all processing costs. Major amendments shall require City Council approval, with a recommendation forwarded by the Planning Commission.

#### **8.4.4 Minor Amendments**

An amendment shall be considered a minor amendment when it is determined that it does not have a significant impact on the character of the plan or on the environment. The following are examples of what could be considered minor amendments:

- Change in the configuration of a particular Specific Plan land use which does not significantly alter its relationship to other land uses or compromise the concept and principles of the Specific Plan.
- Minor changes to land uses which result in changes in minor acreage changes of land uses, or other changes altering land uses, which do not substantially affect the key planning concepts or principles set forth in this Specific Plan.
- Changes to the collector street system and alignments that do not substantially alter the intended land use or circulation functioning as set forth in this Specific Plan.
- The relocation or reconfiguration of open space that is not less in acreage size than the specified minimums in the Specific Plan.
- Changes to design guidelines (architectural types and materials, landscape materials, etc.) and/or development standards that do not substantially change the physical character of the Lathrop Gateway Business Park development as envisioned by the Specific Plan.
- Clarification and interpretation of land uses.
- Any change to the Plan that would not significantly increase environmental impacts and are consistent with the alternatives analyzed within the EIR.

*Application Requirements for Minor Amendments:*

Applications for minor amendments shall be submitted to the Planning Division and shall include a description of the requested amendment, a justification statement, the application processing fee (determined by the City Council), and a Specific Plan Amendment processing fee.

#### **8.4.5 Findings**

The Community Development Director or hearing body when acting upon any minor or major amendment requests to the Specific Plan shall consider the following findings:

- Significant changes to the character of the project area have occurred subsequent to the adoption of the Specific Plan which warrants amendments as requested,
- The requested amendment will benefit the Specific Plan Area and/or the City,
- The amendment is consistent with the General Plan,

- The amendment will not adversely affect adjacent properties and can be properly serviced,
- Where applicable, the physical constraints of the property area are such that the requested amendment is warranted, and
- The amendment is consistent with the EIR, or subsequent amendments.

## 8.5 ENFORCEMENT

The Lathrop Gateway Business Park Specific Plan includes a considerable number of development regulations and environmental mitigation measures. Assurances must be made that adequate enforcement mechanisms are in place to ensure that all adopted regulations and mitigation measures are adhered to. If a field inspection is conducted and a particular requirement has not been satisfactorily completed, or site development activities have been undertaken that are not performed as mandated in the Specific Plan and EIR, City staff may ensure completion or correction of the development activity through actions including, but not limited to, the following:

- Meeting with the proponent to negotiate timing or corrective action in the context of established City of Lathrop Planning Division Zoning Enforcement procedures.
- Issuance of a stop work order that will not be lifted until signed by the City of Lathrop.
- Apply the measures of any City enforcement ordinances based upon the police power to protect the public's health, safety and welfare.
- Require performance bonds for landscaping, tree preservation, wetland preservation, or other items determined appropriate by City staff.
- Revocation of permits or other similar actions may occur if City staff discovers violations.
- City staff may recommend denial of subsequent approvals necessary to complete and occupy the project.
- City staff will carry out initiation of any enforcement or penalty provisions in applicable development agreements.
- Request for legal action by the City Attorney's office.

The City of Lathrop currently has established code enforcement program to ensure that adequate and proper investigations of land use violations take place. As with any other development with conditions of approval and/or mitigation measures, complaints of violations of any Specific Plan requirements will be investigated consistent with established procedures and due process. Complaints of violations will be referred to the City of Lathrop Planning Division's Zoning Enforcement Section for any violation of adopted Specific Plan regulations or associated approvals. Many of the more drastic foregoing remedies would be considered only if repeated attempts to rectify any violations go unheeded.

## **8.6 MITIGATION MONITORING**

The California Environmental Quality Act requires all state and local agencies to establish reporting and monitoring programs for projects approved by a public agency whenever approval involves adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The Mitigation Monitoring and Reporting Program is intended to satisfy the requirements of CEQA as they relate to the final EIR for the Lathrop Gateway Business Park Specific Plan. This monitoring program is to be used by City staff and the project developers in ensuring compliance with adopted mitigation measures during project implementation.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Lathrop staff. City staff will monitor mitigation implementation as outlined in the recorded MMRP for the Lathrop Gateway Business Park Specific Plan.

## **8.7 SPECIFIC PLAN FEE**

In accordance with Government Code 65456, the City may impose a fee for the purpose of recovering the costs associated with the preparation and adoption of the Specific Plan, including CEQA review. The basis for the fee shall be those direct costs incurred by the applicants and approved as reimbursable expenses by the City. Upon approval of the costs, the City may enter into a reimbursement agreement with the sponsoring property owners through which the City will forward Specific Plan fees collected or will otherwise grant credits.

As discussed in Chapter 2, the Plan Area contains multiple property owners each with their own unique desires and goals. At the time this plan was formulated a group of property owners controlling approximately 215± acres or 56% of the Plan Area agreed to financially sponsor the preparation of this

specific plan effort, and all of the required engineering and environmental studies needed to evaluate the project.

The remaining property owners elected not to financially participate in this specific plan effort. Their parcels are designated for urban uses and were analyzed by the engineering studies, however, any subsequent request for development on these parcels will be subject to a reimbursement agreement to compensate the sponsoring landowners and/or the City of Lathrop the cost of the specific plan effort. There may also be a need for additional site-specific environmental studies.

The non-participating property owner will be required to pay a Specific Plan Fee upon submittal of an application requesting subsequent entitlements based on the number of acres included in the application or the size of the parcel, whichever is greater. This “fair-share” fee will be calculated based on the following formula:

$$(\text{Total Specific Plan Cost} \div \text{total acres}) \times \text{parcel acreage} = \text{Specific Plan Fee}$$

The items to be included in the Specific Plan Cost have been determined in coordination with the City of Lathrop and may include, but not necessarily be limited to the following:

- Costs expended by the City to review or hire consultants to prepare and/or review the Specific Plan, engineering studies, environmental studies, and/or the EIR.
- Costs expended by the sponsoring property owners group to hire consultants to prepare the specific plan, engineering studies, environmental studies, the EIR and/or, mitigation monitoring.
- The Total Specific Plan Costs may be multiplied by a yearly interest rate or inflation factor, to fairly account for the passage of time.

Parcels owned by sponsoring property owners that financially participated in the preparation of the plan will not be required to pay the Specific Plan Fee and are granted zoning or land use designations as illustrated and discussed in Chapter 3. Specific Plan Fees collected by the City shall be utilized to reimburse sponsoring property owners.

# Appendix A

## General Plan Consistency Chart

The following table summarizes the various relevant issues and contents within the Lathrop Gateway Business Park Specific Plan (LGBPSP) as they relate to the Plan’s consistency with City General Plan goals and policies.

For the purposes of efficiency and brevity, only those goals and policies within the General Plan that are relevant to the LGBPSP are itemized and described in the Table. The column shown as “General Plan Goals, Objectives, and Policies” contains in many cases only partial quotes from relevant sections of the General Plan subjects being itemized. The Table is organized sequentially with the City’s General Plan document and formatted by section and subject heading. Since the General Plan is organized in a more “narrative” format, the Table is similarly structured, showing General Plan page numbers to facilitate location of the various items being addressed.

| <u>General Plan Goals, Objectives, and Policies</u>   | <u>General Plan page</u> | <u>General Plan Compatible</u> | <u>Compatibility Analysis</u>   |
|---|--------------------------|--------------------------------|---|
| <b><u>II. GOALS, MAJOR POLICIES AND MAJOR PROPOSALS OF THE GENERAL PLAN</u></b>   |                          |                                |   |
| <b>Goal #1: Balancing the Social and Economic Costs and Benefits of Urbanization--</b><br>...development of job-creating activities...to assure a reasonable balance with the growth of Latherop's economic base. | 2-11                     | Yes                            | The project creates major areas of employment-generating land uses, including commercial, office, and limited industrial uses, in accordance with the overall intent of Sub-Plan Area #1 as expressed in the General Plan             |
| <b>Goal #2: Equality of Opportunity--</b> ...provision and availability of public services and facilities and in meeting employment and housing needs.  | 2-11                     | Yes                            | Even though this Goal refers to "growth centers west of Interstate 5" this project nevertheless greatly aids in "meeting employment...needs" by the nature of the land uses being implemented in accord with the General Plan Goal #1 |

|   |             |            |   |
|---|-------------|------------|---|
| <p><b>Goal #3: Community Identity</b>--It is a goal of the General Plan that the old and new centers of development which lay east and west of I-5...make a strong contribution toward the identity of the entire City of Lathrop.</p>  | <p>2-11</p> | <p>Yes</p> | <p>Through both the Specific Plan intent and vision, as expressed in Chapters 1 and 3, as well as in the Design Guidelines, Chapter 5, a coherent approach to the character and organization of the Plan Area is established and will further implement the General Plan goal and policy of establishing a quality approach to the future development and identity of each parcel on the project site.</p>  |
| <p><b>Goal #5: Enhancing the Quality of Life and Biological Resources</b>--...to enhance the quality of living by preventing the degradation of the natural environment, and by taking steps to off-set and alleviate the effects of that degradation...</p>  | <p>2-12</p> | <p>Yes</p> | <p>By providing for a major area of development on lands that are already disturbed by existing land uses, consolidated and away from sensitive biological resources, the project allows for these other more sensitive areas within and on the outskirts of the City to be preserved and protected from degradation. Also, the SP mandates compliance with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Although this Plan is typically voluntary, project proponents are required to participate in the conservation plan by contributing impact fees as part of project mitigation.</p> |
| <p><b>Goal #6: Transportation and Circulation</b>--...development of an integrated system of transportation and internal circulation, and to provide access to other parts of San Joaquin County and the region.</p>  | <p>2-12</p> | <p>Yes</p> | <p>By following the General Plan's stated concepts on circulation patterns, street designations, and road sections, plus by working closely with the City's Engineering staff, safety, economy, and efficiency of movement of people and goods is accomplished as intended by the GP.</p>   |
| <p><b>Goal #7: Seismic Hazards</b></p>  | <p>2-12</p> | <p>Yes</p> | <p>The project is expected to comply with all seismic goals and policies expressed in the General Plan at such time that site improvements and building plans are required and processed for City approval.</p>   |
| <p><b>Goal #8: Public Safety Hazards</b></p>  | <p>2-13</p> | <p>Yes</p> | <p>The project is expected to comply with all goals and policies related to fire safety, law enforcement and "large scale conditions of emergency" expressed in the General Plan at such time that site improvements and building plans are required and processed for City approval.</p>   |
| <p><b>Goal #9: Noise Hazards</b>--...to protect citizens from the harmful effects of exposure to excessive noise, and to protect the economic base of the City by preventing the encroachment of noise sensitive land uses by sources of adverse noise...as vehicular freeway traffic, railroad traffic and industrial operations</p> | <p>2-13</p> | <p>Yes</p> | <p>In accord with the intent and provisions of the General Plan, the project locates less-noise-sensitive land uses, such as industrial, service commercial, and retail commercial uses adjacent to Highway 120, arterial streets, and the Union Pacific Railroad lines. In addition, no residential units are planned for the project area, once the entire site has been built out.</p>   |
| <p><b>Goal #10: Water Supply, Wastewater and Surface Water Management</b>--...to provide for a secure source of fresh water for existing and future residents, and for the reuse of wastewater and surface water so that there is no net increase in water pollution including point and non-point sources.</p>                       | <p>2-13</p> | <p>Yes</p> | <p>The project will participate in funding its share of SSJID surface water, groundwater wells, wastewater treatment and disposal and recycled water. The project will also include stormwater quality features/facilities to treat surface water runoff prior to discharging it into the San Joaquin River.</p>  |

| MAJOR POLICIES OF THE GENERAL PLAN  |      |     |  |
|---|------|-----|--|
| <p><b>Annexation through phased development--</b><br/>...avoid a disjointed pattern of urbanization, to avoid creating unnecessary conflicts with continuing agricultural operations, and to avoid adverse impacts of the provision and maintenance of public services and facilities.</p>  | 2-13 | Yes | Annexation and Phasing for the project is planned and organized in a logical, coherent sequence and pattern, avoiding excessive and untenable financial burden on the developing infrastructure and support system as the project builds out. Provision is also made for future Development Agreement(s) with the City to ensure that both the City and the development interests and land owners are able to successfully implement the project in a cost-effective, timely manner. |
| <p><b>Limitations upon the timing of development:</b><br/>...availability of and capability for financing public services and facilities</p>  | 2-13 | Yes | Through effective phasing, financing, and implementation of the Specific Plan elements as expressed in Chapter 7, as well as " <i>provision for mutually acceptable Development Agreement(s)</i> ," the project has been planned in the most advantageous manner to allow for methods between City and development interests to implement adequate financing of public services and facilities.  |
| <p><b>Achieving visual and functional quality in new development--</b></p>  |      |     |  |
| <p>1. Architectural design review should be required of all Planned Developments (PD's) and of all multi-family, office, commercial, institutional and industrial uses.</p>   | 2-14 | Yes | Specific Design Guidelines are established in this Specific Plan and provisions are made for a design review system to ensure that the standards of quality envisioned for this Plan Area are achieved.  |
| <p>4. ...a pedestrian and bike trail linking all three Sub-Plan areas...landscaped corridors on either side of expressways and some arterial streets...A corridor for eventually combining bike and pedestrian circulation...</p>   | 2-14 | Yes | The Project plan provides in Chapter 4 for a biking/pedestrian trail system, both off and on street, that will allow safe and efficient passage to, from, and through the project site with minimum conflict between automobile traffic and bicyclers/walkers.   |
| <p><b>Commercial Features of the Plan--</b>Service Commercial areas provide for the location of such service-connected user as auto sales and repairs, building materials supply, equipment service, and storage...Freeway Commercial uses would cater primarily to the needs of the highway traveler, including hotels, motels, inns, restaurants and auto services.</p> | 2-16 | Yes | The Project includes a substantial component of service commercial and office/commercial uses comprising approximately 45% of the development land area on site, in accordance with the vision of the General Plan.  |
| <p><b>Industrial Features of the Plan--</b>...confined to lands east of Interstate 5 and north of State Route 120 in areas traditionally planned (and partially developed) for such use, where rail and highway accessibility is assured and where conflicts with established and planned residential areas can be avoided.</p>   | 2-17 | Yes | The Project includes a substantial component of industrial uses comprising 166 acres, or approximately 54% of the development land area on site, in accordance with the vision of the General Plan. Accessibility to rail and highway transportation is optimally available to the industrial block of land uses. In addition, large components of both service commercial and commercial/office uses satisfy "Commercial Features of the (General) Plan."                           |

|   |               |            |   |
|---|---------------|------------|---|
| <p><b>Transportation Features of the Plan--</b><br/>                 ...objective of the total transportation system is to de-emphasize reliance on the automobile to the extent possible while continuing to recognize its practical necessity as a dominant mode of surface transportation.</p> | <p>2-17</p>   | <p>Yes</p> | <p>Multi-modal transportation characterizes a large part of the intent of the project Specific Plan. Proximity and direct access to a major existing ACE station on Yosemite Ave., the provision of bus transit stops and pick up locations on-site, and a system of off-street and on-street bicycle corridors to and through the site, all are tailored to encourage modes of travel other than the automobile.</p> |
| <p><b><u>IV. COMMUNITY DEVELOPMENT ELEMENT</u></b></p>  |               |            |   |
| <p><b>A. LAND USE</b></p>   |               |            |   |
| <p><b>Commercial Land Use Policies and Proposals</b></p>  |               |            |   |
| <p><b>Service Commercial Centers--</b>...located primarily north of Roth Road and along Yosemite and McKinley Avenues south of Yosemite in S-P Area #1</p>  | <p>4-A-10</p> | <p>Yes</p> | <p>Provision for Service Commercial Centers located on site fall in the locations itemized in the General Plan, e.g., along Yosemite and McKinley Avenues in S-P Area #1</p>  |
| <p><b>Industrial Land Use Policies and Proposals--</b></p>  |               |            |   |
| <p>1. Areas designated for industrial land uses are intended to take advantage of rail and freeway access.</p>  | <p>4-A-12</p> | <p>Yes</p> | <p>See Item #15, "Industrial Features," above</p>   |
| <p>2. ...long term availability of industrial land to expand the City's economic base and capability for meeting the on-going costs of public services required by the community.</p>   | <p>4-A-12</p> | <p>Yes</p> | <p>See Item #15, "Industrial Features," above</p>   |
| <p>3. Industrial proposals should be located where possible within an industrial park designed for the accommodation of a community of industries that are compatible in terms of operational characteristics, aesthetic qualities, utility service requirements and street circulation.</p>      | <p>4-A-13</p> | <p>Yes</p> | <p>All planned industrial parcels have been consolidated in an industrial park in the center portion of the Specific Plan area, with the exception of one small parcel on the far western corner of the site. Design Guidelines and a coherent utility and street circulation plan ensure the aesthetics and the operational needs of these parcels.</p>  |
| <p>4. Industries are to be developed and operated in such manner as to avoid damage, destruction or degradation of the environment.</p>   | <p>4-A-13</p> | <p>Yes</p> | <p>Industrial uses are located in already-disturbed areas, including existing agricultural areas, with no encroachment into any existing environmentally sensitive areas. Also, permitted uses in the Lathrop Gateway Zoning Ordinance provide for exclusion of inappropriate uses that would degrade the surrounding environment.</p>  |
| <p><b>Office Commercial--</b>...provide regional as well as local serving retail and business/professional workspace. These uses are located along Interstate 5 for greater visibility and freeway access. Land Use Intensity 0.17-0.6 FAR</p>  | <p>4-A-20</p> | <p>Yes</p> | <p>Located around the highly-visible Guthmiller/SR 120 interchange, the Commercial Office land use area is structured to accommodate both regional and local retail and professional users. The LGBPSP provides for a FAR ranging from 0.2-0.6.</p>   |
|   |               |            |   |

|  |       |     |   |
|--|-------|-----|---|
| <b>B. TRANSPORTATION AND CIRCULATION</b>   |       |     |   |
| <b>Interstate and State Route Freeways</b>   |       |     |   |
| 1. The City should protect the through traffic functions of Interstate and State Route Freeways serving the Lathrop area by planning arterial street alignments which will avoid the need or desire to utilize freeway sections for short, local area interval trips...                    | 4-B-4 | Yes | Between Guthmiller Road, Yosemite Avenue, McKinley Road, and Darcy Parkway, local and area connections are made to and from the site for all points east, west, and north, without the necessity to use Interstate and State Route Freeways.  |
| 2. Land use designations along freeway sections should take into consideration the visual and noise impacts associated with existing and future traffic levels on these major traffic carrying facilities.   | 4-B-4 | Yes | See Item #8, "Noise Hazards," above   |
| 3. Freeway interchanges should be improved to carry the demands of traffic generated by development in Lathrop in keeping with the principle that responsibility for improvements must reflect the fair apportionment of traffic to existing and future regional demands v. local demands. | 4-B-4 | Yes | The project will participate in funding its share of regional transportation improvements through fees and/or other mitigation identified in the Environmental Impact Report.   |
| <b>Arterial Streets</b>  |       |     |   |
| 2. Arterials are to be typically constructed for 4-6 lanes of traffic with left turn lanes provided at intersections, although infrequently arterials may be 2 lanes wide...Street trees should be provided along all arterial streets.  | 4-B-5 | Yes | Section 4.4.1 of the LGBPSP specifies sections for major and minor arterial streets on the project site, ranging from 4-6 lanes. Ultimate street lane characteristics have been coordinated with City planning and engineering staff to maintain consistency with the General Plan and be properly sized for the traffic loads and types of vehicles to be carried on these roads, in concert with the recommendations of the project EIR and traffic impact studies. |
| 3. Arterial streets serving Service Commercial and Industrial areas are to be designed and constructed to standards which reflect heavy truck traffic and the need for longer turning radii for trucks at intersections. On-street parking shall be prohibited.                            | 4-B-5 | Yes | Lane and pavement dimensions have been sized to accommodate the truck traffic envisioned by the General Plan, and future construction designs will be required to meet specifications for the vehicle traffic consistent with industrial and commercial areas. No on-street parking is allowed on arterial streets within the Specific Plan area.   |
| <b>Collector Streets</b>   |       |     |   |

|  |        |     |   |
|--|--------|-----|---|
| 1. Collector streets are to be designed to carry from 500 to 5000 vehicles per day. Where average daily traffic is projected to be less than 4,000, a ROW of 60' may be sufficient.  | 4-B-8  | Yes | Project EIR traffic impact studies and projections, based on land uses within the project, determine anticipated levels of vehicles per day, and the streets within the SP are required to be sized to accommodate these levels. Applicant has coordinated, and will continue to coordinate, with City staff in light of EIR traffic data to determine road sizes and sections. |
| 2. Where ADT is projected above 4,000 to 5,000 in residential areas, a 64' right-of-way may be required. In commercial and industrial areas, four lanes may be required.   | 4-B-8  | Yes | Traffic studies and projections, based on land uses within the project, will determine anticipated levels of vehicles per day, and the streets within the SP are shown to be sized to accommodate these levels. Applicant has coordinated, and will continue to coordinate, with City staff and EIR traffic data to determine road sizes and sections.                          |
| <b>Bicycle Routes</b> --Within Sub-Area #1, bicycle routes would be included as part of the street system...   | 4-B-15 | Yes | See Item #16, "Transportation Features," above  |
| <b>Regional Transit</b> --Regional transit capability potentially exists by utilizing the (former) Southern Pacific and the Union Pacific Railroad lines/rights-of-way which connect with the Bay Area to the west, the Stockton and Sacramento metro areas to the north and major cities of the San Joaquin Valley and Southern California. | 4-B-15 | Yes | See Item #16, "Transportation Features," above  |
| <b>Local Transit</b> --Planning for an integrated bus system should be made a requirement of Specific Plan preparation so as to identify the streets requiring turnouts for bus stops.   | 4-B-16 | Yes | The project envisions and allows for an integrated bus system with designated stops and turnouts. In subsequent stages of development, the Applicant will work with local transit authorities to confirm locations and design of future bus facilities.   |
| <b>D. WATER, SEWERAGE, DRAINAGE &amp; FLOOD CONTROL</b>  |        |     |   |
| <b>A Strategy and Program for Meeting Requirements for Municipal Water Supplies</b>  | 4-D-1  | Yes | The project is planned to be consistent with the City Master Utility Plan by funding its share of SSJID surface water, groundwater wells, treatment facilities and storage/pressure facilities.   |
| <b>Wastewater Management Requirements</b>  | 4-D-4  | Yes | The project is planned to be consistent with the City Master Utility Plan by planning a wastewater system with the ability to connect to the regional Manteca WQCF.   |
| <b>Surface Water Drainage and Flood Control</b>  | 4-D-6  | Yes | The project is planned to be consistent with the City Master Drainage Plan by planning a stormwater system to protect the area from flooding as well as protecting water quality.   |
| <b><u>V. RESOURCE MANAGEMENT</u></b>   |        |     |   |
| <b>Agricultural Land Policies</b>  |        |     |   |

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|--|------|-----|---|
| 1. ...preserve environmental qualities rather than the potential of Lathrop to grow beyond its planning area boundaries.   | 5-3  | Yes | The Plan boundaries are within the Lathrop General Plan limits for Sub-Area #1.   |
| 2. Exclusive agricultural zoning shall be continued on agricultural lands outside the boundaries of the three sub-plan areas.  | 5-3  | Yes | The Plan boundaries are within the Lathrop General Plan limits for Sub-Area #1.   |
| 4. ...develop a comprehensive approach to the cancellation of Williamson Act contracts on lands needed for early phases of urban development.  | 5-3  | N/A | There are no parcels within the Plan Area that are currently under Williamson Act contracts.  |
| <b>Open Space for Natural and Human Resources</b>  |      |     |   |
| 2. The objective of habitat enhancement calls for: the creation of new habitat within multi-purpose open space areas designated for reuse of treated wastewater for wildlife management and recreation.              | 5-8  | Yes | As expressed in the LGBPSP EIR, "The project is expected to participate in the SJMHCP." (San Joaquin Multi -Species Habitat Conservation and Open Space Plan)... "Both the San Joaquin County General Plan and the Lathrop General Plan contain policies designed to reduce the impacts of development on biological resources. The project would be in compliance with these policies with participation in the SJMHCP."   |
| 3. ...It is the intent of the City of Lathrop to be a good steward of its biological resources for the benefit of its citizens and the general public.   | 5-8  | Yes | The LGBPSP EIR has identified a certain small environmental features, areas of (potential) environmental impact in the eastern sector of the property adjacent to the UPRR tracks. Should any area on site be confirmed as habitat, prior to developing such properties, project proponents will comply with required mitigation measures by "paying any required fee, implementing required 'take avoidance' standards and procedures and taking any other actions required by the adopted San Joaquin County Multi-Species Habitat Conservation and Open Space Plan." |
| 4. Developments proposed in sensitive biological areas shall be required to provide site-specific analysis of the impacts of the project on fish and wildlife habitat.   | 5-9  | Yes | The LGBPSP EIR further states that the habitat present in the Plan Area is highly disturbed and is not capable of supporting the diversity of species that are present in less disturbed habitats in the region. The Plan Area is designated and zoned for future development, and the loss of habitat at this location was assumed in the SJMHCP.  |
| <b>Landscape Features</b>  |      |     |   |
| 1. Appropriate trees within public rights-of-way are to be retained and new street trees planted and maintained in accordance with policies and procedures of a Master Street Tree Plan and Street Tree Ordinance... | 5-10 | Yes | Unless they are diseased or declining, existing trees within public rights-of-way are to be retained as and where possible and new trees planted and maintained as per City Ordinance.  |

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|--|------|-----|---|
| 2. The installation of street trees shall be made a condition of approval of residential, commercial, industrial and institutional development along such streets.       | 5-10 | Yes | The project Landscape Guidelines and Circulation Plan call for street trees in all public rights-of-way, commercial, industrial, and office.  |
| <b>Open Space for Health, Welfare, and Well-Being</b>  |      |     |   |
| <b>Air Quality and Solid Waste Management Policies</b>   |      | Yes | The project will comply with City policies as expressed in the General Plan relating to Air Quality and Solid Waste Management section.   |
| 1. ...design and construction of an efficient system of arterial and collector streets and interchange and freeway improvements...                                       | 5-11 | Yes | See Item 5, "Goal # 6," above.  |
| 2. ...development of a regional rail transit service to be incorporated into early stages of development.  | 5-11 | Yes | See Item 16, "Transportation Features," and Items 23-29, under "Transportation and Circulation," above.   |
| ...compliance with State air quality and water quality standards...periodic monitoring of industrial processes which may have an adverse effect on water of air quality. | 5-11 | Yes | The project is required by the Specific Plan to comply with City and State standards for clean air and water.   |
| 4. ...positive control of dust particles during project construction activities...   | 5-11 | Yes | The project is required by the Specific Plan to comply with City and State standards for clean air and water.   |
| 5. ...Heavy plantings of trees are encouraged to assist in maintaining oxygen levels.  | 5-11 | Yes | Project Design Guidelines, as shown in Chapter 5 of the LGBPSP, prescribe landscape standards, tree and shrub sizes, and quality of planting, to insure consistency with General Plan goals for landscaping and air quality.  |
| 6. ...reduce levels of vehicle emissions of air pollutants...  | 5-11 | Yes | The project proponents and applicants will comply with all State standards, especially as indicated in the City General Plan and Mitigation Measures in the project EIR.  |
| <b>Archaeological and Cultural Resources</b>   |      |     |   |
| 1. Existing known archaeological and cultural resources are to be protected...   | 5-12 | Yes | The project EIR is mandated to conduct an extensive records search as well as an on-site reconnaissance to determine the presence of these resources. Should any such resources be discovered, the project applicants will comply with mitigation measures and procedures set forth in Appendix K of CEQA Guidelines. |
| 2. The potential loss of as yet unknown archaeological and cultural resources shall be avoided by close monitoring of the development process...                         | 5-12 | Yes | The project will comply with all City construction, development, and consultation requirements as expressed in the City General Plan and found in the project EIR Mitigation Measures.  |
| <b>Open Space for Outdoor Recreation</b>   |      |     |   |

|  |             |            |  |
|--|-------------|------------|--|
| <p><b>Landscaped Open Space Corridor</b>--The landscaped open space corridor can take several forms, including the pedestrian parkway separate from auto traffic, a combined vehicle and pedestrian parkway...connecting with other components of the park and recreation system or located separate from other areas...</p> | <p>18-5</p> | <p>Yes</p> | <p>The project Circulation system (see Chapter 4) and Design Guidelines provide for landscaped pedestrian/bicycle corridors which allow off-road multi-use paths which traverse the project site and facilitate safe access to and from all of the sectors of the Lathrop Gateway Business Park.</p>   |
| <p><b><u>VI. HAZARD MANAGEMENT</u></b></p>   |             |            |  |
| <p><b>Seismic Goals and Policies</b></p>   | <p>6-2</p>  | <p>Yes</p> | <p>The project is expected to comply with all seismic goals and policies expressed in the General Plan at such time that site improvements and building plans are required and processed for City approval.</p>  |
| <p><b>Safety Goals and Policies</b></p>  | <p>6-4</p>  | <p>Yes</p> | <p>The project is expected to comply with all goals and policies related to fire safety, law enforcement and "large scale conditions of emergency" expressed in the General Plan at such time that site improvements and building plans are required and processed for City approval. Development in the Lathrop Gateway Business Park Specific Plan will pay all applicable fire service fees and assessments required to fund its fair share of LMFPD facilities and services. In addition, all development is required to conform to the California Fire Code, the City's Fire Sprinkler Ordinance, fire flow standards, and other applicable requirements. Project measures affecting planning level issues can be found in Chapter 6, Section 1 of the Specific Plan.</p> |
| <p><b>Noise Abatement and Control</b></p>  | <p>6-7</p>  | <p>Yes</p> | <p>The project will comply with all City policy requirements and noise level performance standards as expressed in the City General Plan relating to noise abatement as well as those found in the project EIR Mitigation Measures.</p>  |

# Appendix B

## Property Ownership

| APN#       | Owner's Name   | Owner's Address                                 | Site Address                                | Acres | Sponsoring Property Owners |                |
|------------|--|---|---|-------|----------------------------|----------------|
|            |  |   |   |       | TC N                       | S. Lathrop LLC |
| 241-030-05 | Brown, Michael A. & Karel M.                           | 4100 Yosemite Ave. Lathrop, CA 95330            | 4100 West Yosemite Ave. Lathrop, CA 95330   | 5.90  |                            |                |
| 241-030-08 | California, State of                                   | n/a   | n/a   | 0.59  |                            |                |
| 241-030-07 | Union Pacific  | 1416 DODGE ST ROOM 830 OMAHA NE 68179           | T2S R6E 3 & 10 Lathrop, CA                  | 2.39  |                            |                |
| 241-280-01 | Espinoza, Jose M & R D                                 | 2080 Vierra Rd. Lathrop, CA 95330               | 2080 East Vierra Rd. Lathrop, CA 95330      | 1.00  |                            |                |
| 241-280-02 | 3 Dog Chicks, LLC                                      | 3221 West Yosemite Ave. Lathrop, CA 95330       | 3221 West Yosemite Ave. Lathrop, CA 95330   | 0.81  |                            |                |
| 241-280-03 | Rosa, Joe & Rose                                       | 3155 Yosemite Ave. Lathrop, CA 95330            | 2118 East Vierra Rd. Lathrop, CA 95330      | 0.78  |                            |                |
| 241-280-04 | Rosa, Joe & Rose                                       | 2211 Easy Highway 120 Lathrop, CA 95330         | 2211 East State Route 120 Lathrop, CA 95330 | 0.76  |                            |                |
| 241-280-05 | Rosa, Joe & Rose                                       | 3155 Yosemite Ave. Lathrop, CA 95330            | 3155 West Yosemite Ave. Lathrop, CA 95330   | 0.77  |                            |                |
| 241-280-06 | Reams, Robert  | PO Box 748 Manteca, CA 95336                    | 2222 East Vierra Rd. Lathrop, CA 95330      | 0.27  |                            |                |
| 241-280-07 | Reams, Robert  | PO Box 748 Manteca, CA 95336                    | 3133 West Yosemite Ave. Lathrop, CA 95330   | 0.31  |                            |                |
| 241-280-11 | Meredith, Peter T & Pearl M                            | 5432 Almondwood Rd. Manteca, CA 95337           | 3049 West Yosemite Ave. Lathrop, CA 95330   | 0.28  |                            |                |
| 241-280-12 | South Lathrop LLC                                      | P.O. Box 310 Lathrop, CA 95330                  | 3128 West Yosemite Ave. Lathrop, CA 95330   | 31.37 |                            | X              |
| 241-280-13 | Chavez, Raul Sr. & Maribel M/Chavez, Raul Jr. & Dora B | 226 East Vierra Rd. Lathrop, CA 95330           | 2286 East Vierra Rd. Lathrop, CA 95330      | 0.47  |                            |                |
| 241-280-14 | Lewis, Jack & Jane M                                   | 20319 South Union Rd. Manteca, CA 95337         | 3091 West Yosemite Ave. Lathrop, CA 95330   | 0.55  |                            |                |
| 241-290-01 | Gordon, Lawrence W & Bernice                           | 2414 Telegraph Ave. Apt. 600 Berkeley, CA 94704 | 2950 West Yosemite Ave. Manteca, CA 95337   | 0.33  |                            |                |
| 241-290-02 | Tapia, Robert & Janice                                 | 2938 West Yosemite Ave. Manteca, CA 95337       | 2938 West Yosemite Ave. Manteca, CA 95337   | 0.33  |                            |                |
| 241-290-03 | Johnson, Linda Mae                                     | 1736 Houston St. New Albany, IN 47150           | 2914 West Yosemite Ave. Manteca, CA 95337   | 0.33  |                            |                |
| 241-290-04 | Martinez, Zeferino & Iris T                            | 2900 West Yosemite Ave. Manteca, CA 95337       | 2900 West Yosemite Ave. Manteca, CA 95337   | 0.33  |                            |                |
| 241-290-05 | Melech, William & Illa                                 | 2886 West Yosemite Ave. Manteca, CA 95337       | 2886 West Yosemite Ave. Manteca, CA 95337   | 0.33  |                            |                |
| 241-290-06 | Papas Charlene   | 1073 TOPAZ CT MANTECA CA 95336                  | 2874 West Yosemite Ave. Manteca, CA 95337   | 0.33  |                            |                |
| 241-290-07 | Luckey, Cathie A                                       | PO Box 317 Lathrop, CA 95330                    | 2862 West Yosemite Ave. Manteca, CA 95337   | 0.16  | X                          |                |
| 241-290-08 | Luckey, Cathie A                                       | PO Box 317 Lathrop, CA 95330                    | 2866 West Yosemite Ave. Manteca, CA 95337   | 0.17  | X                          |                |

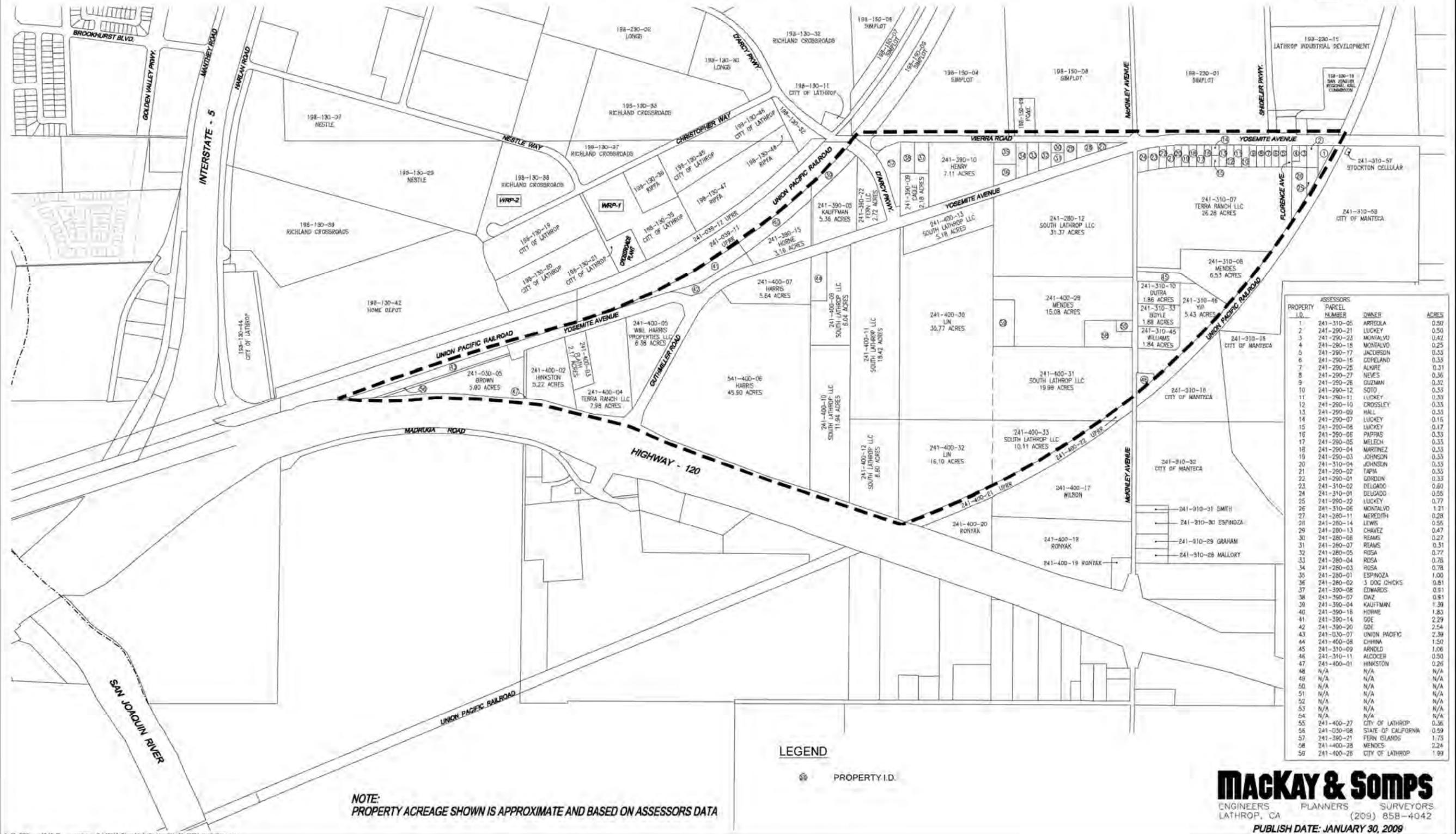
|            |  |  |  |       |   |   |
|------------|--|--|--|-------|---|---|
| 241-290-09 | Hall, Donnell                            | 2848 West Yosemite Ave.<br>Manteca, CA 95337               | 2848 West Yosemite<br>Ave. Manteca, CA 95337   | 0.33  |   |   |
| 241-290-10 | Crossley, Dane C &<br>Brenda E           | 2834 West Yosemite Ave.<br>Manteca, CA 95337               | 2834 West Yosemite<br>Ave. Manteca, CA 95337   | 0.33  |   |   |
| 241-290-11 | Luckey, Cathie A                         | PO BOX 317 LATHROP CA<br>95330                             | 2818 West Yosemite<br>Ave. Manteca, CA 95337   | 0.33  | X |   |
| 241-290-12 | Soto, George L                           | PO Box 454 Lathrop, CA<br>95330                            | 2806 West Yosemite<br>Ave. Manteca, CA 95337   | 0.33  |   |   |
| 241-290-16 | Copeland, Jimmy &<br>Marsha              | PO Box 4450 Anaheim, CA<br>92803                           | 2754 West Yosemite<br>Ave. Manteca, CA 95337   | 0.33  |   |   |
| 241-290-17 | Jacobson, Howard I &<br>Kathryn M        | 1481 Ridgecrest Dr.<br>Manteca, CA 95336                   | 2748 West Yosemite<br>Ave. Manteca, CA 95337   | 0.33  |   |   |
| 241-290-18 | Montalvo, Samuel P &<br>Alice A          | 2722 West Yosemite Ave.<br>Manteca, CA 95337               | 2712 West Yosemite Ave.<br>Manteca, CA 95337   | 0.25  |   |   |
| 241-290-21 | Luckey, Cathie A                         | 1481 Manila Rd. Lathrop,<br>CA 95330                       | 2690 West Yosemite<br>Ave. Manteca, CA 95337   | 0.50  | X |   |
| 241-290-22 | Luckey, Cathie A                         | 1481 Manila Rd. Lathrop,<br>CA 95330                       | 2694 West Yosemite<br>Ave. Manteca, CA 95337   | 0.77  | X |   |
| 241-290-23 | Montalvo, Samuel P &<br>Alice A          | 2722 West Yosemite Ave.<br>Manteca, CA 95337               | 2722 West Yosemite<br>Ave. Manteca, CA 95337   | 0.42  |   |   |
| 241-290-25 | Alkire, Frank & Kathy                    | 2768 West Yosemite Ave.<br>Manteca, CA 95337               | 2768 West Yosemite<br>Ave. Manteca, CA 95337   | 0.31  |   |   |
| 241-290-26 | Guzman, Miguel                           | 2792 West Yosemite Ave.<br>Manteca, CA 95337               | 2792 West Yosemite<br>Ave. Manteca, CA 95337   | 0.32  |   |   |
| 241-290-27 | Neves, Luciana & Alice<br>Trust          | 1803 Castra St. San<br>Leandro, CA 94577                   | 2780 West Yosemite<br>Ave. Manteca, CA 95337   | 0.36  |   |   |
| 241-310-01 | Delgado, Raudel & A G                    | 501 Heartland Dr. Manteca,<br>CA 95337                     | 2978 West Yosemite<br>Ave. Manteca, CA 95337   | 0.55  |   |   |
| 241-310-02 | Delgado, Raudel & A G                    | 501 Heartland Dr. Manteca,<br>CA 95337                     | 2964 West Yosemite<br>Ave. Manteca, CA 95337   | 0.60  |   |   |
| 241-310-04 | Johnson, Linda Mae                       | 1736 Houston St. New<br>Albany, IN 47150                   | 2926 West Yosemite<br>Ave. Manteca, CA 95337   | 0.33  |   |   |
| 241-310-05 | US BANK NATIONAL<br>ASSN TR              | 4708 MERCANTILE DRIVE<br>NORTH FORT WORTH TX<br>76137-3605 | 2672 West Yosemite<br>Ave. Manteca, CA 95337   | 0.50  |   |   |
| 241-310-06 | Montalvo, Samuel P &<br>Alice A          | 2722 West Yosemite Ave.<br>Manteca, CA 95337               | 2724 West Yosemite<br>Ave. Manteca, CA 95337   | 1.21  |   |   |
| 241-310-07 | Terra Ranch LLC                          | 5151 Almondwood Rd.<br>Manteca, CA 95337                   | 18200 South McKinley<br>Ave. Manteca, CA 95337 | 26.28 |   | X |
| 241-310-08 | Mendes, Frank & L                        | 18389 McKinley Ave.<br>Manteca, CA 95337                   | 18328 South McKinley<br>Ave. Manteca, CA 95337 | 6.53  |   | X |
| 241-310-09 | ARNOLD DAREN                             | 18366 MCKINLEY AVE<br>MANTECA CA 95337                     | 18366 South McKinley<br>Ave. Manteca, CA 95337 | 1.06  |   |   |
| 241-310-10 | Dutra, Diane L                           | 18389 McKinley Ave.<br>Manteca, CA 95337                   | 18398 South McKinley<br>Ave. Manteca, CA 95337 | 1.86  |   |   |
| 241-310-11 | Alcocer,<br>Alex/Slaugenhaupt,<br>Shelby | 18656 McKinley Ave.<br>Manteca, CA 95337                   | 18656 South McKinley<br>Ave. Manteca, CA 95337 | 0.50  |   |   |
| 241-310-33 | Boyle, Daniel & Mary                     | PO Box 492 Lathrop, CA<br>95330                            | 18424 South McKinley<br>Ave. Manteca, CA 95337 | 1.88  |   |   |
| 241-310-45 | Williams, Thomas D Sr. &<br>Debra A      | 18554 McKinley Ave.<br>Manteca, CA 95337                   | 18554 South McKinley<br>Ave. Manteca, CA 95337 | 1.84  |   |   |
| 241-310-46 | Yip, Bruce                               | 18600 McKinley Ave.<br>Manteca, CA 95337                   | 18600 South McKinley<br>Ave. Manteca, CA 95337 | 5.43  |   |   |
| 241-390-04 | Kauffman, Melvin E                       | 3515 Yosemite Ave. Lathrop,<br>CA 95330                    | 1700 East Vierra Rd.<br>Lathrop, CA 95330      | 1.36  |   |   |
| 241-390-05 | Kauffman, Melvin E                       | 3515 Yosemite Ave. Lathrop,<br>CA 95330                    | 3515 Yosemite Ave.<br>Lathrop, CA 95330        | 5.36  |   |   |
| 241-390-07 | Diaz, Mario & Noy                        | PO Box 1024 Lathrop, CA<br>95330                           | 1866 East Vierra Rd.<br>Lathrop, CA 95330      | 0.91  |   |   |
| 241-390-08 | Edwards, Harold & Betty                  | PO Box 1245 Manteca, CA<br>95336                           | 1970 East Vierra Rd.<br>Lathrop, CA 95330      | 0.91  |   |   |
| 241-390-09 | Cagle, Evelyn A                          | 3401 Yosemite Ave.<br>Lathrop, CA 95330                    | 3401 West Yosemite<br>Ave. Lathrop, CA 95330   | 2.18  |   |   |
| 241-390-10 | Henry, Wynona Lee                        | 340 Laurel Way Mill Valley,<br>CA 94941                    | 3303 West Yosemite<br>Ave. Lathrop, CA 95330   | 7.11  |   |   |

|            |                                 |   |   |       |   |   |
|------------|---------------------------------|---|---|-------|---|---|
| 241-390-14 | Goe, Thomas H                   | 1501 East Highway 120<br>Lathrop, CA 95330            | 1501 Street Route 120<br>Lathrop, CA 95330      | 2.26  |   |   |
| 241-390-15 | Horne, Howard V &<br>Dorothy K  | 219 Casitas Blvd. Los Gatos,<br>CA 95030              | n/a   | 3.16  |   |   |
| 241-390-16 | Horne, Howard V &<br>Dorothy K  | 219 Casitas Blvd. Los Gatos,<br>CA 95030              | n/a   | 1.83  |   |   |
| 241-390-20 | Goe, Thomas H                   | 3737 Yosemite Ave.<br>Lathrop, CA 95330               | 3737 West Yosemite<br>Ave. Lathrop, CA 95330    | 2.54  |   |   |
| 241-390-21 | Fern Islands, LLC               | 6280 Amande Ct. Stockton,<br>CA 95212                 | n/a   | 1.73  | X |   |
| 241-390-22 | Fern Islands, LLC               | 6280 Amande Ct. Stockton,<br>CA 95212                 | n/a   | 2.72  | X |   |
| 241-400-01 | Hinkston Charles & Jeani        | PO Box 350, Lathrop CA<br>95330                       | 4076 West Yosemite<br>Ave. Manteca, CA 95337    | 0.26  |   |   |
| 241-400-02 | HINKSTON CHARLES J<br>& JEANINE | PO BOX 350 LATHROP CA<br>95330-0350                   | 4052 West Yosemite<br>Ave. Lathrop, CA 95330    | 5.22  |   |   |
| 241-400-03 | Plath, Richard & Susan          | 3964 Yosemite Ave.<br>Lathrop, CA 95330               | 3964 West Yosemite<br>Ave. Lathrop, CA 95330    | 2.17  |   |   |
| 241-400-04 | Terra Ranch LLC                 | 3938 Yosemite Ave.<br>Lathrop, CA 95330               | 3938 West Yosemite<br>Ave. Lathrop, CA 95330    | 7.98  |   |   |
| 241-400-05 | W&L Harris Properties,<br>LLC   | 5151 East Almondwood<br>Manteca, CA 95336             | 3870 West Yosemite<br>Ave. Lathrop, CA 95330    | 6.38  |   |   |
| 241-400-06 | Harris, William R &<br>Lucille  | 308 Hansen Ave. Manteca,<br>CA 95336                  | 3756 West Yosemite<br>Ave. Lathrop, CA 95330    | 45.90 |   |   |
| 241-400-07 | Harris, William R &<br>Lucille  | 308 Hansen Ave. Manteca,<br>CA 95336                  | 3600 West Yosemite<br>Ave. Lathrop, CA 95330    | 5.64  |   |   |
| 241-400-08 | Chhina, Rajbir                  | 3552 Yosemite Ave.<br>Lathrop, CA 95330               | 3552 West Yosemite<br>Ave. Lathrop, CA 95330    | 1.50  |   |   |
| 241-400-09 | SOUTH LATHROP LLC               | 634 N SANTA CRUZ AVE<br>#100 LOS GATOS CA<br>95030    | 3530 West Yosemite<br>Ave. Lathrop, CA 95330    | 6.04  |   | X |
| 241-400-10 | SOUTH LATHROP LLC               | 634 N SANTA CRUZ AVE<br>#100 LOS GATOS CA<br>95030    | 6926 East Woodward<br>Rd. Manteca, CA 95336     | 11.94 |   | X |
| 241-400-11 | SOUTH LATHROP LLC               | 634 N SANTA CRUZ AVE<br>#100 LOS GATOS CA<br>95030    | 3458 West Yosemite<br>Ave. Lathrop, CA 95330    | 18.42 |   | X |
| 241-400-12 | SOUTH LATHROP LLC               | 634 N SANTA CRUZ AVE<br>#100 LOS GATOS CA<br>95030    | 3464 West Yosemite<br>Ave. Lathrop, CA 95330    | 8.60  |   | X |
| 241-400-13 | SOUTH LATHROP LLC               | 634 N SANTA CRUZ AVE<br>#100 LOS GATOS CA<br>95030    | 3356 West Yosemite<br>Ave. Lathrop, CA 95330    | 5.18  |   | X |
| 241-400-26 | Lathrop, City of                | 16775 Howland Rd.<br>Lathrop, CA 95330                | n/a   | 1.99  |   |   |
| 241-400-27 | Lathrop, City of                | 16775 Howland Rd.<br>Lathrop, CA 95330                | n/a   | 0.36  |   |   |
| 241-400-28 | Mendes                          | 18401 S MCKINLEY AVE<br>MANTECA CA 95337              | 18401 MCKINLEY AVE<br>MANTECA CA 95337-<br>8650 | 2.24  |   | X |
| 241-400-29 | Mendes                          | 18389 S MCKINLEY AVE MANTECA CA 95337                 |   | 15.08 |   | X |
| 241-400-30 | Lin                             | PO BOX 2370 WALNUT CREEK CA 94595                     |   | 30.77 |   | X |
| 241-400-31 | South Lathrop LLC               | 634 N SANTA CRUZ AVE #100 LOS GATOS CA 95030-<br>4361 |   | 19.98 |   | X |
| 241-400-32 | Lin                             | PO BOX 2370 WALNUT CREEK CA 94595                     |   | 16.10 |   | X |
| 241-400-33 | South Lathrop LLC               | 634 N SANTA CRUZ AVE #100 LOS GATOS CA 95030-<br>4361 |   | 10.11 |   | X |

# ASSESSORS PARCEL NUMBER EXHIBIT LATHROP GATEWAY BUSINESS PARK SPECIFIC PLAN SOUTH LATHROP LLC



1" = 200' 400' 800'



| PROPERTY I.D. | ASSESSORS PARCEL NUMBER | OWNER               | ACRES |
|---------------|-------------------------|---------------------|-------|
| 1             | 241-310-05              | ARREDIA             | 0.50  |
| 2             | 241-290-21              | LUCKEY              | 0.50  |
| 3             | 241-290-23              | MONTALVO            | 0.42  |
| 4             | 241-290-18              | MONTALVO            | 0.25  |
| 5             | 241-290-17              | JACOBSON            | 0.33  |
| 6             | 241-290-15              | COPELAND            | 0.33  |
| 7             | 241-290-25              | ALKIRE              | 0.31  |
| 8             | 241-290-27              | NEVES               | 0.36  |
| 9             | 241-290-26              | GUZMAN              | 0.32  |
| 10            | 241-290-12              | SOTO                | 0.33  |
| 11            | 241-290-11              | LUCKEY              | 0.33  |
| 12            | 241-290-10              | CROSSLEY            | 0.33  |
| 13            | 241-290-09              | HALL                | 0.33  |
| 14            | 241-290-07              | LUCKEY              | 0.15  |
| 15            | 241-290-08              | LUCKEY              | 0.17  |
| 16            | 241-290-06              | PAPPAS              | 0.33  |
| 17            | 241-290-05              | MELECH              | 0.33  |
| 18            | 241-290-04              | MARTINEZ            | 0.33  |
| 19            | 241-290-03              | JACOBSON            | 0.33  |
| 20            | 241-310-04              | JOHNSON             | 0.33  |
| 21            | 241-290-02              | TAPIA               | 0.33  |
| 22            | 241-290-01              | GORDON              | 0.33  |
| 23            | 241-310-02              | DELGADO             | 0.60  |
| 24            | 241-310-01              | DELGADO             | 0.55  |
| 25            | 241-290-22              | LUCKEY              | 0.77  |
| 26            | 241-310-06              | MONTALVO            | 1.21  |
| 27            | 241-290-11              | MEREDITH            | 0.28  |
| 28            | 241-290-14              | LEWIS               | 0.55  |
| 29            | 241-290-13              | CHAVEZ              | 0.47  |
| 30            | 241-290-08              | REAMS               | 0.27  |
| 31            | 241-290-07              | REAMS               | 0.31  |
| 32            | 241-290-05              | ROSA                | 0.77  |
| 33            | 241-290-04              | ROSA                | 0.76  |
| 34            | 241-290-03              | ROSA                | 0.78  |
| 35            | 241-290-01              | ESPINOZA            | 1.00  |
| 36            | 241-290-02              | 3 DOG CHICKS        | 0.61  |
| 37            | 241-390-08              | EDWARDS             | 0.91  |
| 38            | 241-390-07              | DAZ                 | 0.91  |
| 39            | 241-390-04              | KALFTMAN            | 1.39  |
| 40            | 241-390-16              | HORNE               | 1.83  |
| 41            | 241-390-14              | GOE                 | 2.29  |
| 42            | 241-390-20              | GOE                 | 2.54  |
| 43            | 241-030-07              | UNION PACIFIC       | 2.39  |
| 44            | 241-400-08              | CHHINA              | 1.50  |
| 45            | 241-310-09              | ARNOLD              | 1.06  |
| 46            | 241-310-11              | ALCOCKER            | 0.50  |
| 47            | 241-400-01              | HINKSTON            | 0.26  |
| 48            | N/A                     | N/A                 | N/A   |
| 49            | N/A                     | N/A                 | N/A   |
| 50            | N/A                     | N/A                 | N/A   |
| 51            | N/A                     | N/A                 | N/A   |
| 52            | N/A                     | N/A                 | N/A   |
| 53            | N/A                     | N/A                 | N/A   |
| 54            | N/A                     | N/A                 | N/A   |
| 55            | 241-400-27              | CITY OF LATHROP     | 0.36  |
| 56            | 241-030-08              | STATE OF CALIFORNIA | 0.59  |
| 57            | 241-390-21              | FERN ISLANDS        | 1.73  |
| 58            | 241-400-28              | MENDES              | 2.24  |
| 59            | 241-400-26              | CITY OF LATHROP     | 1.99  |

**LEGEND**  
 PROPERTY I.D.

**NOTE:**  
 PROPERTY ACREAGE SHOWN IS APPROXIMATE AND BASED ON ASSESSORS DATA

**Mackay & Somps**  
 ENGINEERS PLANNERS SURVEYORS  
 LATHROP, CA (209) 858-4042  
 PUBLISH DATE: JANUARY 30, 2009

# LATHROP GATEWAY BUSINESS PARK

## Zoning Ordinance

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Lathrop, California

*March 2010*

## CHAPTER 17.6X LATHROP GATEWAY BUSINESS PARK ZONING DISTRICTS.

### ARTICLE 1. PURPOSES AND APPLICATION.

The zoning districts in this chapter are designed to provide the opportunity for a wide variety of office, commercial, industrial and open space uses that are compatible with the Lathrop Gateway Business Park Specific Plan. The following regulations are supplemented by the entire text of the LGBPSP and are always combined with the LG (Lathrop Gateway) combining zone. These zoning districts, ending in “-LG,” are limited to the Lathrop Gateway Business Park Specific Plan area.

### ARTICLE 2. CO-LG: COMMERCIAL OFFICE ZONING DISTRICT.

#### 17.6X.021 Purposes and Application.

The CO-LG zoning district provides a range of large and small scale commercial development opportunities for the location of professional and commercial offices; retail; financial; governmental; professional, business services and entertainment activities; clean light industrial uses; and other uses to serve the local and regional community. Land requirements for most Commercial Office uses generally dictate their application along main roads of the City which generally have convenient access and/or high visibility.

#### 17.6X.022 Permitted Uses.

- A. Off-street parking lots improved in conformity with Chapter 17.76 shall be permitted;
- B. Retail sales uses including, but not limited to:
  - 1. Antique/Collector shop
  - 2. Appliance store, new and used
  - 3. Automobile, truck and tractor parts
  - 4. Automobile and truck sales, service and repair, new and used
  - 5. Bakeries, retail and wholesale
  - 6. Boat sales and service
  - 7. Book store
  - 8. Boutique/Gift store
  - 9. Bridal shop
  - 10. Children's/Teen's store
  - 11. Clothing store
  - 12. Convenience-oriented food store
  - 13. Department Store/General merchandise store

14. Diaper supply
  15. Dry goods
  16. Electronics/Audio/Video/Computer/Software store
  17. Feed and seed
  18. Furniture stores, new and used
  19. Hardware/Home improvement/Building materials
  20. Hat store/Millinery
  21. Housewares/Tableware/Linen stores
  22. Ice sales and storage
  23. Jewelry store
  24. Leather goods and luggage
  25. Lighting store
  26. Lumber yards, when accessory to retail establishment, in an enclosed building
  27. Machinery/Equipment, including farm equipment sales, service, and rental, in an enclosed building
  28. Medical and orthopedic appliance store
  29. Nursery/Garden supply store/Landscape materials
  30. Office and business supplies
  31. Party supplies
  32. Scientific instrument store
  33. Stamps, coins and collectables
  34. Thrift shop and secondhand store
  35. Tobacconist/Cigarette sales
  36. Toy store
  37. Wholesale business and sales
- B. Regionally oriented, high volume retail uses, including but not limited to:
1. Auto malls
  2. Design/Contractors centers
  3. Discount/Off price/Factory outlet stores and centers
  4. Entertainment/Lifestyle centers
  5. Furniture outlets
  6. Malls

7. Power centers
8. Promotional centers
- C. Service retail uses including, but not limited to:
  1. Appliance repair shops, large and small
  2. Automobile and truck upholstery and top shops
  3. Automobile, truck and trailer rental and service, including incidental sales
  4. Automobile and truck washing, either self-service or involving the use of mechanical conveyors, blowers and steam cleaning
  5. Banks/Credit Unions/Savings and Loans/Financial institutions
  6. Boat/Recreational vehicle storage and parking
  7. Bus depots and transit stations
  8. Cafeterias
  9. Catering
  10. Cleaning, pressing and dyeing establishments, using nonflammable and non explosive cleaning fluid
  11. Day care centers
  12. Emergency medical/dental clinics, and prescribing pharmacies within
  13. Electronics repair
  14. Employment agency
  15. Exterminators
  16. Facial/Massage/Day Spa
  17. Heating, ventilating and air conditioning shops, including incidental sheet metal
  18. Hotel/Motel/Extended-stay hotels
  19. Interior decorating and window coverings
  20. Laundromats
  21. Linen supply service
  22. Lube/Oil change shops
  23. Mattress repair
  24. Mortuary
  25. Motorcycle sales, service and repair
  26. Musical instrument repair and sales
  27. Outdoor dining

28. Parking lots and structures, improved, off-street and in conformity with Chapter 17.76
  29. Plumbing and sheet metal
  30. Real estate/Title office
  31. Restaurants
  32. Rug and carpet cleaning and dyeing
  33. Secretarial services
  34. Sign painting shop
  35. Storage building, incidental to a permitted use
  36. Storage, garages and buildings, including mini-storage facility
  37. Taxidermists
  38. Tire sales, services, retreading and recapping, automobile and truck
  39. Tool or cutlery sharpening or grinding
  40. Vending machines, within enclosed areas
  41. Veterinarian services and offices, including small animal hospitals or clinics, short-term boarding of animals and incidental care such as bathing and trimming; provided that all operations are conducted entirely within a completely enclosed structure which complies with specifications of soundproof construction as prescribed by the building official
- D. Educational and recreational uses including, but not limited to:
1. Auditoriums/Concert Hall
  2. Banquet facility
  3. Billiards/Pool hall
  4. Bowling alley
  5. Community/Civic Center
  6. Dance hall/studio
  7. Health clubs/Fitness centers/Physical therapy/Gymnasium
  8. Instruction and training in gymnastics, martial arts, aerobics, yoga
  9. Meeting hall
  10. Music/Audio recording studio
  11. Professional and trade schools and colleges
  12. Theater (dinner, movie, live, etc.)
- E. Office uses including, but not limited to:
1. Administrative headquarters

2. Administrative offices—City, county, state, and federal
  3. Business, consulting, commercial, professional, and administrative services and offices
  4. Business park or regional office centers
  5. Courier offices
  6. Laboratories, research and development services
  7. Medical and dental offices, laboratories and clinics, and prescription pharmacies in conjunction therewith or with a hospital
  8. Offices incidental to another permitted use
  9. Public and private nonprofit charitable institutions
  10. Radio and television broadcasting
  11. Stock brokerage offices
- F. Open space
- G. Incidental and accessory structures and uses on the same site as a permitted use
- H. Electrical transmission and distribution substation, gas regulator station, public service pumping stations and elevated pressure tanks
- I. Other uses which are added to this list according to the procedure in Section 17.16.020

**17.6X.023 Permitted Uses—Administrative approval required.**

The following uses may be permitted in accordance with the provisions of Chapter 17.108:

- A. Retail sales uses including but not limited to:
1. Convention center
  2. Farmer’s markets, including indoor and outdoor facilities
  3. Hospital/Medical center
  4. Machinery/Equipment sales, services, and rentals, unenclosed
  5. Newspaper publishing
  6. Park and ride facilities
  7. Public utility service yards
  8. Storage yards for commercial vehicles, unenclosed
  9. Temporary Christmas tree lot
  10. Temporary pumpkin patch
- B. Eating, drinking and entertainment establishments, including but not limited to:
1. Amusement arcade

2. Bars, cocktail lounges, and nightclubs
  3. Fast food drive-through/Drive-in facility
  4. Private clubs
  5. Skating rinks, game arcades and other similar commercial recreation facilities, in an enclosed building
- C. Other, including, but not limited to:
1. Communication buildings, sites and facilities, including communication towers
  2. Recycled water storage ponds and sprayfields, not previously identified in previous approvals
  3. Storm drain detention and retention ponds not previously identified in previous approvals
- D. Other uses added to this list by the planning commission according to the procedures in Section 17.16.020 of the Lathrop Municipal Code

**17.6X.024 Conditional Uses—Commission approval required.**

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
1. Ambulance stations
  2. Church/Religious Facility
  3. Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined by Section 17.04.080 of the Lathrop Zoning Ordinance
  4. Gas/Service Station/Convenience store, automobile and truck
  5. Gunsmiths/gun shop
  6. Incidental and accessory structures and uses, as defined in Section 17.04.080, located on the same site as a use permitted by administrative approval or conditional use
  7. Liquor sales, on-premises
  8. Lumber Yards, not including planing mills or saw mills, unenclosed
  9. Modest expansion or remodeling of an existing non-conforming use of a structure or land, up to fifty percent (50%) or less of the value of the structure, or reestablishment of a non-conforming use which has been damaged, except non-conforming signs and outdoor advertising structures, non-conforming uses occupying a structure with an assessed valuation of less than two hundred dollars (\$200), and non-conforming fences, walls and hedges
  10. Pawnshops

11. Unenclosed commercial recreation facilities including amusement or theme parks, drive-in theaters, golf driving ranges, pony ride rings, race tracks, riding stables, skating rinks, sports arenas and sports stadiums
12. Other uses which are added to this list according to the procedure in Section 17.16.020

**17.6X.025 Required Conditions.**

- A. All commercial and office site boundaries adjacent to any residential zoning district shall be visually screened with ornamental masonry walls and landscaping, with wall height to be determined by the planning commission.
- B. Street trees, frontage landscaping and parking area landscaping, with automatic irrigation, shall be provided for all commercial and office sites.

**17.6X.026 Property Development Standards.**

All uses shall be consistent with Article 6, Development Standards, in this Zoning Ordinance. Where development standards are not specifically identified in this document, reference the City of Lathrop Zoning Ordinance.

**17.6X.027 Site Plan and Architectural Design Review.**

No use shall be erected on any lot or site in any CO district until a site plan and architectural plans shall have been submitted to and approved by the city pursuant to the provisions of Chapter 17.100 and 17.104 of the Lathrop Municipal Code. Design review is required for all proposed structures, whether residential or nonresidential, together with related site plans, landscaping, and public improvements associated with new development within the Lathrop Gateway Business Park Specific Plan Area.

**17.6X.028 General Provisions and Exceptions.**

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16 of the Lathrop Municipal Code.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

**ARTICLE 3. CS-LG: SERVICE COMMERCIAL ZONING DISTRICT.**

**17.6X.031 Purposes and Application.**

The CS-LG district is intended primarily for establishments engaged in servicing equipment, materials and products, but which do not require the manufacturing, assembly, packaging or processing of articles or merchandise for distribution and retail sale. Land requirements for most service commercial uses generally dictate their application along arterial and collector streets of the city which generally lie close to central commercial, highway commercial and industrial districts, in accordance with the General Plan.

**17.6X.032 Permitted Uses.**

- A. Off-street parking lots improved in conformity with Chapter 17.76 shall be permitted;
- B. Service commercial establishments, including the following:
  - 1. Addressograph services
  - 2. Automobile and truck sales, service and repair, new and used
  - 3. Automobile, truck and trailer rental and service, including incidental sales
  - 4. Automobile and truck repairing, overhauling, rebuilding and painting
  - 5. Automobile, truck and tractor parts
  - 6. Automobile and truck upholstery and top shops
  - 7. Automobile and truck washing, either self-service or involving the use of mechanical conveyors, blowers and steam cleaning
  - 8. Automobile and truck parking
  - 9. Bakeries, retail and wholesale
  - 10. Bars, cocktail lounges and nightclubs
  - 11. Bicycle shops
  - 12. Blacksmith shops
  - 13. Blueprint and photocopy
  - 14. Boat sales and service
  - 15. Book binding
  - 16. Bottling works
  - 17. Breweries
  - 18. Bus depots and transit stations, including storage and repair
  - 19. Business, professional and trade schools and colleges

20. Carpenters' shops
21. Carpeting and flooring
22. Catering
23. Ceramic and pottery works
24. Cleaning, pressing and dyeing establishments, using nonflammable and nonexplosive cleaning fluid
25. Cold storage
26. Columbariums and crematoriums
27. Contractors' storage yards
28. Convenience-oriented food stores, limited to a maximum of five thousand (5,000) square feet of floor area
29. Dairy products plants
30. Diaper supply
31. Electronics repair
32. Exterminators
33. Feed and seed
34. Food lockers
35. Freight forwarding terminals
36. Furniture stores, new and used
37. Furniture warehouses and van services
38. Gas/Service Station/Convenience store, automobile and truck
39. Glass Installation
40. Hardware/Home improvement/Building materials
41. Heating, ventilating and air-conditioning shops, including incidental sheet metal
42. Ice sale and storage
43. Interior decorating and window coverings
44. Kennels and small breeding facilities, located not closer than five hundred (500) feet to an RA, R, RM, PO, CN, CC, CR or CW district
45. Laboratories, research and development services
46. Laundromats
47. Linen supply services
48. Locksmith

49. Lumber yards, not including planing mills or saw mills
50. Machinery/Equipment, including farm equipment, sales, services, and rental, in an enclosed building
51. Mattress repair
52. Mortuaries
53. Motorcycle sales, service and repair
54. Musical instrument repair and sales
55. Nursery/Garden supply stores/Landscape materials
56. Office and business supplies
57. Offices, administrative and professional services
58. Packing and crating
59. Paint and wallpaper
60. Parcel delivery
61. Picture framing
62. Plumbing and sheet metal
63. Pool halls
64. Pressing of wearing apparel
65. Printing, lithographing and engraving
66. Public utility service yards
67. Railroad freight and passenger stations
68. Recycling Services, consumer and scrap operations
69. Restaurants
70. Rug and carpet cleaning and dyeing
71. Safe and vault repairing
72. Sheet metal shops
73. Shoe repair shops
74. Sign painting shops
75. Stone and monument yards or mills
76. Storage, garages and buildings, including mini-storage facility
77. Storage yards for commercial vehicles, including trucks and trailers
78. Taxidermists
79. Thrift shops and secondhand stores

- 80. Tire sales, services, retreading and recapping, automobiles and trucks
  - 81. Tool or cutlery sharpening or grinding
  - 82. Transit terminals
  - 83. Trucking terminals
  - 84. Typewriter repair shops
  - 85. Upholstery shops
  - 86. Veterinarian services and offices, including small animal hospitals or clinics, short-term boarding of animals and incidental care such as bathing and trimming; provided that all operations are conducted entirely within a completely enclosed structure which complies with specifications of soundproof construction as prescribed by the building official
  - 87. Warehouses, except for the storage of fuel oil or flammable liquids and explosives
  - 88. Welding and blacksmithing, excepting drop hammer
  - 89. Wineries and wine cellars, small, medium and large
  - 90. Wholesale business and sales
  - 91. Other uses which are added to this list according to the procedure in Section 17.16.020
- C. Open space
  - D. Offices and retail stores incidental to and on the same site with a service commercial establishment
  - E. Incidental and accessory uses and structures located on the same site as a permitted use

**17.6X.033 Permitted Uses—Administrative Approval Required.**

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.108:
  - 1. Eating establishments, drive-through/drive-in facility and alcohol serving
  - 2. Electrical transmission and distribution substations, gas regulator stations, public service pumping stations and elevated pressure tanks, including gas and electrical transmission lines, in accordance with Section 17.108.080
  - 3. Incidental and accessory structures and uses located on the same site as a use permitted by administrative approval or conditional use
  - 4. Hospital/Medical center
  - 5. Temporary uses such as a circus, carnival, religious revival, Christmas tree lot, promotion and sale in trucks or trailers, animal show or display, and pumpkin patch pursuant to Section 17.108.080
  - 6. Other uses which are added to this list according to the procedure in Section 17.16.020

**17.6X.034 Conditional Uses—Commission Approval Required.**

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
1. Any use listed as a permitted use in the IL, limited industrial district
  2. Communication buildings, sites and facilities, including communication towers
  3. Electroplating shops
  4. Energy production, biomass and steam/electric
  5. Excavations according to the requirements of Chapter 17.88
  6. Expansion or remodeling of an existing non-conforming use of a structure or land, up to fifty percent (50%) or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than two hundred dollars (\$200.00), and nonconforming fences, walls and hedges
  7. Expansion, remodeling or additions to a conditional use that are not considered an incidental or accessory use
  8. Gunsmith/Gun shop
  9. Liquor sales, on-premises
  10. Public buildings and grounds
  11. Recreation facility, indoor and outdoor, including but not limited to, golf driving ranges, pony riding rings, race tracks, riding stables, skating rinks, sports arenas and sports stadiums, and other similar open, unenclosed commercial recreation facilities
  12. Recycled water storage ponds and sprayfields
  13. Other uses which are added to this list according to the procedure in Section 17.16.020

**17.6X.035 Required Conditions.**

- A. No use shall be permitted, and no process, equipment or materials shall be used which are found by the planning commission to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire, explosion or toxic chemicals.
- B. Temporary sidewalk sales and use of the public right-of-way for the display and sales merchandise shall require approval by the city council. Permanent use for such purposes is strictly prohibited.
- C. The visual interface between commercial and residential areas shall be designed and developed so as to avoid obtrusive visual impacts of commercial activities on nearby residential areas.
- D. Street trees and frontage landscaping with automatic irrigation shall be provided for all commercial sites. Parking area landscaping may also be required under site plan review.

**17.6X.036 Property Development Standards.**

All uses shall be consistent with Article 6, Development Standards, in this Zoning Ordinance. Where development standards are not specifically identified in this document, reference the City of Lathrop Zoning Ordinance.

**17.6X.037 Site Plan and Architectural Design Review**

No use shall be erected on any lot or site in any CS district until a site plan and architectural plans shall have been submitted to and approved by the city pursuant to the provisions of Chapter 17.100 and 17.104 of the Lathrop Municipal Code. Design review is required for all proposed structures, whether residential or nonresidential, together with related site plans, landscaping, and public improvements associated with new development within the Lathrop Gateway Business Park Specific Plan Area.

**17.6X.038 General Provisions and Exceptions.**

All uses shall be subject to the general provisions and exceptions in Chapter 17.16 of the Lathrop Municipal Code.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

## ARTICLE 4. IL-LG: LIMITED INDUSTRIAL ZONING DISTRICT.

### 17.6X.041 Purposes and Application.

The IL-LG district is intended to provide opportunities for certain types of limited industrial plants to concentrate in mutually beneficial relationships to each other; to provide adequate space to meet the needs of modern industrial development, including off-street parking and truck loading areas; and to provide industrial employment opportunities for residents of the city and region. The IL district is intended to protect areas appropriate for industrial use from intrusion by residences and other inharmonious uses; to protect residential, commercial and nuisance-free, nonhazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation, hazardous chemicals and other hazardous and objectionable influences incidental to certain industrial uses; and to reserve appropriately located areas for various types of industrial plants and related activities. Land requirements for most limited industrial uses generally dictate a location with close access to major transit corridors and highways without the need for high visibility.

### 17.6X.042 Permitted Uses.

- A. Off-street parking lots improved in conformity with Chapter 17.76 shall be permitted;
- B. Any use listed as a permitted use in the CS, service commercial district;
- C. Light industrial and related uses, including:
  - 1. Assembly of small electric appliances, such as lighting fixtures, irons, fans, toasters and electric toys, refrigerators, washing machines, dryers, dishwashers and similar home appliances;
  - 2. Assembly of small electrical equipment, such as home motion picture equipment, stereos, video cameras and radio and television receivers, but not including electrical machinery;
  - 3. Manufacture of scientific, medical, dental and drafting instruments, orthopedic and medical appliances, cameras and photographic equipment, except film, electronic equipment, musical instruments, precision instruments, optical goods, watches and clocks;
  - 4. Manufacture of ceramic products, such as pottery, figurines and small glazed tile,
  - 5. Manufacturing, assembling, compounding, packaging and processing of cosmetics, drugs, pharmaceuticals, toilet soap (not including refining or rendering of fats or oils) and toiletries;
  - 6. Manufacture and assembly of electrical supplies, such as coils, condensers, crystal holders, insulation, lamps, switches and wire and cable assembly, provided no noxious or offensive fumes or odors are produced;

7. Manufacture of cutlery, hardware, hand tools and furniture, dye and pattern making, metal stamping and extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils;
  8. Manufacturing, assembling, compounding, packaging, crating and processing of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cellulose, cloth, cork, feathers, felt, fiber and synthetic fiber, fur, glass, hair, horn, leather, paint (not employing a boiling process), paper, plastics, precious or semi-precious metals or stones, rubber and synthetic rubber, shell, straw, textiles, tobacco and wood;
  9. Manufacturing, assembling, compounding, processing, packaging or treatment of such products as bakery goods, candy, dairy products, food products, including fruits and vegetables, but not including fish and meat products, pickles, sauerkraut, vinegar or yeast, or refining or rendering of fats and oils;
  10. Blacksmith shops, boat building, electric motor rebuilding, machine shops and paint shops;
  11. Food lockers and accessory sales;
  12. Gasoline service stations, including dispensing of diesel and liquid petroleum gas fuels and complete truck service;
  13. Lumber yards, including planing mills and saw mills; mattress manufacture; storage yards for commercial vehicles or feed; flour, feed and grain mills; grain elevators;
  14. Manufacture and maintenance of electric and neon signs, billboards and commercial advertising structures;
  15. Offices, retail stores and watchpersons' living quarters incidental to and on the same site with an industrial use;
  16. Public utility and public service structures and facilities, such as communications equipment buildings, electric distribution substations, electric transmission substations, gas regulator stations, pumping stations, public utility service yards, corporation yards, railroad rights-of-way and stations, reservoirs and storage tanks;
  17. Incidental and accessory structures and uses located on the same site as a permitted use;
  18. Wineries and wine cellars, small, medium and large
  19. Other uses which are added to this list according to the procedure in Section 17.16.020.
- D. Open space

**17.6X.043 Permitted Uses—Administrative Approval Required.**

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.108:
1. Gas and electric transmission lines in accordance with Section 17.108.080;
  2. Incidental and accessory structures and uses located on the same site as a use permitted by administrative approval or conditional use;
  3. Mobile or modular offices in accordance with the requirements of mobile or modular offices;
  4. Other uses which have been added to this list according to the procedure in Section 17.16.020;
  5. Temporary uses such as a circus, carnival, religious revival, Christmas tree lot, promotion and sale in trucks or trailers, animal show or display, and pumpkin patch pursuant to Section 17.108.080.

**17.6X.044 Conditional Uses—Commission Approval Required.**

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
1. Any of the uses listed in Section 17.48.030(B); provided, that on the basis of the use permit application and the evidence submitted, the planning commission makes the following findings in addition to the findings prescribed in Chapter 17.112:
    - a. That consideration of all the determinable characteristics of the use which is the subject of the application indicates that the use has the same essential characteristics as the uses listed in subsection B above, with respect to methods of operation, type of process, materials, equipment, structures, storage and appearances;
    - b. If the use involves nuisance or hazardous characteristics, that the application include sufficient evidence to indicate that special devices, construction or site design are planned to eliminate the nuisance or hazardous characteristics normally attendant to operation of the use;
    - c. That the use reasonably can be expected to conform with the required conditions prescribed for the district in Section 17.48.060;
  2. Bulk storage and delivery of liquefied petroleum gas;
  3. Excavations according to the requirements of Chapter 17.88;
  4. Expansion or remodeling of an existing nonconforming use of a structure or land, up to fifty percent (50%) or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures,

- nonconforming uses occupying a structure with an assessed valuation of less than one hundred dollars (\$100.00), and nonconforming fences, walls and hedges;
5. Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined in Section 17.04.080;
  6. Outdoor vending stalls for the sale or trade of new and used articles at specified times of the day and week as either a temporary or permanent use of land;
  7. Other uses which are added to this list according to the procedure in Section 17.16.020;
  8. Public buildings and grounds;
  9. Recycled water storage ponds and sprayfields.

**17.6X.045 Required Conditions.**

- A. In the IL districts, all open and un-landscaped portions of any lot shall be maintained in good condition free from weeds, dust, trash and debris.
- B. No use shall be permitted and no process, equipment or material shall be employed which is found by the commission to be injurious to persons residing or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, noise, vibrations, illumination, glare or heavy truck traffic, or to involve any hazard of fire, explosion or radio activity, or to emit electrical disturbances which adversely affect commercial or electronic equipment outside the boundaries of the site.
- C. No solid or liquid wastes shall be discharged into a natural watercourse, nor into a public or private sewage disposal system except in compliance with applicable regulations of the Central Valley Regional Water Quality Control Board.
- D. In an IL district, no use shall emit particulate matter or other air pollutants in excess of the applicable air pollution emission standards of the County Air Pollution Control District, the state or of the federal government.
- E. Notwithstanding the provisions of subsection D above, no industrial use shall be permitted to utilize coal in any form as a source of fuel for the conduct of any industrial operations within the city.
- F. Street trees and frontage landscaping with automatic irrigation shall be provided for all limited industrial sites. Parking area landscaping may also be required under site plan review.

**17.6X.046 Property Development Standards.**

All uses shall be consistent with Article 6, Development Standards, in this Zoning Ordinance. Where development standards are not specifically identified in this document, reference the City of Lathrop Zoning Ordinance.

**17.6X.047 Site Plan and Architectural Design Review.**

No use shall be erected on any lot or site in any IL district until a site plan and architectural plans shall have been submitted to and approved by the city pursuant to the provisions of Chapter 17.100 and 17.104 of the Lathrop Municipal Code. Design review is required for all proposed structures, whether residential or nonresidential, together with related site plans, landscaping, and public improvements associated with new development within the Lathrop Gateway Business Park Specific Plan Area.

**17.6X.048 General Provisions and Exceptions.**

All uses shall be subject to the general provisions and exceptions in Chapter 17.16 of the Lathrop Municipal Code.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

## **ARTICLE 5. P/QP-LG: PUBLIC/QUASI-PUBLIC ZONING DISTRICT.**

### **17.6X.051 Purposes and Application**

The P/QP-LG zoning district is intended to provide for permanent open space areas for well sites, water quality, storm water detention basins, and other necessary slope embankments as called for in the Lathrop Gateway Business Park Specific Plan.

### **17.6X.052 Permitted Uses.**

#### **A. Public/Quasi-Public uses including, but not limited to:**

1. Drainage, water quality, and other similar facilities, including swales and basins.
2. Incidental and accessory structures and uses on the same site as a permitted use.
3. Levees and other related facility equipment.
4. Parking
5. Private or public infrastructure.
6. Recycled water storage ponds.
7. Recreational—Active.
8. Recreational—Passive.
9. Sprayfields.
10. Storm drain detention and retention ponds.
11. Trails and maintenance roads.
12. Utility services and facilities
13. Well site
14. Other uses added to this list by the planning commission according to the procedures in Section 17.16.020 of the Lathrop Zoning Code.

### **17.6X.055 General Provisions and Exceptions.**

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16 of the Lathrop Municipal Code.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

**Article 6. Development Standards.**

Table 17.6X.061 Lathrop Gateway Business Park Specific Plan: Non-Residential Site Development Standards

|                                   | <b>CO-LG</b>                                     | <b>CS-LG</b>                                     | <b>IL-LG</b>                                     |
|-----------------------------------|--|--|--|
| Minimum Parcel Size (sf)          | 5,000  | 5,000  | 5,000  |
| <b>Minimum Lot</b>                |  |  |  |
| Width                             | 50'  | 50'  | 50'  |
| Depth                             | 100'   | 100'   | 100'   |
| <b>Minimum Setbacks (1)</b>       |  |  |  |
| Street Frontage                   | 50' (2)  | 50' (2)  | 50' (2)  |
| Front yard                        | 15'  | 15'  | 15'  |
| Side yard                         | 5'   | 0' (3)   | 0' (3)   |
| Rear yard                         | 5'   | 0' (3)   | 0' (3)   |
| Distance between structures       | 10'  | 10'  | 10'  |
| Maximum Lot Coverage              | 70%  | 70%  | 70%  |
| Maximum Building Height           | 40'  | 75'  | 76'  |
| <b>Landscape Requirements (4)</b> |  |  |  |
| Landscape coverage (minimum) (5)  | 15% (6)  | 10%  | 10% (6)  |
| Minimum Parking Requirements      | Per Lathrop Zoning Ordinance, Chapter 17.76      | Per Lathrop Zoning Ordinance, Chapter 17.76      | Per Lathrop Zoning Ordinance, Chapter 17.76      |
| Signage                           | Per Master Signage Program, and/or Chapter 17.84 | Per Master Signage Program, and/or Chapter 17.84 | Per Master Signage Program, and/or Chapter 17.84 |

**Footnotes to Table 17.6X.061:**

- (1) Minimum standards may need to be revised based on parcel configuration and proposed land use; Community Development Director to approve minor deviations.
- (2) Those sites with public street frontage on a curve or cul-de-sac may have frontages of not less than 40', provided that the width of the site as measured along the front yard setback line is at least 50'.
- (3) Except where abutting an adjacent structure; see distance between structures standard.
- (4) For landscape standards reference Chapter 17.92 of the Lathrop Municipal Code.
- (5) Measured as a percentage of net lot acreage.
- (6) Landscape coverage is encouraged to include recreation and open space amenities for employees and visitors consistent with Section 5.5.1.1.F, Public Spaces and Pedestrian Amenities, of the Lathrop Gateway Business Park Specific Plan; recreation and open space amenities will count toward the landscape requirement.

## **17.52.080 Lathrop Gateway Business Park combining district (LG).**

A. Application. The Lathrop Gateway Business Park combining district (LG) is intended for application to all lands located within the Lathrop Gateway Business Park Specific Plan. The designation of LG after any zoning district indicates that the zoning district so combined is modified by the regulations included in the Lathrop Gateway Business Park Specific Plan and those districts included in Chapter 17.58.

B. Applicable Regulations and Procedures. The development of property within the LG combining district shall be subject to the regulations found in the Lathrop Gateway Business Park Specific Plan. In addition, it is anticipated that agricultural use of the land within the LG combining district will continue for many years. Therefore, the following shall be considered conforming uses in any zoning district which is combined with the LG combining district:

1. Field crops, tree crops, row crops, berry or bush crops; provided no additional land shall be planted in cotton, trees or vines;
2. Farms for the keeping or raising of animals, excluding poultry farms, rabbit or other small animal farms, fish or frog farms, dairies, hog farms, feedlots, slaughterhouses and kennels unless otherwise specifically permitted in the zoning district which is combined or if they exist on the day the property annexes. Any new poultry farms, rabbit or other small animal farms, fish or frog farms, dairies, hog farms, feedlots, slaughterhouses and kennels proposed subsequent to annexation are specifically prohibited; and
3. The keeping or raising of animals under existing practice shall be subject to Title 6 of the Lathrop Municipal Code. (Ord. 03-215 § 1 (part))

It is also anticipated that existing residential, industrial and other uses on property within the LG combining district may continue for a significant period of years. The following existing uses shall be considered conforming uses in any zoning district which is combined with the LG combining district:

1. Trucking facilities and tow yards or storage yards for commercial vehicles;
2. Church/Religious Facilities; and
3. Residential homes.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place

1 message

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**Bryant Lee** <bryant7080031@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:18 AM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor’s Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo’s Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)
- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
- The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.
- The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is

located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

- The City of Atwater offers numerous conveniences located within 1/2 mile of the Atwater Station which could further reduce vehicle trips. These include the Applegate Inn and the Valley Motel, numerous restaurants, the Applegate Ranch Shopping Center, the Applegate Square Shopping Center, and the Atwater Gateway Shopping Center, the Downtown Atwater commercial district, the Atwater Branch Library, 4 City parks, and the Bloss House Museum.

- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Rail Station**

1 message

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**Dean Lee** <dean7080030@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:22 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you, I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here, it might even give us more ways to travel.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too. We also want a city where us kids can grow up to be respectful adults and successful adults at that as well

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you. We look forward to your answer 😊



Matt Hertel &lt;aceextension.south@gmail.com&gt;

**atwtaer**

1 message

**Alina Leggett** <alina11080049@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:53 PM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place!

1 message

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**Eryka Lepper** <eryka3080671@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is cool.**

1 message

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**Julia Longoria** <julia5080706@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:01 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best**

1 message

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**Alondra Lopez** <alondra11080033@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:58 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best**

1 message

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**Cristian Lopez** <cristian5080722@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:25 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Email to : aceextension.south@gmail.com**

1 message

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**Ian Lopez** <ian7080954@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:25 PM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Jennifer Lopez** <jennifer3080061@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:29 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is the place**

1 message

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**Tustin Lopez** <tustin5080725@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place!

1 message

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**Janette Lopez-Baeza** <janette7080058@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:53 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best**

1 message

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**Andrew Lozada** <andrew5080727@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:47 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater Is the place to be**

1 message

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**David Luna** <david6080057@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:54 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is Lit**

1 message

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**Olivia Machado** <olivia3080759@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:50 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best!**

1 message

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**Jose Maciel** <jose6080886@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:47 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Awater is awesome**

1 message

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**Jonathan Madriz Aguilar** <jonathan5080733@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:04 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater**

1 message

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**Antonio Magallanes** <antonio3080833@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:52 AM

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**(no subject)**

1 message

**Antonio Magallanes** <antonio3080833@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:51 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Ismael Maldonado-Jimenez** <ismael2080095@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:22 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Mackenzie Maloney** <mackenzie3080552@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:16 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is a place**

1 message

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**Kevin Mancio** <kevin2080096@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

1 message

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**Julio Mandujano-Valenzuela** <julio1080035@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:50 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Alejandro Marin** <alejandro1080036@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:19 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the perfect place!

1 message

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**Emely Marin** <emely2080110@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:01 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**City of Atwater Rail tracks**

1 message

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**Samantha Marquez** <samantha7080059@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:05 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Michael Marrot** <michael7080817@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:27 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the best?

1 message

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**Joseph Martens** <joseph11080200@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Alexis Martin** <alexis11080688@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:49 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Lesley Martinez** <lesley7080084@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:24 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Teresa Yasmin Villa Martinez** <teresayasmin7080597@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:19 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is the place**

1 message

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**Cristian Martinez-Castillo** <cristian1080037@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Tad Massa** <tad6080060@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:18 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Anaya Mathis** <anaya3080808@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:04 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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Sean Mawhorr <sean5080746@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:54 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**atwater is lit**

1 message

**Sean Mawhorr** <sean5080746@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:52 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Aubri McAdams Fisher** <aubri1080033@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:29 AM

Dear Sir or Madam,

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I think Atwater would be a great place to place the Ace Train. We would get many benefits from the train for example if it was placed in Atwater the bad air quality would be better because in stead of using gasoline to feul our cars we would use the Ace train.

We would use the Ace train instead of wasting gas on our cars and messing with our air quality. It would save money on gas and keep us from ruining our lungs from the very bad air quality.

I know im not making much of a point here but what point i'm trying to make is that it would stop the bad air quality and make transport easier and faster. Please think about this, and choose Atwater.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train Stop in Atwater, California**

1 message

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**Brian McCullough** <brian6080061@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:24 AM

Dear Sir or Madam:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater Is The BEST!

1 message

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**Caden McDaniel** <caden7081058@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Extension Lathrop to Ceres/Merced Project**

1 message

**Anthony Medina** <amedina53@sbcglobal.net>

Mon, Feb 5, 2018 at 11:31 AM

Reply-To: Anthony Medina &lt;amedina53@sbcglobal.net&gt;

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Good morning, I attended the Scoping Meeting at the Ceres Community Center on 1/29/18. I spoke with a couple of gentlemen about the project ( sorry, I don't have their names) and I have a few follow up questions/concerns.

**-Phase I-**It is my understanding that the ACE trains will terminate in Ceres. I am a resident of Turlock, so most of my concerns will relate to how this service will impact the City, particularly the neighborhood where I live.

-There are to be 4 westbound connector buses that will run in the morning from Merced, with stops in Livingston and Turlock to westbound trains at the Ceres station. In the afternoon there will also be 4 eastbound buses making the return trip from Ceres to Merced (with stops in Turlock and Livingston). Is there a proposed schedule for these buses?

-Has there been a firm determination where the connector buses will stop in Turlock? There is a new transit hub that the City of Turlock has built on the southeast corner of Hawkeye Avenue and Golden State Blvd. Is this the proposed location at this time? Also, I was told that ACE is looking at possibly utilizing part of the parking lot for the Stanislaus County Fairgrounds on Soderquist Road as a parking lot for their ACE service. How many parking spaces are you envisioning and how large of an area would this parking lot be? (There was a map at the meeting but it was too small in scale to see).

This concerns me for several reasons. **1.)** I live a couple of blocks from the fairgrounds on Joett Drive in Turlock. When the fair is in operation or there are large events, the parking lots quickly fill up and we get the overflow parking and traffic in our neighborhood. Losing any amount of parking, such as the ACE proposal, is only going to make the parking and traffic problems even worse. **2.)** We currently get a lot of cut through traffic from commuters who use Joett Drive as a shortcut from Tully Road to Fulkerth Road. Speeding is already a big problem, adding this proposed parking lot will only make an already bad situation even worse. This is a residential street that is heavily used by children walking along and crossing the street on their way to school and the bus stop at Summerfaire Park. It is also used by senior citizens, people on bikes, people walking their children and pets, etc. **3.)** Canal Drive and Fulkerth Roads in Turlock are the main roads from the fairgrounds to Hwy 99. These roads are already heavily congested in the mornings and afternoon with commuter traffic. Adding the proposed ACE parking lot is only going to make matters much worse and more unsafe. **4.)** I would suggest you look at and consider an alternative location for the train and bus stops at the corner of Taylor Road and Golden State Blvd. This is away from any existing residential areas, is close to the railroad grade crossing with convenient off and on-ramps for north and southbound Hwy 99. I believe that this proposed facility should be located away from already crowded residential areas. I would suggest that you look at problems that other cities such as Concord, Pleasant Hill, Walnut Creek, Lafayette, and Orinda have had when BART was constructed next to residential neighborhoods.

**-Phase II-** My concerns are basically the same as with Phase I. However, it is obvious that by the time that the ACE trains start running all the way to Merced (8-10 years?), there will be more people utilizing them, along with an increased population in valley Cities, so the problems that I have laid out above will only be compounded. It is obvious that there is a need to get people out of their cars and into mass transit, that is a given. But I do not want to have my way of life and my peaceful neighborhood to be totally disrupted in the process. I would request in the strongest terms possible that you look at other locations for the stop in Turlock that are away from existing residential areas, such as the location I suggested at the intersection of Taylor Road and Golden State Blvd. Also, in your response, would you also let me know what discussions you have had with the City of Turlock and the Stanislaus County Fair Board regarding your proposals. You may respond by e-mail or in writing. Thank you for your time and consideration.

Sincerely,

Anthony S. Medina  
1751 Joett Drive  
Turlock, Ca 95380  
925-588-6341  
amedina53@sbcglobal.net





Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is wumbo**

1 message

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**Alyssa Melchor** <alyssa7080631@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:52 PM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater Is The Best!!!**

1 message

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**Lesly Melgarejo-Barajas** <lesly1080175@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

mail to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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v



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Ace train**

1 message

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**Diego Mena Luna** <diego2080103@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:28 PM

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Angel Mendoza** <angel5080735@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:29 PM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

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To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:30 PM

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- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.

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**(no subject)**

1 message

**Angel Mendoza** <angel5080735@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:31 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Angel Mendoza** <angel5080735@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:27 PM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

2 messages

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**Evan Mendoza** <evan3080038@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

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**Evan Mendoza** <evan3080038@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:52 AM

[Quoted text hidden]



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater's train**

1 message

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**Karla Mendoza** <karla11080306@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:01 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best City!!!**

1 message

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**Nathan Mendoza** <nathan4080023@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:23 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**atwater**

1 message

**Richard Menezes** <richard11080021@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:52 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is lit**

1 message

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**Richard Menezes** <richard11080021@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:51 PM

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COMMENT SHEET

Name: JOE Scoto

Organization (if any): MERCED County Sales BUREAU

Address (optional): 1861 N. Southern Pacific AVE.

City, State, Zip: MERCED CA 95348

E-mail address: Scoto Bros @ Hotmail.com  
PH. #(209) 761-0489

Comments

PLEASE E-MAIL MERCED LAY OVER  
 TRACK PHOTO to: ScotoBros@Hotmail.com  
 ALSO PLEASE SEND track layout in MERCED  
 County.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Extension Lathrop to Ceres/Merced Project**

1 message

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**Breanne Ramos** <bramos@mercedfarmbureau.org>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 4:51 PM

Good Afternoon,

On behalf of the Merced County Farm Bureau Board of Directors, I submit comments for the ACE Extension Lathrop to Ceres/Merced Project Notice of Preparation of an Environmental Impact Report. Should you have any questions, please contact me at your convenience.

Sincerely,

Breanne Ramos

Executive Director

Merced County Farm Bureau

646 South Hwy 59

Merced, CA 95341

(209) 723-3001

**ACE Extension Lathrop to Ceres-Merced Project - MCFB Comments.pdf**

96K

# Merced County Farm Bureau



February 8, 2018

San Joaquin Regional Rail Commission  
Attn: ACE Extension Lathrop to Ceres/Merced Project  
949 East Channel Street  
Stockton, CA 95202

Dear San Joaquin Regional Rail Commission,

We appreciate the welcomed opportunity to offer exploratory suggestions for the ACE Extension Lathrop to Ceres/Merced Project Notice of Preparation (NOP) of an Environmental Impact Report (EIR). Merced County Farm Bureau, a 1,200 member advocacy organization for farmers, ranchers and dairy families, exists to ensure agriculture is able to continue in Merced County for years to come. Our organization commented on the EIR for the *ACEforward* project in August 2017 and has continued concerns of the current project, ACE Extension Lathrop to Ceres/Merced Project.

Under *Project Description*, San Joaquin Regional Rail Commission (SJRRRC) states “The extension from Ceres to Merced is analyzed at a programmatic level at this time because this extension would be implemented at a later date, and because the location of the ACE Merced Station is dependent of the final location of the High-Speed Rail station and may be subject to change.” We understand that SJRRRC will be conducting a “more detailed subsequent project-level analysis” at a later date, yet we still find the timeline of documentation release and approval is overwhelmingly aggressive and we strongly urge that the SJRRRC extend the public review period to 90 days. In addition, public outreach meetings must be conducted in Merced. We are concerned that a single scoping meeting was held for this project and was almost an hour’s drive away. Members in our community are still only learning about the ACE rail and we stress the need for better information and outreach to be done locally.

Merced County implemented Policy AG-2.2: Agricultural Land Mitigation (RDR) on a 1:1 ratio in 2016 and we stand firmly in requiring this be abided by for this project. Farm ground consisting of soils types of Prime, Unique or Statewide Importance fall under regulation for the adopted ordinance. Comparable soil, water and the same amount of acreage needs to be obtained for those affected. In addition, we ask if the mitigation measures provided in the *ACEforward* document, AG-1.1, AG-1.2, AG-5.1 and AG-5.2 for farm ground, irrigation and utility purposes will be carried through to this document?

In regards to acreage, will the same amount in the *ACEforward* document be obtained or will an adjustment in acreage occur? Will current agriculture ground be taken for construction purposes? If so and when completed, will SJRRRC ensure that this ground can be farmed in its original capacity and returned in the same environmental context it was received in? When built to completion, what will be the buffer zones from SJRRRC’s right-of-way (ROW) to the farmer’s property?

When will impacted owners receive their Permit to Enter Letters? In addition to notifying our office when the EIR and other documents of their nature are released, we also ask that you provide us with notification of when various letters are released to landowners. This is to help answer questions that may arise from our members.

We understand that many of our questions may be answered in the upcoming EIR and supplemental documents, but we have many members who have witnessed and/or have been impacted by the California High Speed Rail. For that reasoning, we are weary of similar projects moving forward and will continue to have a keen, watchful eye over the project development.

I can assure you we will have more comments once the Environmental Impact Report and supplemental documents for Merced County are released. Again, we appreciate the opportunity to comment and we look forward to meeting with you soon.

Sincerely,

A handwritten signature in black ink, appearing to read 'Breanne Ramos', written over the word 'Sincerely,'.

Breanne Ramos  
Executive Director



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Attn: ACE Extension Lathrop to Ceres/Merced Project**

1 message

**McDaniel, Daron** <DMcDaniel@co.merced.ca.us>

Wed, Feb 7, 2018 at 4:37 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

February 7, 2018

San Joaquin Regional Rail Commission

949 East Channel Street

Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

I have reviewed the subject Notice of Preparation and are concerned to discover that in this successor effort to the *ACEforward* project, the City of Atwater is reclassified as a "Potential Station," an alternative to a City of Livingston "Proposed Station." In the previous *ACEforward* Draft EIR, the Livingston and Atwater stations were considered as alternatives MME-1a and MME-1b, respectively. This recently released description of the ACE Extension Lathrop to Ceres/Merced (Project) and preferred alternatives represents a major deviation from the previous *ACEforward* project materials. There has been little or no communication with City of Atwater staff or elected officials regarding this major shift in the project.

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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,

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Daron McDaniel

Merced County

Board of Supervisors

Representing District 3

Best regards,

2/13/2018

Gmail - Attn: ACE Extension Lathrop to Ceres/Merced Project

Daron McDaniel

Merced County Board of Supervisors,

Representing District 3

Office (209) 385-7366

Cell (209) 495-7086

<http://www.co.merced.ca.us/index.aspx?NID=248>



**San Joaquin Regional Rail Commission.pdf**  
316K

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

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Sincerely,



Daron McDaniel  
Merced County  
Board of Supervisors  
Representing District 3

RECEIVED

FEB 12 2018

SJRRC

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

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Merced County  
Board of Supervisors  
Representing District 3



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Isaac Meza** <isaac5080641@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:17 AM

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Matt Hertel <aceextension.south@gmail.com>

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## Re: ACE Extension Lathrop to Ceres/Merced Project – Reminder: Scoping Meeting on January 29th and Scoping Period Ends February 9th

1 message

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**Mike** <mhoady3460@yahoo.com>  
To: aceextension.south@gmail.com

Tue, Jan 30, 2018 at 1:48 AM

We like to see ACE connect between San Jose , Merced & sacramento , it will be the best that could happen to California from all aspect of life , MH

Sent from my iPhone

On Jan 29, 2018, at 10:20 AM, ACE Rail <aceextension.south@gmail.com> wrote:



The San Joaquin Regional Rail Commission (SJRRRC) is the managing agency for the Altamont Corridor Express (ACE). ACE is primarily a commuter rail service that runs four round-trips from Stockton to San Jose, Monday through Friday. ACE carries over 1.3 million passengers annually.

## ACE Extension Lathrop to Ceres/Merced Project - Reminder: Scoping Meeting on January 29th and Scoping Period Ends February 9th

The San Joaquin Regional Rail Commission (SJRRRC), acting as lead agency under the California Environmental Quality Act (CEQA), intends to prepare an environmental impact report (EIR) for the Altamont Corridor Express (ACE) Extension Lathrop to Ceres/Merced Project.

The ACE Extension Lathrop to Ceres/Merced Project would include Phase I and Phase II improvements. Phase I improvements would support the ACE service extension to Ceres and Phase II improvements would support the ACE service extension to Merced. Phase I improvements include new stations, upgrades to track, a new track connection, a temporary Ceres Layover Facility, an interim bus bridge between Merced and Ceres, and two operational scenarios. Phase II improvements include upgrades to existing track and addition of new track between Ceres and Merced, new stations, a new permanent Merced Layover Facility, and two operational scenarios. No improvements are proposed along the existing ACE corridor between Stockton and San Jose.

The purpose of the Notice of Preparation (NOP) is to notify agencies, organizations, and individuals that SJRRRC plans to prepare the EIR and to request input on the scope of the environmental analysis to be performed. The NOP provides a more detailed description of the project as well as the potential environmental effects and can be viewed online [here](#) or by visiting: [www.acerail.com/About/Projects-Initiatives/Current/ACE-Extension-Lathrop-to-Ceres-Merced](http://www.acerail.com/About/Projects-Initiatives/Current/ACE-Extension-Lathrop-to-Ceres-Merced)

### Connection to ACEforward:

A prior NOP was issued for the ACEforward project in June 2013, and the draft EIR was released in May 2017. The ACEforward project included the expansion of ACE service between the San Joaquin Valley

and San Jose, as well as extension of ACE service to Modesto and Merced.

As the ACEforward project has progressed, funding for the entirety of ACEforward improvements has been uncertain. However, as part of SB 132 passed in April 2017, SJRRC was awarded \$400 million for the ACE service expansion in the San Joaquin Valley. Through the ACEforward project development and environmental review, substantial financial, environmental, and logistical challenges were identified with some of the improvements necessary to increase ACE service levels to San Jose. In addition, SJRRC ridership studies have shown that expansion to Ceres and Merced would provide substantial increases in ACE ridership without the financial, logistical, and environmental challenges of some of the improvements necessary to increase service levels to San Jose. As a result, the feasible and fundable extension of service in the Central Valley is now the focus of SJRRC vision for commuter and intercity passenger rail services for ACE. The improvements envisioned in the ACEforward plan no longer represents the intention of SJRRC for ACE. For this reason, SJRRC is rescinding the prior ACEforward NOP and draft EIR and intends to prepare a new EIR for this ACE Extension Lathrop to Ceres/Merced Project. Since the ACEforward project is not moving forward, response to comments received on the ACEforward draft EIR will not be responded to and will not be part of the administrative record for this new EIR.

**Scoping Period:**

From public agencies, we are inviting comments on the scope and context of the environmental information that is germane to each agency’s statutory responsibilities with regard to the proposed project. We are also requesting interested individuals’ or organizations’ views on the scope of the environmental document.

Written responses and comments on the scope of the ACE Extension Lathrop to Ceres/Merced Project will be accepted until 5:00 PM on Friday, February 9, 2018. Please send written comments to:

Email: [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)  
Mail: San Joaquin Regional Rail Commission  
Attn: ACE Extension Lathrop to Ceres/Merced Project  
[949 East Channel Street](#)  
[Stockton, CA 95202](#)

**Scoping Meeting:**

SJRRC will hold a public scoping meeting to provide an opportunity for SJRRC to explain the project and to give interested agencies, organizations, and individuals an additional opportunity to comment on the scope and content of the EIR.

Date & time: Monday, January 29, 2018, from 5:30 p.m. to 7:30 p.m.

Location: Ceres Community Center  
Small Assembly Room  
[2701 Fourth Street](#)  
[Ceres, CA 95307](#)

Visit our website



ACE Rail | [949 East Channel St., Stockton, CA 95202](#)

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Sent by [aceextension.south@gmail.com](mailto:aceextension.south@gmail.com) in collaboration with



Try it free today





Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best**

1 message

---

**Ethan Miller** <ethan7080923@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:07 PM

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sincerely,  
Ethan Miller



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best**

1 message

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**Jessica Molina** <jessica4081076@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is watery**

1 message

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**AB Montoya** <amontoya0100@aesd.us>  
To: ACEextension.south@gmail.com

Fri, Feb 16, 2018 at 8:19 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE letter (AESD)**

1 message

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**Ramses Montoya-Pulido** <ramses6080142@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:37 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to speak with you. I am a student from the Atwater Elementary School District from the Merced county.

I have heard about you expanding to central valley and putting a stop there. There are a great amount of reasons why you should put a stop around the Merced county or Atwater in which could both help Atwater's poor economy and your company.

First of all let me say what great things could happen to your company. Many students from UC Merced come from the bay area in which many students would love to travel in your trains. Also people from other areas of Merced would travel in your trains as in an improvement of transportation.

As I might have already said, our economy in Atwater is poor and many people in our community don't have any jobs and they keep rejecting companies from coming in and making jobs.

So I would love if you could create a stop in Atwater as it could give people such as myself opportunities in getting jobs from the Bay area and to increase our economy in our city.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Andrea Moreno-Cabrera** <andrea1080043@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:55 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## ACE Extension in Atwater

1 message

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**Melody Moua** <melody6080502@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:40 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Clarissa Mounce** <clarissa7080035@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:40 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train**

1 message

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**Etuale Muliaga** <etuale5080658@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:33 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driver less cars are being tested every single day at Castle Commerce Center some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train**

1 message

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**Valeria Munoz** <valeria1080044@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:01 PM

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## NATIVE AMERICAN HERITAGE COMMISSION

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



RECEIVED  
FEB - 5 2018  
SJRRRC

January 31, 2018

Dan Leavitt  
San Joaquin Regional Rail Commission  
949 E. Channel Street  
Stockton, CA 95202

RE: SCH#2018012014, Ace Extension Lathrop to Ceres/Merced, San Joaquin, Stanislaus and Merced County

Dear Mr. Leavitt:

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

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

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

#### AB 52

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

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.

- b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
    - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
  3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
    - a. Alternatives to the project.
    - b. Recommended mitigation measures.
    - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
  4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
    - a. Type of environmental review necessary.
    - b. Significance of the tribal cultural resources.
    - c. Significance of the project's impacts on tribal cultural resources.
    - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
  5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
  6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
    - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
    - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
  7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
    - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
    - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
  8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources

Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).

9. **Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. **Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
  - a. Avoidance and preservation of the resources in place, including, but not limited to:
    - i. Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i. Protecting the cultural character and integrity of the resource.
    - ii. Protecting the traditional use of the resource.
    - iii. Protecting the confidentiality of the resource.
  - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
  - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
  - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. **Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
  - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
  - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

### SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf)

Some of SB 18's provisions include:

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

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

#### NAHC Recommendations for Cultural Resources Assessments

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

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions, please contact me at my email address: [sharaya.souza@nahc.ca.gov](mailto:sharaya.souza@nahc.ca.gov).

Sincerely,



Sharaya Souza  
Staff Services Analyst  
(916) 573-0168

cc: State Clearinghouse



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is okay**

1 message

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**Benito Noriega** <benito6080063@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:02 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor’s Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo’s Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)
- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
- The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.
- The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is

located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

- The City of Atwater offers numerous conveniences located within 1/2 mile of the Atwater Station which could further reduce vehicle trips. These include the Applegate Inn and the Valley Motel, numerous restaurants, the Applegate Ranch Shopping Center, the Applegate Square Shopping Center, and the Atwater Gateway Shopping Center, the Downtown Atwater commercial district, the Atwater Branch Library, 4 City parks, and the Bloss House Museum.

- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Ethan Ochoa** <ethan7080064@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:31 PM

Dear Sir or Madam

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing. I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here. I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area. We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too. Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is The best place ever

1 message

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**Edwin Ochoa Maravilla** <edwin4080910@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:00 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**atwater is the best**

1 message

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**Maria Olivera** <maria7080123@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:21 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Nazareth Padilla** <nazareth712650@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:48 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the place!**

1 message

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**Silvestre Padilla** <silvestre2080136@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:59 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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Ivan Palominos <ivan7080930@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:17 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the BEST!!!**

1 message

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**Rithik Patel** <rithik4080563@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:21 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**I live here... in Atwater. :)**

1 message

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**Ariana Payton** <ariana11080746@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:55 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater Is For The Job!**

1 message

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**Lauren Pelowski** <lauren7080180@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 2:01 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,



Mark Pereida  
City of Atwater  
Chief Building Official



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ace ext**

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**Mark Pereida** <mpereida@atwater.org>  
To: "ACEextension.south@gmail.com" <ACEextension.south@gmail.com>

Thu, Feb 8, 2018 at 4:13 PM

As per attached

**Mark Pereida**

**Chief Building Official**

**Office # (209) 357-6346**

**Fax # (209) 357-6348**



**The City of Atwater will be closed on the following dates due to the holidays:**

**Mon, Dec 25<sup>th</sup>**

**Tue, Dec 26<sup>th</sup>**

**Mon, Jan 1<sup>st</sup>**

**Tue, Jan 2<sup>nd</sup>**

**Save a Tree: We're doing our part and we urge you to please think twice before printing this email. Thank you.**

Confidentiality Notice:

This message is for the named person's use only. It may contain confidential, proprietary or legally privileged information. No confidentiality or privilege is waived or lost by any mistransmission. If you receive this message in error, please immediately delete it and all copies of it from your system, destroy any hard copies of it and notify the sender. You must not, directly or indirectly, use, disclose, distribute, print, or copy any part of this message if you are not the intended recipient. We and any of our subsidiaries each reserve the right to monitor all e-mail communications through our networks.

Any views expressed in this message are those of the individual sender, except where the message states otherwise and the sender is authorized to state them to be the views of any such entity.

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

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Mark Pereida  
City of Atwater  
Chief Building Official



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater California is a great place with many great opportunities

1 message

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Erica Perez <erica7080163@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:53 PM

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

City of Atwater staff has reviewed the subject Notice of Preparation and are concerned to discover that in this successor effort to the *ACEforward* project, the City of Atwater is reclassified as a "Potential Station," an alternative to a City of Livingston "Proposed Station." In the previous *ACEforward* Draft EIR, the Livingston and Atwater stations were considered as alternatives MME-1a and MME-1b, respectively. This recently released description of the ACE Extension Lathrop to Ceres/Merced (Project) and preferred alternatives represents a major deviation from the previous *ACEforward* project materials. There has been little or no communication with City of Atwater staff or elected officials regarding this major shift in the project.

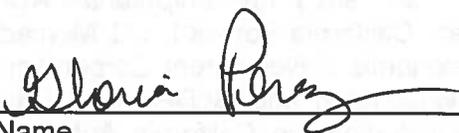
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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,



Name

City of Atwater

Title Admin. 1



Matt Hertel <aceextension.south@gmail.com>

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**Letter**

1 message

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**Gloria Perez** <gperez@atwater.org>  
To: "ACEextension.south@gmail.com" <ACEextension.south@gmail.com>

Thu, Feb 8, 2018 at 2:30 PM

Hello,

Please see attached letter.

Thank you,

Gloria Perez

City Of Atwater

Admin I

[209 357-6349](tel:2093576349)

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 **Ace Train.pdf**  
162K

# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
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February 7, 2018

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Name

City of Atwater

Title Admin. 1



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is my town**

1 message

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**Jimmy Perez** <jimmy1080048@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:52 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best**

1 message

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**Joseph Perez** <joseph11080209@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

1 message

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**Lilyana Perez** <lilyana11080034@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Mary Perez-Ornelas** <mary5080740@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:24 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is good**

1 message

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**Hayley Petersen** <hayley2080112@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:51 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Ethan Phillips** <ethan5080741@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:41 AM

I think you should pick Atwater as a stop. The classification of Atwater as a "Potential Station" as opposed to a "Proposed Station" is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a "Proposed Station" and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Please choose our city**

1 message

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**Michael Piceno** <michael3080049@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 11:19 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the Site to select**

1 message

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**Brad Pickle** <BPickle@aesd.edu>

Wed, Feb 7, 2018 at 1:06 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

To Whom it may concern:

Being born and raised in Atwater, I am very partial to our City. Atwater offers tremendous resource for the ACE train station. As well, our city could use the much needed economic impact that the station would provide our fair city. Please consider our city for the station as it is very worthy any consideration.

Thanks!

Brad Pickle



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Ceres**

1 message

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**Kathepoteet** <kathepoteet@aol.com>  
To: ACEextension.south@gmail.com

Sat, Jan 27, 2018 at 8:40 AM

I know it might seem logical (and PC) to have Ceres as the station with the non-stop ACE train to the Bay Area, but you will be risking losing ridership from towns in the northern area of influence from Modesto. People in Oakdale, Riverbank, Escalon, Ripon, Manteca and their rural areas will be hesitant to drive to Ceres. Modesto already has an established train station which is much more centrally located and would attract more riders from the northern areas.

The selection of Ceres also seems unusual as it is only to temporarily be the end of the line. A much more solid and financially prudent choice would be Modesto.

Sincerely,  
Kathe Poteet

Sent from my iPad



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is cool**

1 message

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**Delicia Prado Torres** <delicia6080228@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:02 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place

1 message

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**Cyana Price Gilkey** <cyana5080677@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:22 AM

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

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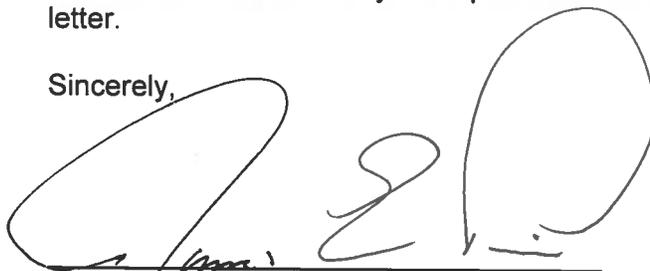
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Sincerely,



James E. Price  
City of Atwater  
Mayor



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**"ACE Extension Lathrop to Ceres/Merced Project"**

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Lori Waterman &lt;lwaterman@atwater.org&gt;

Thu, Feb 8, 2018 at 3:51 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Attached, please find my "ACE Extension Lathrop to Ceres/Merced Project" scoping comments.

**City Office Hours are Monday thru Thursday 8:00 AM to 6:00 PM.**

*James Price*

(209)357-6300

Mayor

City of Atwater



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Any views expressed in this message are those of the individual sender, except where the message states otherwise and the sender is authorized to state them to be the views of any such entity.

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
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February 7, 2018

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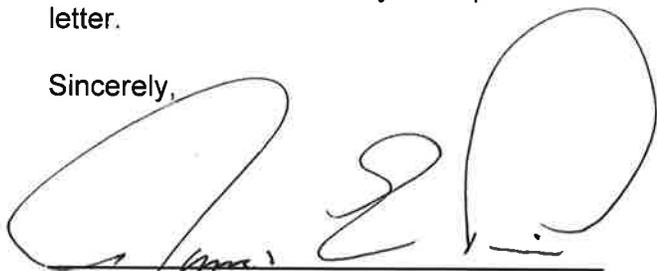
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Sincerely,

A handwritten signature in black ink, appearing to read 'James E. Price', written over a horizontal line.

James E. Price  
City of Atwater  
Mayor



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best!!!**

1 message

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**Ned Prothro** <ned4080064@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:59 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater**

1 message

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**Vicente Quesada** <vicente5080701@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:05 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Ace train**

1 message

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**Cruzelly Quirarte** <cruzelly4080027@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:03 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel <aceextension.south@gmail.com>

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**FW: Attached Image**

1 message

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**Sandy Rahn** <srahn@atwater.org>

Wed, Feb 7, 2018 at 4:28 PM

To: "ACEextension.south@gmail.com" <ACEextension.south@gmail.com>

Attn: ACE Extension Lathrop to Ceres/Merced Project

Please see attached letter!

Thanks, Sandy

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 **0806\_001.pdf**  
165K

# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

City of Atwater staff has reviewed the subject Notice of Preparation and are concerned to discover that in this successor effort to the ACEforward project, the City of Atwater is reclassified as a "Potential Station," an alternative to a City of Livingston "Proposed Station." In the previous ACEforward Draft EIR, the Livingston and Atwater stations were considered as alternatives MME-1a and MME-1b, respectively. This recently released description of the ACE Extension Lathrop to Ceres/Merced (Project) and preferred alternatives represents a major deviation from the previous ACEforward project materials. There has been little or no communication with City of Atwater staff or elected officials regarding this major shift in the project.

The classification of Atwater as a "Potential Station" as opposed to a "Proposed Station" is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a "Proposed Station" and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,



Sandy Rahn  
City of Atwater  
Recreation Supervisor



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Brandon Ramirez** <brandon1080049@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:05 AM

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Matt Hertel <aceextension.south@gmail.com>

## Atwater is the Best!!!!!!!!!!!!!!!!!!!!!!!!!!!!1

1 message

**Ruben Ramirez-Munoz** <ruben1080050@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:50 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Jacob Ramos** <jacob4080281@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Jacob Ramos** <jacob4080281@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:49 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater Is Atwater And Its A Town And The Area Code Is 95301**

1 message

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**Adrian Ramos Mercado** <adrian4080068@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:31 PM

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

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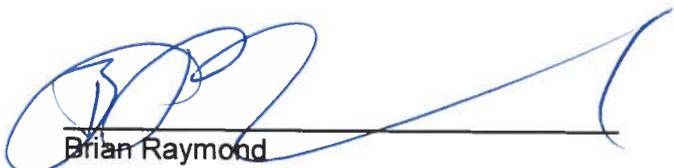
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Sincerely,



Brian Raymond  
City of Atwater  
City Council Commissioner



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**"ACE Extension Lathrop to Ceres/Merced Project"**

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Lori Waterman &lt;lwaterman@atwater.org&gt;

Thu, Feb 8, 2018 at 3:54 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Attached, please find my "ACE Extension Lathrop to Ceres/Merced Project" scoping comments.

**City Office Hours are Monday thru Thursday 8:00 AM to 6:00 PM.**

*Brian Raymond*

(209)357-6300

City Council Member

City of Atwater



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Any views expressed in this message are those of the individual sender, except where the message states otherwise and the sender is authorized to state them to be the views of any such entity.

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

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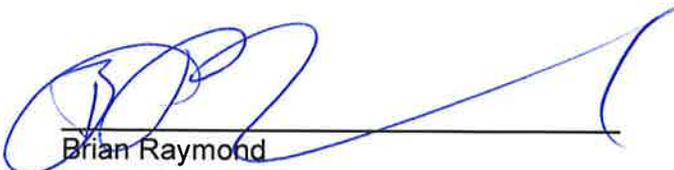
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City of Atwater  
City Council Commissioner



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place

1 message

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**Marissa Reyes** <marissa4080784@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:26 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Letter**

1 message

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**Krystal Rios** <krystal11080077@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:17 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**marco**

1 message

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**Marco Rivera Gomez** <marco4080571@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:16 AM

Dear Sir or Madam:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train(Atwater)**

1 message

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**Sarah Roan** <sarah4080030@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

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**Atwater is the best**

1 message

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**Xitlalli Robles** <xitlalli300090020@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:34 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Baleria Rodriguez** <baleria4080233@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:19 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the Place**

1 message

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**Coral Rodriguez** <coral3080056@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:35 PM

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**(no subject)**

1 message

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**Hailey Rodriguez** <hailey5080654@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:47 AM

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- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Pearl Rodriguez** <pearl2080156@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:30 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is lit my dood

1 message

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**Marissa Roehrenbaeck** <marissa7080037@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:53 PM

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- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
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Matt Hertel <aceextension.south@gmail.com>

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1 message

**Dorianna Rojo Duarte** <dorianna4080388@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:27 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## History

1 message

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**Angela Romero** <angela11080182@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:52 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!!

1 message

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**Brenda Romero** <brenda3080057@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:54 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place!!

1 message

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**Brenda Romero** <brenda3080057@aesd.us>  
To: ACEextension.south@gmail.com

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

1 message

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**Damian Romo** <damian4080032@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is nice**

1 message

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**Jose Romo** <jose3080580@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:00 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Yanna Rosales-Perez** <yanna4080246@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:19 AM

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

City of Atwater staff has reviewed the subject Notice of Preparation and are concerned to discover that in this successor effort to the ACEforward project, the City of Atwater is reclassified as a "Potential Station," an alternative to a City of Livingston "Proposed Station." In the previous ACEforward Draft EIR, the Livingston and Atwater stations were considered as alternatives MME-1a and MME-1b, respectively. This recently released description of the ACE Extension Lathrop to Ceres/Merced (Project) and preferred alternatives represents a major deviation from the previous ACEforward project materials. There has been little or no communication with City of Atwater staff or elected officials regarding this major shift in the project.

The classification of Atwater as a "Potential Station" as opposed to a "Proposed Station" is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a "Proposed Station" and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,



Stephanie Ruiz  
City of Atwater  
Building Technician



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Extension**

1 message

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**Serena Sahota** <serena7080091@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:01 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

Sincerely,

Serena Sahota



Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Joseph Salas** <joseph7080407@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:23 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Joseph Salas** <joseph7080407@aesd.us>  
To: ACEextension.south@gmail.com

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Luis Salas** <luis3080032@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:12 AM

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater Should Be Your PICK!

1 message

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**Alexa Salazar** <alexa1080056@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:40 AM

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Matt Hertel <aceextension.south@gmail.com>

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1 message

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**Damian Salcedo-Cuadros** <damian6080170@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:54 AM



Matt Hertel <aceextension.south@gmail.com>

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**ACE Train**

1 message

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**Ernesto Salgado** <ernesto11080322@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:29 PM

Dear whoever is reading this,

Do not build a train here unless I can ride it for free for life and if you call it "Thomas The ACE Train".



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE extension**

1 message

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**Esmeralda Sanchez** <esmeralda4080432@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:19 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place!

1 message

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**Hannah Sanchez** <hannah7080039@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:24 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place

1 message

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**Leslie Sanchez** <leslie3080036@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:22 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Victoria Sanchez** <victoria11080037@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:16 AM

Dear Sir or Madam:

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I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Jesus Sandoval** <jesus4080035@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:16 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater's the place**

1 message

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**Autumn Schoonover** <autumn713174@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is great!!!!**

1 message

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**Kylee Seibert** <kylee6080088@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:56 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**food**

1 message

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**Michael Serna** <michael6080560@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:29 PM

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,

  
\_\_\_\_\_  
Brian Shaw  
City of Atwater  
Interim Public Works Director



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**"ACE Extension Lathrop to Ceres/Merced Project"**

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**Lori Waterman** <lwaterman@atwater.org>

Thu, Feb 8, 2018 at 3:59 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Attached, please find my "ACE Extension Lathrop to Ceres/Merced Project" scoping comments.

**City Office Hours are Monday thru Thursday 8:00 AM to 6:00 PM.**

*Brian Shaw*

(209)357-6206 Desk

Interim Public Works Director

City of Atwater



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Any views expressed in this message are those of the individual sender, except where the message states otherwise and the sender is authorized to state them to be the views of any such entity.

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# City of Atwater



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February 7, 2018

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We look forward to the Project's consideration of Atwater as a Proposed Station. Please do not hesitate to contact us if you require further information on any of the items addressed in this letter.

Sincerely,




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Brian Shaw  
City of Atwater  
Interim Public Works Director



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Please pick Atwater!!**

1 message

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**Anaya Shelton** <anaya11080038@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 2:03 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**SJCOG Comments on ACE Extension Lathrop to Ceres/Merced Project**

1 message

**Rob Cunningham** <cunningham@sjcog.org>

Wed, Feb 14, 2018 at 9:11 AM

To: Dan Leavitt &lt;dan@acerail.com&gt;, "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Dan,

Please find attached SJCOG comments on the Notice of Preparation (NOP) for the ACE Extension from Lathrop to Ceres/Merced. I apologize that the comments are coming in after the deadline, but hope that they will still be considered in the development of the DEIR for Lathrop to Ceres/Merced.

**Rob Cunningham****Senior Regional Planner**

San Joaquin Council of Governments

555 E. Weber Ave, Stockton, CA 95202

**Direct Phone #:** (209) 235-0389**E-mail:** [cunningham@sjcog.org](mailto:cunningham@sjcog.org)

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 **SJCOG comment on ACE NOP Lathrop Ceres.pdf**  
1353K



# SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202 • P 209.235.0600 • F 209.235.0438 • [www.sjcog.org](http://www.sjcog.org)

*San Joaquin County Airport Land Use Commission/Congestion Management Agency*

*February 9, 2018*

Stacey Mortensen  
Executive Director  
San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

*Katherine Miller*  
CHAIR

*Robert Rickman*  
VICE CHAIR

*Andrew T. Chesley*  
EXECUTIVE DIRECTOR

*Member Agencies*

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

## **Re: Notice of Preparation for ACE Extension from Lathrop to Ceres/Merced**

Stacey Mortensen,

First, we would like to thank the San Joaquin Regional Rail Commission (SJRRRC) and its staff for the hard work put into the development of the ACE Extension from Lathrop to Ceres/Merced. The San Joaquin Council of Governments is supportive of the project as consistent with the SJCOG Board-adopted plans and initiatives such as the Regional Transportation Plan (RTP), the Regional Transportation Impact Fee (RTIF), and the Measure K Program.

This letter provides SJCOG's comments on the project and Notice of Preparation (NOP) in accordance with the provisions of the California Environmental Quality Act (CEQA) and CEQA Guidelines. SJCOG has been an active participant in the public process associated with the development of the ACE Extension from Lathrop to Ceres/Merced.

### Consistency with SJCOG 2014 Regional Transportation Plan & Draft 2018 Regional Transportation Plan

SJCOG's 2014 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) was adopted by the SJCOG Board in June 2014. The 2018 RTP/SCS is currently under development, with an expected adoption date of June 2018. The RTP is financially constrained and identifies regional transportation projects, ranging from streets/roads to public transit, in the next 20+ years. In addition, projects must be included in the RTP and conform to the Clean Air Act Requirements in order to receive federal transportation funds. In reviewing the ACE Extension Lathrop to Ceres/Merced NOP and comparing it against the RTP, SJCOG notes the following:

#### Ripon and Downtown Manteca Stations

SJCOG supports the development of the Ripon and Downtown Manteca Stations identified as "Proposed Stations" in Figure 1 of the NOP. These stations are identified in the 2014 and Draft 2018 RTPs. When built, the stations will serve as regional hubs for access to alternative modes of transportation as well as economic catalysts for their respective downtowns. In addition, the Ripon Multi-Modal Station is currently under development utilizing SJCOG RTIF Regional Share funds, approved by the Board on April 27, 2017.

### Consistency SR 99/SR 120 Connector Project

SJCOG notes that the SR 99/SR 120 Connector Project (2014 RTP, Appendix F, MPO ID: SJ11 – 2023) will include replacing the at-grade crossing of Austin Road and the Union Pacific Fresno Subdivision with a grade separation, which may include roadway/signal improvements such as signal installation, signal optimization, signal phasing adjustment, and roadway widening/geometric improvements. SJCOG recommends that the Rail Commission carefully review this project for consistency with any proposed project features and/or mitigation measures in this location.

### Regional Congestion Management Program

#### RCMP Facilities

The Regional Congestion Management Program (RCMP) includes the establishment of a Regional Transportation Network consisting of highways, regional arterial roadways, multimodal corridors and intersections. The goal of the RCMP is to monitor congestion on these facilities, identify targeted solutions, and establish a programming mechanism for projects that reduce single occupant vehicles and increase capacity on congested facilities.

Based on the existing, proposed and potential station alternative locations, additional traffic on RCMP facilities could be generated as the improvements and mitigation measures are implemented. SJCOG requests that the Rail Commission consider potential additional travel demand on RCMP facilities within a 1-2 mile radius of the proposed improvements as part of the transportation analysis. Please refer to Chapter 2 of the 2016 RCMP for the roadway segments and intersections included in the RCMP Regional Transportation Network, and Chapter 6 for analysis thresholds and mitigation requirements of the RCMP (<http://www.sjcog-rcmp.org/rcmp>).

Please contact me at 209-235-389 or [cunningham@sjcog.org](mailto:cunningham@sjcog.org) if you have any questions or comments.

Sincerely,



Rob Cunningham  
Senior Planner



RECEIVED  
FEB - 2 2018  
SJRRRC

January 31, 2018

San Joaquin Regional Rail Commission  
Attn: ACE Extension Lathrop to CERES/Merced Project  
949 East Channel Street  
Stockton, CA 95202

**Project: Altamont Commuter Express (ACE) Extension Lathrop to Ceres/Merced**

**District CEQA Reference No: 20180038**

To Whom It May Concern:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the San Joaquin Regional Rail Commission intent to prepare an Environmental Impact Report (EIR) to evaluate the environmental issues associated with the proposed improvements included in the ACE Extension Lathrop to Ceres/Merced Project. The proposed project consists of extending ACE passenger rail service from Lathrop to Ceres and Merced by constructing and upgrading tracks with the existing Union Pacific Railroad Fresno Subdivision right-of-way, a total distance of approximately 58 miles (Project). The District offers the following comments:

**Emissions Analysis**

- 1) At the federal level for the National Ambient Air Quality Standards (NAAQS), the District is currently designated as extreme nonattainment for the 8-hour ozone standards; nonattainment for the PM2.5 standards; and attainment for the 1-Hour ozone, PM10 and CO standards. At the state level, the District is currently designated as nonattainment for the 8-hour ozone, PM10, and PM2.5 California Ambient Air Quality Standards (CAAQS). The District recommends that the Air Quality section of the Environmental Impact Report (EIR) include a discussion of the following impacts:
  - a) **Criteria Pollutants:** Project related criteria pollutant emissions should be identified and quantified. The discussion should include existing and post-Project emissions.

**Seyed Sadredin**  
Executive Director/Air Pollution Control Officer

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

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

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

- i) **Construction Emissions:** Construction emissions are short-term emissions and should be evaluated separately from operational emissions. The District recommends preparation of an EIR if annual construction emissions cannot be reduced or mitigated to below the following levels of significance: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NO<sub>x</sub>), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SO<sub>x</sub>), 15 tons per year of particulate matter of 10 microns or less in size (PM<sub>10</sub>), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM<sub>2.5</sub>).
- *Recommended Mitigation:* To reduce impacts from construction related exhaust emissions, the District recommends feasible mitigation for the Project to utilize off-road construction fleets that can achieve fleet average emissions equal to or cleaner than the Tier III emission standards, as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations. This can be achieved through any combination of uncontrolled engines and engines complying with Tier III and above engine standards.
- ii) **Operational Emissions:** Operational Emissions: Permitted (stationary sources) and non-permitted (mobile sources) sources should be analyzed separately. The District recommends preparation of an Environmental Impact Report (EIR) if the sum of annual permitted and the sum of the annual non-permitted emissions each cannot be reduced or mitigated to below the following levels of significance: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NO<sub>x</sub>), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SO<sub>x</sub>), 15 tons per year of particulate matter of 10 microns or less in size (PM<sub>10</sub>), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM<sub>2.5</sub>).
- *Recommended Mitigation:* Project related impacts on air quality can be reduced through incorporation of design elements, for example, that increase energy efficiency, reduce vehicle miles traveled, and reduce construction exhaust related emissions. However, design elements and compliance with District rules and regulations may not be sufficient to reduce Project related impacts on air quality to a less than significant level. Another example of a feasible mitigation measure is the mitigation of Project emissions through a Voluntary Emission Reduction Agreement (VERA). The VERA is an instrument by which the project proponent provides monies to the District, which is used by the District to fund emission reduction projects that achieve the reductions required by the lead agency. District staff is available to meet with Project proponents to discuss a VERA for

specific projects. For more information, or questions concerning this topic, please call District Staff at (559) 230-6000.

- iii) **Recommended Model:** Project related criteria pollutant emissions from construction and operation non-permitted (limited to equipment not subject to District permits) should be identified and quantified. Emissions analysis should be performed using CalEEMod (**California Emission Estimator Model**), which uses the most recent approved version of relevant Air Resources Board (ARB) emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: [www.caleemod.com](http://www.caleemod.com).
  
- b) **Health Risk Screening/Assessment:** A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TAC's) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAC's are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) (<https://www.arb.ca.gov/toxics/healthval/healthval.htm>) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. Industry specific TACs generated must also be identified and quantified.

The District recommends the Project be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAC emissions.

- i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using CAPCOA's updated methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed. The prioritization calculator can be found at: [http://www.valleyair.org/busind/pto/emission\\_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS](http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS).
  
- ii) The District recommends a refined HRA for projects that result in a prioritization score of 10 or greater. It is recommended that the Project proponent contact the District to review the proposed modeling protocol. The Project would be considered to have a significant health risk if the HRA demonstrates that the Project related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: [hramodeler@valleyair.org](mailto:hramodeler@valleyair.org); or
- The District can be contacted at (559) 230-6000 for assistance; or
- Visiting the Districts website (Modeling Guidance) at [http://www.valleyair.org/busind/pto/Tox\\_Resources/AirQualityMonitoring.htm](http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm)

- c) **Ambient Air Quality Analysis:** An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the ambient air quality standards. The District recommends that an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

If an AAQA is performed, the analysis should include emissions from both Project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis. Specific information for assessing significance, including screening tools and modeling guidance is available online at the District's website [www.valleyair.org/ceqa](http://www.valleyair.org/ceqa).

- 2) In addition to the discussions on potential impacts identified above, the District recommends the EIR also include the following discussions:
- a) A discussion of the methodology, model assumptions, inputs and results used in characterizing the Project's impact on air quality. To comply with CEQA requirements for full disclosure, the District recommends that the modeling outputs be provided as appendices to the EIR. The District further recommends that the District be provided with an electronic copy of all input and output files for all modeling.
  - b) A discussion of the components and phases of the Project and the associated emission projections, including ongoing emissions from each previous phase.
  - c) A discussion of Project design elements and mitigation measures, including characterization of the effectiveness of each mitigation measure incorporated into the Project.
  - d) A discussion of whether the Project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air

Basin is in non-attainment. More information on the District's attainment status can be found online by visiting the District's website at:  
<http://valleyair.org/aqinfo/attainment.htm>.

### **District Rules and Regulations**

- 3) The proposed Project may be subject to District rules and regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).
- 4) This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require District permits. Prior to construction, the Project proponent should submit to the District an application for an Authority to Construct (ATC). For further information or assistance, the Project proponent may contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.
- 5) Based on information provided, the proposed Project may equal or exceed the relevant District Rule 9510 (Indirect Source Review) applicability threshold for transit projects where construction exhaust emissions equal or exceed two (2.0) tons of NOx or two (2.0) tons of PM10.

Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at:  
<http://www.valleyair.org/ISR/ISRHome.htm>.

- 6) The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (209) 557-6446. Current District rules can be found online at the District's website at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm).

The District recommends that a copy of the District's comments be provided to the Project proponent. If you have any questions or require further information, please call Michael Corder at (559) 230-5818.

Sincerely,

Arnaud Marjollet  
Director of Permit Services

A handwritten signature in blue ink, appearing to read "Brian Clements", is written over the typed name and title.

Brian Clements  
Program Manager

AM: mc



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place to be

1 message

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**Elijah Soares** <elijah4080077@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:54 AM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor’s Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo’s Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)
- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
- The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.
- The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is

located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the place!**

1 message

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**Diana Solorzano** <diana6080531@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater My Town**

1 message

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**Jovan Sooch** <jovan7080242@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:52 AM

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the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

- The City of Atwater offers numerous conveniences located within 1/2 mile of the Atwater Station which could further reduce vehicle trips. These include the Applegate Inn and the Valley Motel, numerous restaurants, the Applegate Ranch Shopping Center, the Applegate Square Shopping Center, and the Atwater Gateway Shopping Center, the Downtown Atwater commercial district, the Atwater Branch Library, 4 City parks, and the Bloss House Museum.

- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Thank You very much! ;)**

1 message

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**Ashley Soriano** <ashley713062@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:20 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

FILED

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RECEIVED

MAR 24 2018

SJRRC



STANISLAUS CO. CLERK-RECORDER

Maria Fernandez

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

## ACE Extension Lathrop to Ceres/Merced

SCOPING PERIOD: WEDNESDAY JANUARY 10, 2018 – FRIDAY, FEBRUARY 9, 2018

**DATE:** January 10, 2018  
**TO:** Agencies, Organizations, and Interested Parties  
**FROM:** San Joaquin Regional Rail Commission  
**SUBJECT:** Notice of Preparation of an Environmental Impact Report (EIR)

**NOTICE IS HEREBY GIVEN** that the San Joaquin Regional Rail Commission (SJRRRC) intends to prepare an environmental impact report (EIR), consistent with requirements under the California Environmental Quality Act (CEQA). The purpose of the EIR is to evaluate the environmental issues associated with the proposed improvements included in the Altamont Commuter Express (ACE) Extension Lathrop to Ceres/Merced Project. The SJRRRC will serve as the lead agency under CEQA for the EIR.

The purpose of this Notice of Preparation (NOP) is to notify agencies, organizations, and individuals that SJRRRC plans to prepare the EIR and to request input on the scope of the environmental analysis to be performed. From public agencies, we are inviting comments on the scope and context of the environmental information that is germane to each agency's statutory responsibilities with regard to the proposed project. We are also requesting interested individuals' or organizations' views on the scope of the environmental document.

A prior NOP was issued for the *ACEforward* project (State Clearinghouse #2013062059) in June 2013, and the draft EIR for the *ACEforward* project was released in May 2017. The *ACEforward* project included the expansion of ACE service between the San Joaquin Valley and San Jose, as well as extension of ACE service to Modesto and Merced. SJRRRC has decided to not proceed with the *ACEforward* project and hereby rescinds the prior NOP. Since the *ACEforward* project is not moving forward, response to comments received on the *ACEforward* draft EIR will not be responded to and will not be part of the administrative record for this new EIR for the ACE Extension Lathrop to Ceres/Merced Project. This is a new environmental process for a new project.

### A. Scoping Period

Written responses and comments on the scope of the ACE Extension Lathrop to Ceres/Merced Project will be accepted until 5:00 PM on Friday, February 9, 2018. Please send written comments to:

San Joaquin Regional Rail Commission  
Attn: ACE Extension Lathrop to Ceres/Merced Project  
949 East Channel Street  
Stockton, CA 95202

Your comments may also be sent by email to [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com). Please include the "ACE Extension Lathrop to Ceres/Merced Project" in the subject heading. A public scoping meeting is scheduled in late January, at the time and date listed below.

## B. Scoping Meeting

A public scoping meeting will be held for the project at the following location:

- Ceres Community Center  
Small Assembly Room  
2701 Fourth Street  
Ceres, CA 95307  
Monday, January 29, 2018, from 5:30 p.m. to 7:30 p.m.

The scoping meeting will provide an opportunity for the lead agency to explain the project and to give interested agencies, organizations, and individuals an additional opportunity to comment on the scope and content of the EIR.

## C. Project History

SJRRRC manages and operates ACE service, which currently provides commuter and intercity rail service between San Jose and Stockton. The existing 86-mile ACE service corridor passes through Santa Clara, Alameda, and San Joaquin Counties, with 10 stations along the route. At the western end of the ACE corridor, ACE operates on an approximately 4-mile segment of track between San Jose and Santa Clara owned and operated by the Peninsula Corridor Joint Powers Board (PCJPB, also referred to as Caltrain). North of the Santa Clara Station to Stockton, ACE operates on approximately 82 miles of track owned by Union Pacific Railroad (UPRR). ACE operates on portions of UPRR's Coast, Niles, Oakland, and Fresno subdivisions.<sup>1</sup>

In 2013, SJRRRC identified and developed a suite of improvements, known as the *ACEforward* plan, to modernize the existing ACE service that would result in faster commuter and intercity train services and could establish a connection between the San Joaquin Valley and San Jose within the next 10 years. A NOP was issued in June 2013 to initiate the prior environmental process for *ACEforward*. In May 2017, SJRRRC released the *ACEforward* draft EIR which analyzed the environmental impacts associated with the phased improvement plan to increase service reliability and frequency, enhance passenger facilities, reduce travel times along the existing ACE service corridor from San Jose to Stockton, and to extend ACE service to Manteca, Modesto, Ceres, Turlock and Merced. In the near term, *ACEforward* proposed improvements necessary to support ACE service of up to six daily roundtrips between San Jose and the San Joaquin Valley, a potential reroute of ACE service through downtown Tracy, and the extension of ACE service to Modesto. In the longer term, *ACEforward* proposed a suite of improvements that would ultimately support ACE service of up to 10 daily roundtrips between San Jose and the San Joaquin Valley, a train-to-train ACE/BART connection, and the extension of ACE service to Ceres, Turlock and Merced.

As the *ACEforward* project has progressed, funding for the entirety of *ACEforward* improvements has been uncertain. However, as part of Senate Bill (SB) 132 passed in April 2017, SJRRRC was awarded \$400 million for the ACE service expansion in the San Joaquin Valley, including associated system improvement. Through the *ACEforward* project development and environmental review, substantial financial, environmental, and

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<sup>1</sup> A *subdivision* is a portion of railroad or railway that operates under a single timetable (authority for train movement in the area).

logistical challenges were identified with some of the improvements necessary to increase ACE service levels to San Jose, as well as the need to coordinate potential improvements with other regional rail services and planning. In addition, SJRRC ridership studies have shown that expansion to Ceres and Merced would provide substantial increases in ACE ridership without the financial, logistical, and environmental challenges of some of the improvements necessary to increase service levels to San Jose. As a result, the feasible and fundable extension of service in the Central Valley is now the focus of SJRRC vision for commuter and intercity passenger rail services for ACE. The improvements envisioned in the *ACEforward* plan no longer represents the intention of SJRRC for ACE. For this reason, SJRRC is rescinding the prior *ACEforward* NOP and draft EIR and intends to prepare a new EIR for this ACE Extension Lathrop to Ceres/Merced Project.

#### D. Project Location

As shown in Figure 1, the project spans San Joaquin, Stanislaus, and Merced Counties. SJRRC proposes to extend ACE passenger rail service from Lathrop to Ceres and Merced by constructing and upgrading tracks with the existing UPRR Fresno Subdivision right-of-way (ROW), a total distance of approximately 58 miles. New stations and operating facilities would be constructed in the Lathrop area and along the extension alignment. The project limits includes portions of the UPRR Oakland and Fresno Subdivisions ROW, additional ROW for new facilities (stations and layover yards) and for any construction or access areas located outside the ROW.

#### E. Purpose and Need for the Project

The primary purposes of the project are to enhance commuter and intercity service and transit connectivity in the San Joaquin Valley; reduce traffic congestion, improve regional air quality, and reduce GHG emissions; and to promote local and regional land use and transportation sustainability goals. Each of these objectives is discussed in detail below.

- **Enhance commuter and intercity service and transit connections in the San Joaquin Valley.** Project improvements would support enhanced commuter and intercity transit connectivity and provide additional surface passenger transportation capacity in the San Joaquin Valley. The ACE extension to Ceres and Merced would service the existing commuter and intercity transportation needs of the San Joaquin Valley, and would support transit-oriented development in the downtown parts of cities with potential or proposed service. Modesto Max (City of Modesto bus transit) currently run buses to meet each ACE train at the Existing Lathrop/Manteca Station. The extension to Merced would also provide a future opportunity to connect with the California HSR System which would integrate ACE into a unified northern California rail system. These commuter and intercity transit connections are expected to stimulate additional ACE ridership.
- **Reduce traffic congestion, improve regional air quality, and reduce greenhouse gas emissions.** An expanded and improved ACE would provide a transportation alternative to automobile use, which would alleviate traffic congestion on corridor highway segments (along SR-99, I-205, I-580, I-680, and I-880), and result in air quality benefits and a reduction in GHG emissions. In addition, by maximizing connections with other transit services within the San Joaquin Valley, the project would contribute to indirect benefits related to alleviating congestion and improving regional air quality. Reductions in air pollutant emissions represent long-term health benefits for ACE riders, and for residents and employees

along the ACE corridor. In addition, reduction of GHG emissions would help California to meet its goals under Assembly Bill 32, the 2006 Global Warming Solutions Act, as well as post-2020 state GHG emission reduction goals.

- **Promote local and regional land use and transportation sustainability goals.** Metropolitan areas are implementing strategies to encourage more efficient use of land resources, improve mobility, and provide alternative transportation facilities and services as a means to lower GHG emissions and to maintain air quality standards. One statewide strategy adopted in the California State Implementation Plan is the development of multi-use transportation corridors, including the addition of more transit and the expansion of rail modal options. This project would further improve regional air quality and reduce GHG emissions, beyond reducing VMT from automobiles, by supporting regional land use and transportation planning goals under the Sustainable Communities and Climate Protection Act of 2008 (also known as SB 375) and other local, regional, and state sustainability initiatives. ACE is evaluating potential new ACE stations in Lathrop and downtown areas between Manteca and Merced. The new transit stations could act as a catalyst for smart growth in communities by revitalizing city core areas and addressing traffic congestion issues in the cities of the northern Central Valley.

## F. Project Description

The project contains both Phase I and Phase II improvements. The Phase I improvements will be analyzed a project level of detail based on preliminary engineering and Phase II improvements are analyzed at a programmatic, more conceptual level of detail because only conceptual engineering has been completed at this time.<sup>2</sup> Phase I improvements would support the ACE service extension to Ceres and Phase II improvements would support the ACE service extension to Merced. No improvements are proposed along the existing ACE corridor between Stockton and San Jose. However, where applicable, the EIR will analyze Phase I operational impacts due to changes in ridership at existing ACE destination stations<sup>3</sup> in the San Francisco Bay Area.

The extension from Ceres to Merced is analyzed at a programmatic-level at this time because this extension would be implemented at a later date, and because the location of the ACE Merced Station is dependent on the final location of the High-Speed Rail station and may be subject to change. Thus, the analysis of the extension to Merced is more general in nature, and a more detailed subsequent project-level analysis would be undertaken in the future prior approval of the Merced extension.

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<sup>2</sup> CEQA permits the use of a tiered process for environmental review. The first tier is a program-level analysis of an entire program of improvements which comprehensively reviews the environmental impacts of a program as a whole at a broad conceptual level of analysis including cumulative impacts. The second tier is a project-level analysis conducted for specific improvement that are sufficiently designed to allow for a detailed analysis and the identification and disclosure of project-level environmental impacts. Improvements that are analyzed at a program level of review would subsequently be reviewed at the project level before they can be approved at a project level and constructed.

<sup>3</sup> These include the San Jose Diridon, Santa Clara, Great America, Fremont, Pleasanton, Livermore, and Vasco Road Stations.

## Overview of Phase I Improvements

Phase I improvements that are part of the project consists of the following:

- a new **North Lathrop Station** and/or new **Relocated Lathrop/Manteca Station** and/or track improvements at the **Existing Lathrop/Manteca Station**;
- a new **Oakland-Fresno Subdivision Connection** which would construct a new track connection between the Oakland and Fresno Subdivisions;
- a **Ceres Extension Alignment** consisting of upgrades to track, new tracks and bridges within the UPRR Fresno Subdivision between Lathrop and Ceres;
- new **Downtown Manteca, Ripon, Modesto, and Ceres Stations** along the extension alignment;
- a new temporary **Ceres Layover Facility** (two variants under consideration, **variants 1 or 2**) to support extension operations until the extension to Merced is constructed, at which time a permanent layover facility would be located in Merced; and
- an interim bus bridge between Merced and Ceres, with stops at the **Turlock, Livingston, and Merced Bus Stops**.

The conceptual service plan for Phase I with the ACE service extension to Ceres could consist of two operational scenarios, depending on whether SJRRC chooses to implement direct ACE service from Ceres to San Jose or not.

- Phase I Operational Scenario A: Ceres–Lathrop trains/no direct ACE service between Ceres and San Jose
  - In the morning, four westbound trains from Ceres to Lathrop, where passengers would transfer onto the four westbound trains from Stockton to San Jose at the selected Lathrop-area station (timed transfers). Four buses from Merced would meet the four trains at Ceres in the morning.
  - In the evening, four eastbound trains from San Jose to Stockton, where passengers would transfer onto the four eastbound trains from Lathrop to Ceres at the selected Lathrop-area station (timed transfers). Four buses would meet the four trains at Ceres in the evening and provide a connection to Merced.
- Phase I Operational Scenario B: Ceres–Lathrop trains/direct ACE service between Ceres and San Jose
  - In the morning, three westbound trains from Ceres to Lathrop, where passengers would transfer onto the three westbound trains from Stockton to San Jose at the selected Lathrop-area station (timed transfers); and one westbound train from Ceres to San Jose. Four buses from Merced would meet the four trains at Ceres in the morning.
  - In the evening, three eastbound trains from San Jose to Stockton, where passengers would transfer onto the three eastbound trains from Lathrop to Ceres at the selected Lathrop-area station (timed transfers); and one eastbound train from San Jose to Ceres. Four buses would meet the four trains at Ceres in the evening and provide a connection to Merced.

With Phase I's service extension to Ceres, a bus bridge would operate between Merced and Ceres, with stops in Livingston and Turlock. Bus bridge service would consist of four buses in the morning that would shuttle passengers from Merced to Ceres, where passengers would transfer onto westbound Stockton to San Jose trains. In the evening, four buses would meet passengers disembarking eastbound San Jose to Stockton trains and provide bus services to Merced. The bus bridge service between Merced and Ceres would discontinue, pending the completion of the ACE service extension to Merced.

## Overview of Phase II Improvements

Phase II improvements that are part of the project consists of the following:

- a **Merced Extension Alignment** consisting of upgrades and new tracks and bridges within the UPRR Fresno Subdivision between Ceres and Merced;
- new **Turlock, Livingston or Atwater, and Merced Stations** along the extension alignment; and
- a new permanent **Merced Layover Facility** to support extension operations (which would replace the temporary **Ceres Layover Facility** constructed in the Phase I).

The conceptual service plan for Phase II could consist of two operational scenarios, depending on whether SJRRC chooses to implement direct ACE service from Merced to San Jose.

- Phase II Operational Scenario A: Merced–Lathrop trains/no direct ACE service between Merced and San Jose
  - In the morning, four westbound trains from Merced to Lathrop, where passengers would transfer onto the four westbound trains from Stockton to San Jose at the selected Lathrop-area station (timed transfers).
  - In the evening, four eastbound trains from San Jose to Stockton, where passengers would transfer onto the four eastbound trains from Lathrop to Merced at the selected Lathrop-area station (timed transfers).
- Phase II Operational Scenario B: Merced–Lathrop trains/direct ACE service between Merced and San Jose
  - In the morning, three westbound trains from Merced to Lathrop, where passengers would transfer onto the three westbound trains from Stockton to San Jose at the selected Lathrop-area station (timed transfers); and one westbound train from Merced to San Jose.
  - In the evening, three eastbound trains from San Jose to Stockton, where passengers would transfer onto the three eastbound trains from Lathrop to Merced at the selected Lathrop-area station (timed transfers); and one eastbound train from San Jose to Merced.

## H. Potential Environmental Effects

The lead agency has initially determined that the following topics will be included for evaluation in the EIR: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazardous Materials, Hydrology and Water Quality, Land Use and

Planning, Noise and Vibration, Population and Housing, Public Services, Recreation, Safety and Security, Transportation and Traffic, and Utilities and Service Systems. The EIR will consider both temporary construction-period and permanent impacts. The EIR will also include a cumulative impact analysis of the impacts of the project in combination with other planned railway projects, transportation improvements, and land use plans and projects in the various cities along the project corridor.

SJRRC is seeking comments from agencies, stakeholders, and the public regarding the environmental effects and potential alternatives to be analyzed in the EIR.

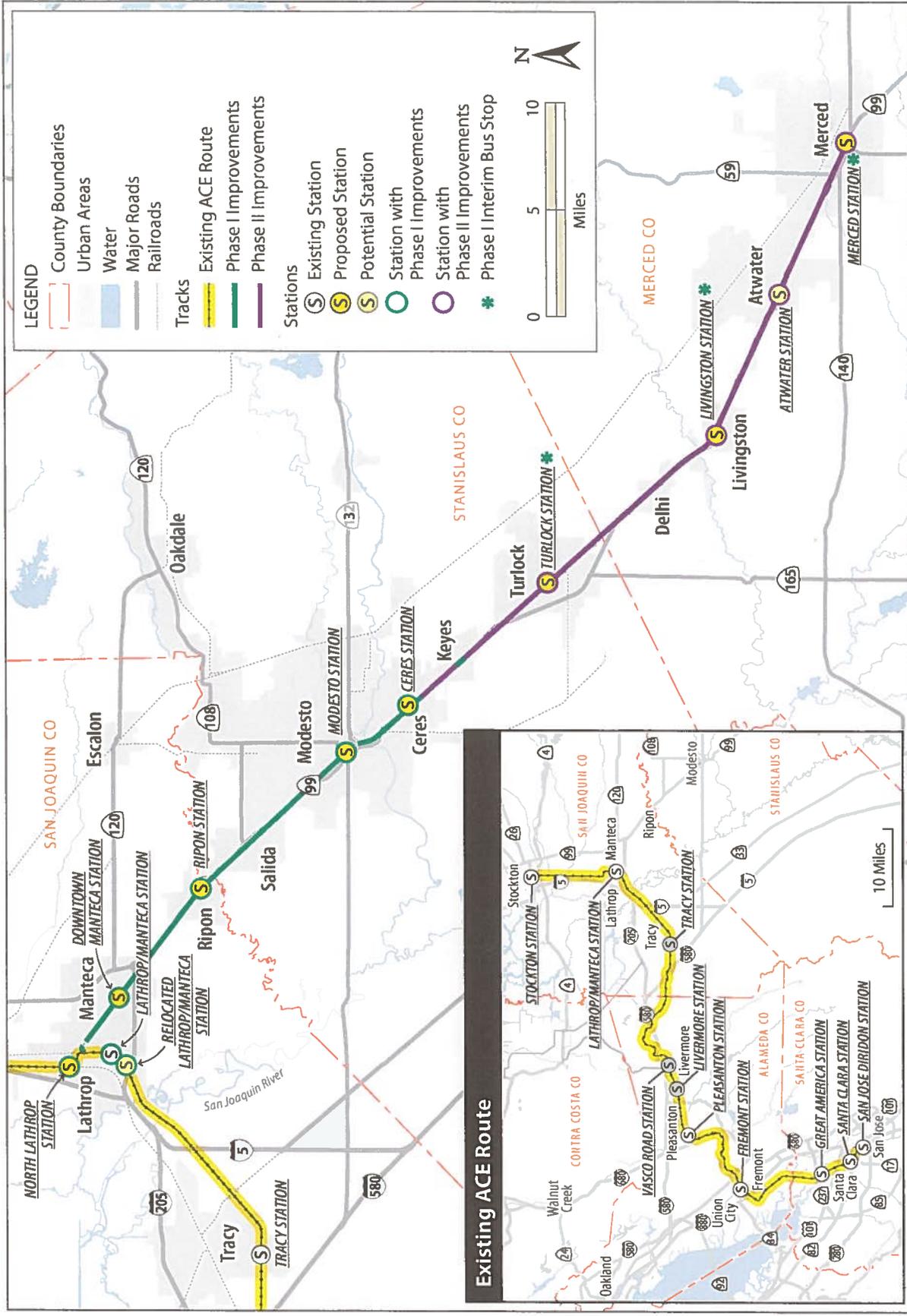
## I. Alternatives

As required by CEQA, the EIR will consider a reasonable range of alternatives in addition to the proposed project. At a minimum, the following alternatives will be evaluated in detail in the EIR:

1. No-Extension Alternative (No-Project Alternative);
2. Proposed Project: consists of the **Oakland-Fresno Subdivision Connection, Ceres Extension Alignment**, the temporary **Ceres Layover Facility variant 2**, a temporary bus bridge service from Merced to Ceres with stops at the **Turlock, Livingston, and Merced Bus Stops, Merced Extension Alignment**, and the permanent **Merced Layover Facility** with stations at **Existing Lathrop/Manteca, North Lathrop, Downtown Manteca, Ripon, Modesto, Ceres, Turlock, Livingston, and Merced**;
3. **Relocated Lathrop/Manteca Station** alternative: consists of all the improvements in the Proposed Project, except that the **Relocated Lathrop/Manteca Station** would be selected as the only Lathrop area station instead of the **North Lathrop and Existing Lathrop/Manteca Stations**;
4. **Existing Lathrop/Manteca Station** alternative: consists of all the improvements in the Proposed Project, except that the **Existing Lathrop/Manteca Station** would be selected as the only Lathrop area station (no **North Lathrop Station**); and
5. **North Lathrop Station** alternative: consists of all the improvements in the Proposed Project, except that the **Oakland-Fresno Subdivision Connection** would not be implemented and the **North Lathrop Station** would be selected as the only Lathrop area station (no **Existing Lathrop/Manteca Station**).
6. **Relocated Lathrop/Manteca and North Lathrop Stations** alternative: consists of all the improvements in the Proposed Project, except a different selection of stations for the two-station scenario in Lathrop, consisting of new **North Lathrop and Relocated Lathrop/Manteca Stations** would be selected;
7. **Ceres Layover Facility, variant 1** alternative: consists of all the improvements in the Proposed Project, except that the **Ceres Layover Facility, variant 1** would be selected in lieu of variant 2 of the layover facility;
8. **Atwater Station** alternative: consists of all the improvements in the Proposed Project, except that the **Atwater Station** would be selected lieu of a station in Livingston.

SJRRC is seeking comments from agencies, stakeholders, and the public regarding feasible alternatives for evaluation in the EIR. After consideration of input from project scoping and development of environmental analysis of the proposed project, SJRRC will consider the need for analysis of additional alternatives. Only

alternatives that are feasible, meet the project purpose and need, and reduce one or more significant environmental impacts of the proposed project will be analyzed in detail. Alternatives that are infeasible, that do not meet the project purpose and need, or that do not reduce one or more significant environmental impacts of the proposed project will be discussed in the EIR but will not be analyzed in detail as allowed by the requirements of CEQA.



**Figure 1**  
**Project Location Map**  
 ACE Extension Lathrop to Ceres/Merced



**CHIEF EXECUTIVE OFFICE**

**Jody L. Hayes**  
Chief Executive Officer

**Patricia Hill Thomas**  
Chief Operations Officer/  
Assistant Executive Officer

**Keith D. Boggs**  
Assistant Executive Officer

**Patrice M. Dietrich**  
Assistant Executive Officer

**STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE**

February 8, 2018

San Joaquin Regional Rail Commission  
ATTN: ACE Extension Lathrop to Ceres/Merced Project  
949 East Channel Street  
Stockton, CA 95202

**SUBJECT: ENVIRONMENTAL REFERRAL – ALTAMONT CORRIDOR EXPRESS (ACE) –  
ACE EXTENSION LATHROP TO CERES/MERCED PROJECT – NOTICE OF  
PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR)**

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

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and has no comments at this time.

The ERC appreciates the opportunity to comment on this project.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Cavanah".

Patrick Cavanah  
Sr. Management Consultant  
Environmental Review Committee

PC:ss

cc: ERC Members

**RECEIVED**  
FEB 12 2018  
SJRRG



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place

1 message

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**Arianna Steele** <arianna6080073@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:18 AM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor’s Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo’s Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)
- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
- The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.
- The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is

located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

- The City of Atwater offers numerous conveniences located within 1/2 mile of the Atwater Station which could further reduce vehicle trips. These include the Applegate Inn and the Valley Motel, numerous restaurants, the Applegate Ranch Shopping Center, the Applegate Square Shopping Center, and the Atwater Gateway Shopping Center, the Downtown Atwater commercial district, the Atwater Branch Library, 4 City parks, and the Bloss House Museum.

- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the BEST!

1 message

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**Natalie Stephenson** <natalie1080211@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

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- The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is

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- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is ok.**

1 message

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**Trace Stockam** <trace6080525@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:24 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACEextension.south@gmail.com**

1 message

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**Thomas Stubbs** <thomas3080452@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:33 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

Sincerely  
Thomas Stubbs



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Skylar Sullivan** <skylar3080820@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:17 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Rowen Summerton** <rowen3080344@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:28 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

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Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ATWATER TRAIN**

1 message

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**Valeria Tejeda** <valeria7080093@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:59 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

1 message

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**Shayndel Tejada-Cabral** <shayndel4080038@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:18 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the place to be!**

1 message

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**Kylene Thao** <kylene11080451@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is great**

1 message

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**Mathew Thelen** <mathew5080682@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:20 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Mathew Thelen** <mathew5080682@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:19 AM

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- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwaters ACEtrain.**

1 message

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**Amber Thomas** <amber5080647@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:59 PM

The classification of Atwater as a "Potential Station" as opposed to a "Proposed Station" is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a "Proposed Station" and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor's Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo's Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)
- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
- The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.
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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater**

1 message

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**James Thomas** <james4080418@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Ace Track @ Atwater CA**

1 message

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**Loren Thompson** <loren3080045@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 2:05 PM

To who it may concern,

Regarding the new stations you are going to be installing through the Sierra Nevada Valley, Atwater would be a golden spot, it would not only effect your rates, but our's as well.

Our town is in a little bit of a slump in debt. But it is also great opportunity because of it's location, it's between UC Merced and the state's capital. Meaning that it would be a good rest stop for drivers, and passengers. There are quite a lot more reasons but let's lock in a spot so we don't waste each other's time.

Student of Atwater



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is a cool place

1 message

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**Jesus Tinoco-Guzman** <jesus11080405@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:03 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Public Comments Re: ACE Extension Lathrop to Ceres/Merced NOP of EIR**

1 message

**Terra Land Group** <terraingroup@gmail.com>

Wed, Jan 31, 2018 at 9:30 AM

To: ACEextension.south@gmail.com

Cc: nguyen@sjcog.org, "Duzenski, Mimi" &lt;mduzenski@sjgov.org&gt;, Chris Neudeck &lt;cneudeck@ksninc.com&gt;, pamforbus@sbcglobal.net, "Blackmon, Lisa" &lt;lblackmon@ci.manteca.ca.us&gt;, website\_cco@ci.lathrop.ca.us, city.clerk@stocktonca.gov, leslie.gallagher@cvflood.ca.gov, marlo.duncan@stocktongov.com

Good Morning,

Enclosed please find a copy of a letter dated January 30, 2018 from Terra Land Group to the San Joaquin Regional Rail Commission, Attn: ACE Extension Lathrop to Ceres/Merced Project

**Re: Public Comments in Response to the ACE Extension Lathrop to Ceres/Merced Project - Notice of Preparation of an EIR.**

Thank you,

Martin Harris

Terra Land Group

MH/cm

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**2018-01-30\_LTR\_SJRRC\_ACENOP.pdf**

431K

# TERRA LAND GROUP, LLC

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January 30, 2018

VIA EMAIL

San Joaquin Regional Rail Commission  
Attn: ACE Extension Lathrop to Ceres/Merced Project  
949 E. Channel Street  
Stockton, CA 95202  
(ACEextension.south@gmail.com)

**Re: Public Comments in Response to the ACE Extension Lathrop to Ceres/Merced Project -  
Notice of Preparation of an EIR.**

Dear Commission Members,

My name is Martin Harris and I am an authorized representative for Terra Land Group, LLC ("TLG"). TLG owns several properties located in Manteca and Lathrop. As an organization, TLG devotes many of its efforts to ensuring the safety of our community by urging local and state authorities to pursue flood mitigation efforts when moving forward with new development projects.

As recent flooding in Houston, Texas has demonstrated, unrestrained development without consideration for flood impacts can have serious consequences. In particular, as more and more development projects continue to move forward, TLG has put forth a regular effort to ensure that local authorities are aware of the need for cumulative environmental review and analysis of all hydrology-related impacts associated with all currently existing and foreseeable development projects affecting drainage in and along the Lower San Joaquin River Basin and especially the areas affecting the urban and rural areas of Manteca and Lathrop.

For some time now, TLG has sent various copies of our letters to the San Joaquin Regional Rail Commission ("SJRR") and other agencies expressing public concern related to development in the floodplain and the need to examine any potential impacts related to San Joaquin River (and tributary) flow deficiencies and the potential for upstream and downstream channel flow stage increases due to drainage patterns affected by grade, levee location, and other environmental considerations. (**See Enclosure** which contains a list of letters and related items in its own Enclosure 1. This list contains information that TLG believes is important to consider in the decision-making process.) Through careful study, the letters included in the Enclosure can offer significant details relating to what appears to be very significant drainage impacts affecting the Lower San Joaquin River Drainage system.

This is especially important when you consider that the City of Manteca has not clearly identified and allowed proper environmental cumulative impact review in conjunction with currently undefined public

# TERRA LAND GROUP, LLC

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utilities and services infrastructure necessary to serve (i) flood protection, (ii) stormwater collection, retention, and drainage, (iii) treated and untreated wastewater spray field discharge, and (iv) public road transportation needs of our local and extended community. For this reason, TLG requests that the SJRRC include the information provided in this letter and Enclosures attached as part of the Draft Environmental Impact Review process.

Thank you for your attention to this very important matter.

Respectfully,



Martin Harris  
for Terra Land Group, LLC.

MH/cm

Enclosure:

1. 12/12/2017 letter from TLG to the Manteca City Council. *Only the body of the letter has been included here. Please visit this Dropbox link to download a full copy of the letter with all Enclosures:*  
[https://www.dropbox.com/s/claoc2wm9iis5w2/2017-12-12\\_LTR\\_MCC\\_PublicConcerns\\_MHcm.pdf?dl=0](https://www.dropbox.com/s/claoc2wm9iis5w2/2017-12-12_LTR_MCC_PublicConcerns_MHcm.pdf?dl=0)

cc:

San Joaquin Council of Governments (nguyen@sjcog.org)  
San Joaquin County Board of Supervisors, Attn: Mimi Duzenski (mduzenski@sjgov.org)  
Reclamation District No. 17, Attn: Chris Neudeck (cneudeck@ksninc.com)  
Reclamation District No. 2075, Attn: Pam Forbus (pamforbus@sbcglobal.net)  
Manteca City Council, % Lisa Blackmon, City Clerk (lblackmon@ci.manteca.ca.us)  
Lathrop City Council (website\_cco@ci.lathrop.ca.us)  
Stockton City Council, % City Clerk (City.Clerk@stocktonca.gov)  
Central Valley Flood Protection Board, Attn: Leslie Gallagher, Executive Officer (leslie.gallagher@cvflood.ca.gov)  
San Joaquin Area Flood Control Agency, Attn: Marlo Duncan, Project Manager (marlo.duncan@stocktongov.com)

# TERRA LAND GROUP, LLC

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December 12, 2017

VIA ELECTRONIC FILE-SHARE

Manteca City Council  
1001 W. Center Street  
Manteca, CA 95337  
Attn: Lisa Blackmon, City Clerk  
(lblackmon@ci.manteca.ca.us)

**Re: December 19, 2017 Manteca City Council Meeting Public Concerns Associated with Unidentified Municipal and/or Public Utilities and Services Infrastructure and the Potential for Drainage and Other Hydrology-Related Impacts Affecting the Lower San Joaquin River Basin.**

Dear Council Members,

My name is Martin Harris and I am an authorized representative for Terra Land Group, LLC ("TLG"). TLG owns several properties located in Manteca and Lathrop. As an organization, TLG devotes many of its efforts to ensuring the safety of our community by urging local and state authorities to pursue flood mitigation efforts when moving forward with new development projects.

As recent flooding in Houston, Texas has demonstrated, unrestrained development without consideration for flood impacts can have serious consequences. In particular, as more and more development projects continue to move forward, TLG has put forth a regular effort to ensure that local authorities are aware of the need for cumulative environmental review and analysis of all hydrology-related impacts associated with all currently existing and foreseeable development projects affecting drainage in and along the Lower San Joaquin River Basin and especially the areas affecting the urban and rural areas of Manteca and Lathrop.

For some time now, TLG has sent various copies of our letters to the Manteca City Council and other agencies expressing public concern related to development in the floodplain and the need to examine any potential impacts related to San Joaquin River (and tributary) flows and related upstream and downstream channel flow stage increases due to drainage patterns affected by grade, levee location, and other environmental considerations. (**See Enclosure 1** which contains a list of letters and related items in its own Enclosure 1. This list contains information that TLG believes is important to consider in the decision-making process.) Through careful study, the letters included in Enclosure 1 can offer significant details relating to what appears to be very significant drainage impacts affecting the Lower San Joaquin River Drainage system.

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5151 E. ALMONDWOOD DRIVE MANTECA, CA 95337

# TERRA LAND GROUP, LLC

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**This is especially important when you consider the statements and questions as presented below:**

1. During RD17 regular board meetings which occurred on February 11, 2014 and March 11, 2014, Chris Neudeck, a representative for Reclamation District 17 ("RD17"), indicated that the RD17 dryland cross levee south of Woodward Avenue in Manteca would remain at its current location. Those discussions involved Terra Land Group's concerns relating to RD17's flood levee expansion land requirements and how those expansion requirements might affect the Terra Land Group almond farm property.

Chris Nudeck assured TLG that protections were in place that required all land necessary for flood levee expansion to be dedicated on the side of the levee that was being protected from flooding. Chris Nudeck also indicated that, as to Terra Land Group's only land dedication requirement, a vegetative easement area limited to ten (10) feet (but possibly being increased to fifteen (15) feet<sup>1</sup>) would need to be dedicated on the Terra Land Group's water side of the levee. Nudeck added that this area would be required to remain clear of any almond plantings.

Nudeck offered to send a survey crew to the Terra Land Group property to stake the RD17 vegetative easement southern border so that Terra Land Group would fully understand the total amount of trees that could be impacted. RD 17 conducted the survey on or about April 2014 as evidenced by survey stake markers demonstrated in the attached photographs. (See Enclosure 2)

The survey resulted in Terra Land Group gaining the belief that the levee would remain in its current position and that development impacts affecting the levee would have minimal impact on the Terra Land Group almond farming property.

2. Also, Anthony Barkett (representative for TR Land Company/Developer for the Terra Ranch project) made further statements with assurances that the levee was not moving in an email to Martin Harris, dated 05/21/2015:
  - a. *"I would be happy to meet with you. I have to tell you though it seems you are stuck on the realignment of the levee. I believe Bill<sup>2</sup> and Darryl<sup>3</sup> told you this but that map was a mistake by Phil Govea who is no longer with the City. The City and RD 17 have no intention of moving the levee south. I have had many discussions with the relevant people and that is simply not going to happen. It does need to be designed to go east of airport way but it will not be pushed south on your property. That would cause significant flooding problems to a whole new set of people and has never been an engineering based solution from RD 17 or the City. I think we need to address this before we meet because if your settlement is based on that fact we will not get anywhere because we are assuming something that is not going to happen and is out of our control. Our issue is one of access to your property and your irrigation line on your side of the levee. Both of these issues we have expressed a willingness to give you access. There is really nothing else to discuss. I am not sure who can convince you that the levee is not going to be moved but our lawsuit is not the forum to have the discussion."*

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<sup>1</sup> This was later changed to twenty (20) feet.

<sup>2</sup> Bill Filios (Manteca Development Group)

<sup>3</sup> Darryl Quaresma (Manteca Development Group)

# TERRA LAND GROUP, LLC

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3. On April 18, 2017, the Manteca City Council approved a 36-month extension of the Terra Ranch Subdivision map with “Revised Conditions of Approval (SDX-17-03)” that appear to allow the project applicant TR Land Company, LLC to satisfy the City of Manteca’s stormwater drainage requirements in the following ways:

*42) This project is located in City Storm Drain Zone 39, which is outside of the South San Joaquin Irrigation District. It has been included in the tributary area for the storm drain pump station to be located within the Trails of Manteca subdivision.*

- i. If downstream facilities such as the Trails storm drain piping and pump station have not been constructed, then this project may use its storm drain basin/park as an interim percolation basin utilizing the City’s interim percolation basin standards, specified in the 2006 Storm Drain Master Plan.*
- ii. If downstream facilities such as the Trails storm drain piping and pump station have been constructed, then this project shall construct whatever facilities are necessary to connect to the existing downstream facilities. Improvement plans for these off-site improvements shall be reviewed and approved by the City Engineer.*

*43) The storm drain basin outlet, either by gravity or pump, shall empty the basin within 96 hours. The proposed basins, pumps and pipes shall be designed to to handle stormwater runoff from the onsite and offsite tributary areas.*

*61) The applicant shall comply with the General Plan 200-year floodplain requirements and/or participate in a regional plan for flood protection, which may include building requirements and/or payment of levee protection improvement fees or other assessments adopted by the City.*

## **QUESTIONS:**

- a. Anthony Barkett (TR Land Company, LLC) made a statement in May 21, 2015 that: “The city and RD17 have no intention of moving the levee south. I have had many discussions with the relevant people and that is simply not going to happen. ... That would cause significant flooding problems to a whole new set of people.” In the event of any levee movement or other 200-year flood protection or stormwater drainage infrastructure construction-related impacts affecting that “whole new set of people” south of the levee, what mitigation measures or restitution will be provided to those affected?
- b. Will the existing RD17 cross levee need to be relocated or will additional levees need to be constructed around the perimeter of the City of Manteca Storm Drain Zone 39 as part of Terra Ranch subdivision compliance with the April 18, 2017 Terra Ranch condition of approval Nos. 42, 43, and 61 (as quoted above)? If so, what impacts will be created?
- c. Will San Joaquin River (and associated tributary) channel flow capacities and downstream drainage improvements be performed in a manner similar to those detailed on the maps from “Battling the Inland Sea: Floods, Public Policy, and the Sacramento Valley” by Robert Kelly? (**See Enclosure 1: 11/28/2017 Letter: Enclosure 8**)

# TERRA LAND GROUP, LLC

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4. At no time prior to the date of this letter has any representation been made to the public to any final levee alignment other than the Preferred Alignment Alternative 2A approved by the Manteca City Council during the public hearing process conducted by Drake Haglan in 2016. (See Enclosure 3)
5. At no time has any agency presented any map or document identifying the “Project” submitted to the Civil Works Review Board as approved by the Manteca City Council on May 16, 2017 Agenda Item A.11 (See Enclosure 1: November 28, 2017 Letter Enclosure #1, Item #13).
6. On December 21, 2017 it appears that the San Joaquin County Planning Commission is considering rezoning an area along the San Joaquin River and further situated west of Weatherbee Lake, Oakwood Shores, and Turtle Beach. (See Enclosure 4: Request No. F-7). What flood impacts will be created?
7. At this time there appears to be conflicting information related to Walthall Slough historical channel flows and drainage patterns when comparing computer-generated Walthall Slough channel and drainage pattern mapping with satellite imagery as presented to the Manteca General Plan Advisory Committee (“GPAC”) committee members in an email sent by TLG in conjunction with the GPAC November Workshop dated November 6, 2017. (See Enclosure 1: November 28, 2017 Letter Enclosure #1, Item #45)
8. Reservoir storage volumes are at high levels heading into the winter storm season as presented by TLG to the Central Valley Flood Protection Board on October 27, 2017 (See Enclosure 5)
9. San Joaquin River channel flow capacity at Vernalis appears to be deficient due to sedimentation and appears to be incapable of supporting the safe operation of the San Joaquin River (and associated tributaries) in conjunction with upstream reservoir water storage and managed reservoir releases benefitting urban, rural, agricultural, and other recreational and environmental users located throughout the State of California. (See Enclosure 1: November 28, 2017 Letter Enclosure #1, Item #10).
10. Impacts relating to channel flow deficiencies at Vernalis could be further compounded due to:
  - a. San Francisco Bay tidal action affecting elevation levels along the San Joaquin River;
  - b. The potential for seepage along both project and non-project levees due to sandy soil conditions common to the area;
  - c. High ground water conditions that limit percolation of storm water, wastewater, and irrigation water generated in both the urban and rural areas situated along the San Joaquin River. (See Enclosure 1: November 28, 2017 Letter Enclosure #1, Item #8)
  - d. Changes to runoff affecting the upper and lower San Joaquin watershed due to global warming.

# TERRA LAND GROUP, LLC

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11. City of Manteca storm water discharges conveyed to the San Joaquin River by means of the French Camp Outlet Canal may be impeded during periods of high San Joaquin River flows that are typical in times of flooding. The following is an excerpt taken from John Barry's book *Rising Tide: The Great Mississippi Flood of 1927 and How it Changed America* (Simon & Schuster, 1998):

- a. *Floods increase the height of the river.... But if the river is already high when more water enters, the river can act like a dam, forcing the additional water to pile up and slow down. Backwater flooding occurs when the main river is so high a tributary cannot empty into it; water from the main river can actually push water upstream into the tributary. (Page 177)*  
(Please **See Enclosure 1** for more quotes from this book.)

**QUESTION:** What backwater flooding protections have been put in place along the French Camp Outlet Canal ("FCOC") to prevent the main river from pushing water upstream and into the FCOC drainage system?

12. Page 2, Section "II: Project Description" of the South San Joaquin Irrigation District and City of Manteca Request for Proposal for Master Plan Study for the French Camp Outlet Canal states:

*In its current state, the FCOC is hydraulically connected to the French Camp slough and subject to backwater flooding. There is currently no floodgate or flood bypass system. In addition, the FCOC is known to have several undersized culvert crossings which further limit the operation and capacity of the system. Consequently, such constraints will limit the addition of future City storm water flows into the District's facilities. (See Enclosure 6)*

13. In addition, the July 2002 French Camp Outlet Canal Hydraulic Capacity Analysis indicated that the culverts were a problem and limited the capacity of the system. (See Pages 27, 28, and 39) (**See Enclosure 7**)

- a. Were the previous consulting engineering services recommendations made in 2002 to SSJID and the City of Manteca to remove or resize the culverts performed in accordance with the July 2002 French Camp Outlet Canal Hydraulic Capacity Analysis?
- b. Will the FCOC in its present form handle the total amount of City of Manteca and SSJID stormwater flows necessary to protect our community from flooding?
- c. Does the FCOC in its current form have enough capacity to handle the storm water needs of the developed and developing areas of Manteca as well as the drainage needs of SSJID? If not, what potential impacts could be created?

14. On September 6, 2017, TLG presented a comment letter in response to a July 2017 Draft Environmental Impact Report for the Oakwood Landing-Cerri & Denali Subdivisions ("Cerri Project"). Pages 30-31 of the letter contain a subsection titled "Other Concerns and Potential for Impacts to Consider:"

*The DEIR states that "there are no natural water courses in the Project site." (page 3.9-4) However, TLG believes that the inclusion of stormwater drainage into Walthall Slough (Cerri Project DEIR*

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page 3.9-8 and 3.9-26 as may be supported by City of Manteca flood safety policy S-P-11 included on pages 3.14-46 and 3.14-47 of the DEIR) could result in significant flood impacts created.

Discrepancies exist as to the stated clearance between the bottom of stormwater retention/percolation ponds and the clearance vertically to surface groundwater. Page 3.9-26 indicates a five-foot minimum. Page 3.14-39 indicates two-foot above existing surface groundwater elevation.

- a. **QUESTIONS:** Which clearance dimension is correct? Will any surface groundwater be pumped to lower groundwater to attain required clearance?

Impact 3.9-2 on page 3.9-21 indicates that “stormwater resulting from the future HDR portion of the Project would be diverted to the Oakwood Trails subdivision storm drainage system, which will be developed adjacent west of the Project site in the future.” However, Ron Cheek, a representative for RLC Associates, stated in an August 24, 2016 email in response to the Cerri Notice of Preparation (as included in Appendix A of the DEIR) that: “I reviewed the Notice of Preparation and find a significant error. Figures 6, 7, 8, and 9 all improperly illustrate the Danna-Oakwood Trails existing General Plan and Zoning land designations. The uses were changed in June 2016 with Oakwood Trails approvals and need to be modified accordingly in this document.” This is concerning upon further review of the Cerri Project DEIR pages 2.0-6, 2.0-7, 2.0-8a/8b/8c, as well as 2.0-9 and 2.0-10. Upon careful review, TLG questions whether sufficient storm drainage space is available for the Cerri Project and further believes that a land use and zoning change promoting the construction of stormwater detention on the Cerri Project site may be a more appropriate use to satisfy stormwater detention needs in the area.

15. Further, page 3.9-7 and 3.9-8 of the July 2017 Cerri Project DEIR states:

- a. **FUTURE STORM WATER DRAINAGE DEMAND AND SYSTEM IMPROVEMENTS** The 2013 SDMP provides a comprehensive planning document to guide improvement and expansion of the City’s storm drainage system to meet current and future needs in a safe and reliable manner while maintaining compliance with all applicable regulations. Five planning zones have been identified to define the capital improvements needed to serve future growth: Zones 30, 32, 34, 36 and 39. With the exception of drainage Zone 39, all drainage zones are located in the SSJID service area. The Project site is located in Zone 39, and is not currently served by the SSJID. As a result, the 2013 SDMP identifies a conveyance and disposal system separate from SSJID facilities for this zone. For development in Zone 39, the 2013 SDMP identifies that separate facilities will be constructed to convey the runoff to one regional pump station that will discharge into Walthall Slough, which terminates into the San Joaquin River to the west. The discharge of stormwater must be treated through BMPs prior to its discharge.

However, as an alternative to the construction of a separate facility in Zone 39 to convey the runoff to a regional pump station that will discharge into Walthall Slough, the City of Manteca and

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*the SSJID are currently working on a plan that will include the SSJID annexation Zone 39 (including the Project site) into the SSJID Service District 4. Under this framework the Project site would convey water to the FCOC; and eventually to the San Joaquin River.*

- b. **QUESTION:** If the Cerri Project discharges storm and/or effluent waste water into the Zone 39 drainage system, what infrastructure including levees will be constructed and what potential for increased flood impacts will be created?
  - c. **QUESTION:** Will any retention and/or drainage impacts be created as a result of the Danna-Oakwood Trails Subdivisions' apparent stormwater land use changes approved in June 2016 as stated in Ron Cheek's responses to the Oakwood Landing - Cerri & Denali Subdivisions Notice of Preparation (included in Appendix "A" of the July 2017 Cerri Project DEIR)?
16. TLG is informed and believes that discharging effluent treated and/or untreated wastewater with high alkalinity salt concentrations into a dual use stormwater/waste water collection basin may change soil chemistry in a manner that may impede the ground's natural ability to percolate as originally designed for.
- a. **QUESTION:** What total rainfall storm event levels and what soil percolation rates should be utilized in any stormwater/wastewater 96-hour retention and drainage analysis to ensure adequate capacity of the stormwater/wastewater collection system over time to ensure safe and effective retention of any and all stormwater generated both on and off site?
  - b. **QUESTION:** If groundwater levels are mechanically pumped down to separate the basin floor level of any retention pond constructed from the groundwater table existing below, what additional stormwater retention basin facility capacity will need to be constructed to ensure containment of any and all groundwater pumped into the stormwater collection/retention/conveyance/drainage system?
  - c. **QUESTION:** What soil chemistry salt levels exist in any groundwater being pumped and what effect on percolation will drainage of that same pumped groundwater have on maintaining the stormwater percolation rates originally designed for?
17. At the time of the September 12, 2017 Manteca Planning Commission meeting that approved the Griffin Park Subdivision development project Master Plan (15-90), Brian Jones, representing North Star Engineering Group, responded to stormwater drainage concerns on the behalf of the Griffin Park applicants in the manner detailed below. (The following excerpts are taken from a transcript of the meeting. Please **See Enclosure 8** for a full transcript of the meeting.)

**Participant:** You don't have storm drain calculations yet, until the development [unintelligible 01:06:38] ?

**Brian Jones:** We haven't done any storm drain calculations at this point, but as we proceed we will do engineering and we'll do the calculations, we'll size the basins accordingly and

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we'll set up the pump stations to pump out accordingly. It will all be in accordance with the city master plan which is working all of over the city.

[...]

**Mr. Owens:** Yes, in terms of drainage, [unintelligible 01:08:32] drainage provisions, you mentioned a building capacity to hold water for 96 hours, I believe. Can you expand a little bit more on what the standards say about these kinds of developments in storm drainage provisions.

**Brian Jones:** Each runoff area that runs into one of those basins, there are standards in place and we basically size the area, we calculate the amount of runoff, we determine the size of the basin in accordance with the standard storm that's in the master plan. As part of that system we install a pump station that's designed to pump that water out over a 96 hour period and then it goes into the SSJID storm drain system. The laterals that surround the project site are already in the storm drain agreement between the city and SSJID, everything is in place and it will all work within the master plan.

**Mr. Owens:** To your knowledge are there any capacity issues with the larger SSJID system?

**Brian Jones:** I'm not aware of any capacity issues and the lines were added recently, I'm sure that they were analyzed at that time.

[...]

**Sue Quaresma:** Sue Quaresma, I live in South Manteca, along with my husband Raymond. Our concern I think that we're trying to say is yes, you guys have identified SSJID as the place where the drainage water's going but Mr. Jones has said that he haven't done the calculations yet. How do they know that that's going to be enough capacity? Once you start impacting [unintelligible 01:11:26], it starts impacting the flood area that you identified there.

We realize this area's not in the floodplain and that's a great place to be building but we want to be assured that what we do for our living is not in jeopardy because of what the city is allowing to be done. If the calculations are important, what's the standard storm event? Is that a 25-year storm event or is that a 100-year storm event? What is that? I think that's where we're uncomfortable and that's what we want you guys to look at and take into account that we're not opposed to this, we think this is probably a really good area but we want to make sure that down the road, you're not going to say, "Wait a minute, this isn't enough storage, we're going to go over here. Sorry for you people over there but we have to do this because we're developing and we've already got this in place."

Thank you very much.

**Commissioner:** Thank you. Okay.

**Brian Jones:** As far as doing design calculations at this point, we have looked at the size of the parks and the basins, and we've done preliminary designs to size those basins appropriately for this storm that will be contained. We just haven't done the calculations for the conveyance system and collection system in the pump stations, but there's really no concern that the project will meet the city standards and all design standards that every other project meets. The basins are already looked at for the size for that and really, it's just

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a matter of doing the final calculations and that says the pipe sizes and where they go in the street. We haven't done that level. Again, the runoff, there's no doubt that it can be contained on-site in accordance with city standards, meeting the city standards and not getting off the side.

**QUESTION:** Can the public rely on Mr. Jones' statement that "I'm not aware of any capacity issues and the lines were added recently, I'm sure that they were analyzed at that time?"

18. Representations made by Dante Nomellini of Reclamation District 17 indicate that "The flow in the San Joaquin River is difficult to measure because the gauging station at Vernalis, which is upstream from RD17, it gets flooded out. In '97 it was inoperable. The estimate was, there was about 110,000 cubic feet per second [unconfirmed] at that point, which is 100-year event. The 200-year event is expected to be much higher than that." (**See Enclosure 1:** November 28, 2017 Letter Enclosure #1, Item #10; **Also See Enclosure 9**)
19. Dennis Wyatt at the Manteca Bulletin wrote this quote in his March 22, 2016 article titled "Paradise Cut Work Nears:" "Engineers determined expanding the Paradise Cut would reduce flood stages significantly at Mossdale Crossing – 1.8 feet under a 50-year event as well as under a 100-year event such as the 1997 flood that inundated 70 square miles between Manteca and Tracy." (**See Enclosures 10 & 11**)

## **QUESTIONS:**

20. If channel flow capacity of the San Joaquin River at the Vernalis monitoring station is limited to approximately 40,000 cubic feet per second ("cfs") as measured in the channel at the time of the February 20, 2017 levee breach, what flood impacts may be created if flows totalling 110,000 cfs are experienced as forecasted by Dante Nomellini to the San Joaquin County Board of Supervisors "SJCBS" on November 7, 2017? (**See Enclosure 9**)
21. If channel flow capacity is limited to 37,000 cfs at Mossdale and 15,000 cfs at Paradise Cut (totalling 52,000 cfs), where will San Joaquin River flows of 110,000 cfs (as forecasted by Dante Nomellini to the SJCBS on November 7, 2017) be drained at the time of a future flood event of magnitude and size forewarned by Mr. Nomellini (110,000 cfs)? (**See Enclosure 6:** "Lower San Joaquin River Basin to Suisun Bay Drainage Map")
22. If adequate flood drainage channel flows are not allowed for on Old River both upstream and downstream of the Clifton Court Forebay, where will the next 70 square mile flood water basin form and at what depth will flood waters reach?
23. Based on past flood history in our area and potential new impacts due to global warming, it appears that both Old River and Paradise Cut flows both upstream and downstream of Clifton Court

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Forebay may be insufficient in total capacity to handle the drainage flows expected at the time of future flooding. (See Enclosure 11)

24. What action should our local government agencies take to ensure the safe and effective drainage of flood and other forms of drainage water that, if not accommodated for, could result in the formation of retention basin(s) with the potential to reach or exceed the 70-square-miles (44,800 acres) inundated between Manteca and Tracy at the time of the 1997 flood?
25. What potential drainage impacts to rural SSJID and McMullin irrigation and drainage district canals serving Reclamation Districts 2064, 2075, 2094, and 2096 currently in use may be created in conjunction with planned flood protection modifications and other forms of infrastructure being considered? (See Enclosure 12)
26. In relation to managing drainage flows throughout the system, how many drainage flow choke points or other channel restrictions or blockages exist along the San Joaquin River and associated downstream tributaries in any areas affecting flood water drainage flows through the Lower San Joaquin River Basin? (See Enclosure 11)
27. If safe and unimpeded drainage flows through the Lower San Joaquin River Basin are not achieved, what potential impacts may be created affecting the entire Lower San Joaquin River Basin system for all San Joaquin River, Old River, Walthall Slough, and Paradise Cut river and/or tributary locations situated both upstream and downstream of the point that Paradise Cut and the San Joaquin River converge?
28. Is it time to consider a southern bypass? (See Enclosure 13)
29. Wouldn't it make sense for our local governing authorities to promote a full and comprehensive flood impact environmental review (as previously requested by the public) to properly evaluate any and all impacts involved prior to approving zoning changes, development, project, or any public utilities and services infrastructure affecting hydrology in the area? (See Enclosure 1: November 28, 2017 Letter: Enclosure 9)

In preparation for the next question, TLG would like you to consider that it is commonly believed by farmers in RD 2075 that Walthall Slough in its current form originates along the southern boundary of RD 2075 (at or near the RD 2064 and RD 2075 boundary line) before continuing north through RD 2075 and RD 2094 before discharging into Weatherbee Lake (RD 2096).

30. If current Walthall Slough drainage flow patterns are altered in any way that blocks or diverts historic drainage flows and causes Walthall Slough to lose its ability to send drainage water north of the RD 2075/RD 2094 common boundary line before draining into Weatherbee Lake, what flood and other hydrology-related impacts (storm water, irrigation water, etc) may be created?

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31. Will apparent changes to Walthall Slough flow patterns result in a new basin (similar to Weatherbee Lake) forming in the northwest corner of RD 2075?
32. Will apparent changes to Walthall Slough flow patterns affect total elevation drop over what appears to be a shortened length of the Walthall Slough flow channel in a way that may lower the total applied head pressure at the base of the slough as constrained by a possible expanded levee separating RD 2094 from RD 2075?
33. Will any decrease in elevation drop head pressure at the base of a divided and shortened Walthall Slough diminish the effectiveness and ability of Walthall Slough to drain into the San Joaquin River during periods of normal use and flood events?
34. If Walthall Slough is divided and shortened, will transfer pumps be required to convey Walthall Slough drainage water from RD 2075 into the San Joaquin River?
35. If divided, what increases in sedimentation or seepage are likely to occur?
36. If divided, how effectively will RD 2075 and/or RD 2064 be able to drain?
37. Will urban storm water be drained along any remaining portion of the current drainage waterway currently dependent on and recognized as Walthall Slough? If so, what impacts will be created?
38. With all the conflicting information as to where and how storm water collection, retention, and drainage will be handled, how can anyone fully understand the potential for any and all flood impacts involved?

In closing, TLG believes that any public flood protection discussion, local project approval, zoning change, feasibility study, environmental impact review, Lower San Joaquin River Basin drainage analysis, and/or General Plan update needs to consider the cumulative effects and potential for flood impacts and other public concerns addressed in this letter. TLG believes that this can most fairly and safely be accomplished by conducting a full and comprehensive flood impact environmental review for any and all impacts involved prior to approving any more development projects and/or associated public utilities and services infrastructure located in the floodway.

Thank you for your attention to this very important matter.

Respectfully,



Martin Harris  
for Terra Land Group, LLC.

MH/cm

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## Enclosures:

1. 11/28/2017 Letter from TLG to San Joaquin Regional Rail Commission
2. Exhibits "1", "2" and "3" from a July 19, 2016 Letter from TLG to the Manteca City Council
3. Levee Preferred Alignment Alternative 2A
4. Notice of Zone Reclassification Application No. PA-1700172
5. Public Comments as Presented at the 10/27/2017 Central Valley Flood Protection Board Meeting
6. Pages from South San Joaquin Irrigation District and City of Manteca Request for Proposal for Master Plan Study for the French Camp Outlet Canal
7. Pages from July 2002 French Camp Outlet Canal Hydraulic Capacity Analysis
8. 09/12/2017 Manteca Planning Commission Meeting Transcript
9. 11/07/2017 San Joaquin County Board of Supervisors Meeting Transcript
10. 03/22/2016 Manteca Bulletin News Article "Paradise Cut work nears"
11. Maps Detailing Potential Paradise Cut Hydrology Impacts
12. San Joaquin County General Plan Land Use Diagram Figure LU-1
13. Conceptual Vernalis Bypass Design

## cc:

City of Manteca General Plan Advisory Committee, % De Novo Planning Group, Attn: Beth Thompson (bthompson@denovoplanning.com) & Lisa Schimmelfennig, Administrative Assistant III, Manteca Community Development Office (lschimmelfennig@ci.manteca.ca.us)  
Manteca Unified School District, Board of Trustees, Attn: Evelyn Moore, Clerk (emoore@musd.net)  
San Joaquin Local Agency Formation Commission, Attn: James Glaser (jglaser@sjgov.org)  
San Joaquin County Board of Supervisors, Attn: Mimi Duzenski (mduzenski@sjgov.org)  
Central Valley Flood Protection Board, Attn: Leslie Gallagher, Executive Officer (leslie.gallagher@cvflood.ca.gov)  
San Joaquin County Planning Commission, Attn: Raymond Hoo, Deputy Director-Programs and Administration (rhoo@sjgov.org)  
Jeff Denham, United States House of Representatives, % Peter Butler (Peter.Butler2@mail.house.gov)  
San Joaquin Council of Governments (nguyen@sjcog.org)  
Jason Messer, District Superintendent, Manteca Unified School District (jmesser@musd.net)  
Erika Durrer, Facilities Planning Supervisor, Manteca Unified School District (edurrer@musd.net)  
Mark Meissner, City of Manteca Planning Department (mmeissner@ci.manteca.ca.us)  
Mark Houghton, City of Manteca Public Works (mhoughton@ci.manteca.ca.us)  
Tim Ogden, City of Manteca, City Manager (citymanager@ci.manteca.ca.us)  
Greg Showerman, City of Manteca Community Development Director (gshowerman@ci.manteca.ca.us)  
Rebecca Schmidt, City of Lathrop, Director of Community Development (rschmidt@ci.lathrop.ca.us)  
Reclamation District No. 17, Attn: Chris Neudeck (cneudeck@ksninc.com)

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Reclamation District No. 2075, Attn: Pam Forbus (pamforbus@sbcglobal.net)  
Lathrop-Manteca Fire District, Attn: Gene Neely, Fire Chief (gneely@lmfire.org)  
South San Joaquin Irrigation District, Attn: Joe Catanzarite (jcatanzarite@ssjid.com)  
San Joaquin Area Flood Control Agency, Attn: Marlo Duncan, Project Manager  
(marlo.duncan@stocktongov.com)  
San Joaquin County Flood Control and Water Conservation District, Attn: John Maguire, Senior  
Civil Engineer (jmaguire@sjgov.org)  
San Joaquin Council of Governments, Attn: Christine Corrales, Regional Transportation Plan and  
Sustainable Communities Strategy County Outreach Spokesperson (corrales@sjcog.org)  
James Mousalimas, San Joaquin County Superintendent of Schools (jmousalimas@sjcoe.net)  
Linda Chan, California Teachers Association School Safety Committee Chair  
(linda.chan42@gmail.com)  
California Department of Transportation, District 10, Attn: Jes Padda, Acting Deputy District  
Director (jes.padda@dot.ca.gov)  
Pat Rogers, Clerk to the Delta Stewardship Council (pat.rogers@deltacouncil.ca.gov)  
California Department of Water Resources, Attn: Mary Jimenez (mary.jimenez@water.ca.gov)  
De Novo Planning Group, Attn: Ben Ritchie (britchie@denovoplanning.com)  
CA Senator Cathleen Galgiani (Senator.Galgiani@senate.ca.gov)  
Tanis Toland, U.S. Army Corps of Engineers, Sacramento District (Tanis.J.Toland@usace.army.mil)  
Matthew Hertel, ACEforward Community Engagement Lead (matt.hertel@aecom.com)  
Michael Mierzwa, Lead Flood Management Planner, California Department of Water Resources  
(michael.mierzwa@water.ca.gov)  
Jon Ericson, Hydrology and Flood Operations Officer, California Department of Water Resources  
(jon.ericson@water.ca.gov)  
Manteca Planning Commission VIA US MAIL 1001 W. Center St. Manteca, CA 95337  
Tim Powell, Supervisor, Fire & Life Safety/Accessibility Compliance, Division of the State Architect -  
Sacramento, VIA US MAIL, 1102 Q Street, Suite 5200, Sacramento, CA 95811  
Harlan Reymont, Supervisor, Project Services, Division of the State Architect - Sacramento, VIA US  
MAIL, 1102 Q Street, Suite 5200, Sacramento, CA 95811  
Erik Edgmon, Intake Architect, Project Services, Division of the State Architect - Sacramento, VIA  
US MAIL, 1102 Q Street, Suite 5200, Sacramento, CA 95811  
Dan Levernier, Regional Manager, Division of the State Architect - Sacramento, VIA US MAIL, 1102  
Q Street, Suite 5200, Sacramento, CA 95811  
Federal Emergency Management Agency ("FEMA"), Region IX, Attn: Robert Fenton Jr., Regional  
Administrator, VIA US MAIL, 1111 Broadway Suite 1200, Oakland, CA 94607-4052  
Drew Lessard, Bureau of Reclamation, Area Manager, Central California Area Office, VIA US MAIL,  
7794 Folsom Dam Road, Folsom, CA 95360-1799  
Union Pacific Railroad, Attn: Francisco J. Castillo, Jr., Director, Public Affairs, Western Region,  
Northern California, VIA US MAIL: 915 L St, Suite 1180, Sacramento, CA 95814  
San Joaquin Regional Rail Commission Board of Directors, VIA US MAIL, 949 E. Channel Street,  
Stockton, CA 95202



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

1 message

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**Adrian Torres** <adrian4080039@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:53 AM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor’s Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo’s Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)
- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
- The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.
- The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is

located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

- The City of Atwater offers numerous conveniences located within 1/2 mile of the Atwater Station which could further reduce vehicle trips. These include the Applegate Inn and the Valley Motel, numerous restaurants, the Applegate Ranch Shopping Center, the Applegate Square Shopping Center, and the Atwater Gateway Shopping Center, the Downtown Atwater commercial district, the Atwater Branch Library, 4 City parks, and the Bloss House Museum.

- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Alexandro Torres** <alexandro4080040@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:29 PM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Juan Torres-Cruz** <juan1080063@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 11:08 AM

*Dear Sir or Madam: it would be lovely for you to chooses [atwater](#) because there is a lot of bad air [cwality](#) and we cant have it and they can be traveling by train to there jobs if ti is far and it would be better because we can work out by walking running and playing sport it will do good for the people who live her and not drive so much only when it is an emergency because all of that smock that comes out of the car [exhaust](#) and we would love it because if we need to get some were far is would be better because we would not get suck in traffic so chosses atwater*



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater Train**

1 message

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**Taylor Toy** <taylor4080058@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:04 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**TRAC's NOP Comments**

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**David Schonbrunn** <David@schonbrunn.org>  
To: ACEextension.south@gmail.com  
Cc: Stacey Mortensen <stacey@acerail.com>

Fri, Feb 9, 2018 at 10:24 AM

Attached please find TRAC's comments on the NOP for the Lathrop-Ceres/Merced Extension EIR.

An email indicating receipt would be greatly appreciated.

Thank you,

--David

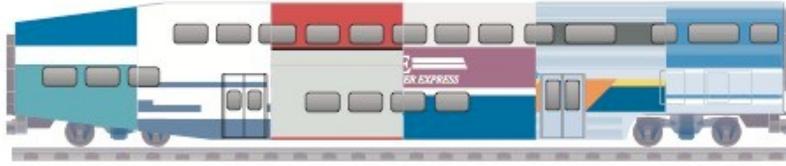
David Schonbrunn, Vice-President for Policy  
Train Riders Association of California (TRAC)  
P.O. Box 151439  
San Rafael, CA 94915-1439

[415-370-7250](tel:415-370-7250) cell & office

[David@Schonbrunn.org](mailto:David@Schonbrunn.org)  
[www.calrailnews.org](http://www.calrailnews.org)

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 **TRAC ACE NOP Comment set.pdf**  
3088K



February 9, 2018

By Email to:  
ACEextension.south  
@gmail.com

**Officers**

Ronald Jones  
President  
Fresno County

David Schonbrunn  
Vice President-Policy  
Marin County

Gordon Osmundson  
Treasurer  
Alameda County

Greg Thompson  
Secretary  
Sacramento County

**Board Members**

Art Brown  
Orange County

Derek Casady  
San Diego County

John Deeter  
Sacramento County

Susan MacAdams  
Los Angeles County

William F. McGeehan III  
Contra Contra County

ACE Extension Lathrop to Ceres/Merced Project  
San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: ACE Extension Lathrop to Ceres/Merced Project NOP

Dear Ms. Mortensen:

The Train Riders Association of California ("TRAC") is a statewide rail advocacy organization that has worked for over three decades to improve passenger rail service. TRAC wishes to propose several alternatives that we believe offer major advantages to the Proposed Project.

The West Side Alternative

This Alternative eliminates the need for any additional capacity to be built between Lathrop and Ceres/Merced. Instead, improvement funding would be used to negotiate the favorable terms with the Union Pacific Railroad (Railroad) to reactivate the former West Side line between Tracy and Fresno (see attached map). The project scope would include:

- bringing the existing track and signals up to the Railroad's standard
- securing right-of-way in the abandoned segment (Abandoned Segment) between Benito and Firebaugh
- laying track and installing signals in the Abandoned Segment
- bringing the West Side Line up to a capacity equivalent to the current Fresno Subdivision, by adding sidings and/or double track.
- re-establishing the track through Los Banos, including a grade separation or other means of safely crossing Highway 152.

In exchange, the Railroad would provide the State with perpetual trackage rights to operate passenger trains from Tracy to Fresno. These rights would include the option of paying for the future upgrade and maintenance of the track to a higher class of operations, up to 150 mph.

The Fresno Subdivision would primarily be used by passenger trains, with the Railroad retaining the right to serve local freight customers. Under emergency conditions, through-freights could be dispatched as needed, while preserving passenger train priority. This arrangement would be similar to the one negotiated by the CCJPA, wherein passenger trains south of Oakland will exclusively use the Coast Subdivision.

From the Railroad's perspective, a West Side freight route would be approximately 20 miles longer than the current route. To offset that disadvantage, it would be possible to build the line with higher speed turnouts and longer sidings, enabling higher speeds. Because the line would avoid population centers, there should be many fewer at-grade crossing accidents. Demands for grade separations to mitigate the traffic impacts of long trains would cease.

TRAC recommends that, prior to launching an environmental review of this alternative, a preliminary study be done. The track lengths, siding lengths, track condition and roadbed condition of the West Side line would be compared to the proposed Lathrop-to-Merced extension, to establish an order-of-magnitude estimate of the level of financial commitment needed to undertake this alternative. If the financial commitment is roughly similar, the project should be considered financially feasible at the programmatic level of review. The EIR analysis would then evaluate the potential benefits of this Alternative, especially the separation of passenger traffic from most freight traffic, providing justification for further project grants beyond the appropriation already received.

#### Operational Scenarios C and D

Having decided to not expand its number of trains per day, as had been proposed in ACEforward, an extension to Ceres/Merced pushes ACE into an existential crisis. With two distinct markets to serve, Stockton and the SR-99 Corridor, ACE is forced to either require transfers between the two lines (Operational Scenario A) or allocate its limited train slots between the two markets. (Operational Scenario B).

The transportation planning literature provides convincing evidence that higher service frequencies and direct service are the golden keys to ridership, suggesting that these two scenarios are sub-optimal. TRAC proposes a third operational scenario, which we believe would maximize ridership and cost-effectiveness. We suggest serving Stockton (and eventually Sacramento) with lightweight DMU equipment. This would allow the sections from Stockton and from Ceres to be conveniently coupled together in Lathrop for the trip to San Jose. This scenario would achieve direct service to San Jose for both markets, for all available slots.

We further suggest the study of an all-DMU fleet as Scenario D. We suspect that the fuel costs of an all-DMU fleet would be at least comparable to a locomotive-hauled fleet. DMUs offer striking advantages: DMUs accelerate faster, allowing faster travel times. Because a DMU train can be sized to meet the passenger demand, DMUs can make midday service economically feasible. A one-unit off-peak DMU would cost far less to operate than an entire locomotive-hauled train, greatly lowering the subsidy required.

In addition, DMU engines are essentially bus engines. They do not require the highly specialized and very expensive maintenance that locomotives require. On a total-cost-of-ownership basis, we believe that DMUs will be less expensive and offer scheduling flexibilities that are not available with current equipment.

**Conclusion**

Thank you for this opportunity to comment on the NOP for the ACE Extension Lathrop to Ceres/Merced Project TRAC would be pleased to speak with ACE staff about our proposal.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,  
Vice-President for Policy

**Attachment**

Map of West Side Alternative





Matt Hertel &lt;aceextension.south@gmail.com&gt;

---

**(no subject)**

1 message

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**Lauren Treso** <lauren11080068@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:54 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

---

**Valentin Trujillo** <valentin5080689@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:30 PM

Dear Sir or Madam:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Faith Uwnawich-Harris** <faith11080754@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:40 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Please choose Atwater.**

1 message

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**Miguel Valadez** <miguel6080075@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:06 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

1 message

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**Dakarai Valdez** <dakarai2080135@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:55 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best**

1 message

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**Angel Valencia** <angel3080225@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place! Do you know the way?

1 message

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**Jose Valencia** <jose2080120@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:23 AM

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1 message

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**Paris Valenzuela** <paris6080212@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place!

1 message

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**Tyler Valenzuela** <tyler1080065@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the place.**

1 message

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**Alexander Varela** <alexander11080028@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:28 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is a good town

1 message

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**Fabian Vargas-Jimenez** <fabian7080068@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:02 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Valeria Vargas-Villanueva** <valeria3080054@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:21 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance the work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**ACE Train**

1 message

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**David Vasquez** <david6080079@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:09 PM

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Matt Hertel <aceextension.south@gmail.com>

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1 message

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**Angel Velarde Valdez** <angel300090146@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:33 AM



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater ia the place**

1 message

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**Julian Eloi Chargoy Velasco** <julianeloi3080643@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:53 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**(no subject)**

1 message

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**Esteban Vera-Chavez** <esteban1080067@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:29 PM

Dear Sir or Madam:

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Liza Verduco** <liza3080440@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:53 PM

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

City of Atwater staff has reviewed the subject Notice of Preparation and are concerned to discover that in this successor effort to the ACEforward project, the City of Atwater is reclassified as a "Potential Station," an alternative to a City of Livingston "Proposed Station." In the previous ACEforward Draft EIR, the Livingston and Atwater stations were considered as alternatives MME-1a and MME-1b, respectively. This recently released description of the ACE Extension Lathrop to Ceres/Merced (Project) and preferred alternatives represents a major deviation from the previous ACEforward project materials. There has been little or no communication with City of Atwater staff or elected officials regarding this major shift in the project.

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Sincerely,




---

Cindy Vierra  
 City of Atwater  
 City Council Commissioner



Matt Hertel &lt;aceextension.south@gmail.com&gt;

---

**"ACE Extension Lathrop to Ceres/Merced Project"**

---

Lori Waterman &lt;lwaterman@atwater.org&gt;

Thu, Feb 8, 2018 at 3:52 PM

To: "ACEextension.south@gmail.com" &lt;ACEextension.south@gmail.com&gt;

Attached, please find my "ACE Extension Lathrop to Ceres/Merced Project" scoping comments.

**City Office Hours are Monday thru Thursday 8:00 AM to 6:00 PM.**

*Cindy Vierra*

(209)357-6300

City Council Member

City of Atwater



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Any views expressed in this message are those of the individual sender, except where the message states otherwise and the sender is authorized to state them to be the views of any such entity.

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169K

# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Re: Notice of Preparation of an Environmental Impact Report for ACE Extension Lathrop to Ceres/Merced

Dear Commissioners:

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Sincerely,




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Cindy Vierra  
City of Atwater  
City Council Commissioner



Matt Hertel &lt;aceextension.south@gmail.com&gt;

**(no subject)**

1 message

**Kyle Walsh** <kyle3080443@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:04 PM

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

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Sincerely,




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Lori Waterman, CMC  
 City of Atwater  
 Interim Community Development Director



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**"ACE Extension Lathrop to Ceres/Merced Project"**

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**Lori Waterman** <lwaterman@atwater.org>  
To: "ACEextension.south@gmail.com" <ACEextension.south@gmail.com>

Thu, Feb 8, 2018 at 3:58 PM

Attached, please find my "ACE Extension Lathrop to Ceres/Merced Project" scoping comments.

**City Office Hours are Monday thru Thursday 8:00 AM to 6:00 PM.**

*Lori Waterman, CMC*

(209)357-6206 Desk

Interim Community Development Director

City of Atwater



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**From:** scans@atwater.org [mailto:scans@atwater.org]

**Sent:** Thursday, February 08, 2018 3:49 PM

**To:** Lori Waterman

**Subject:** Attached Image

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# City of Atwater



COMMUNITY DEVELOPMENT  
DEPARTMENT  
750 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301  
(209) 357-6206

February 7, 2018

San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

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Sincerely,




---

Lori Waterman, CMC  
 City of Atwater  
 Interim Community Development Director



Matt Hertel &lt;aceextension.south@gmail.com&gt;

---

**ACE Train**

1 message

---

**Romie White** <romie3080091@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 10:00 AM

Dear Sir or Madam:

Thank you for giving me the opportunity to write you. I am a student in the Atwater Elementary School District who is very excited about the work you're doing.

I believe bringing your train to Merced County will benefit the lives of many in my community. It will open up so many new opportunities for people like me in the future. It will give me the chance to work for technology companies or give them the ability to bring needed jobs here.

I'm so proud of my city. It is next door to where driverless cars are being tested every single day at Castle Commerce Center. Some of my friends have even seen these cars in town. Also, the University of California, Merced is very close too. Many of the students there come from the Bay Area.

We need to have more transportation, not less. We also need to get cars off the road as there are just way too many. Your project will help clean up the air too.

Please give the City of Atwater an equal, fair chance for a rail station. We will be a good partner for you.

Sincerely,

Romie White



Matt Hertel &lt;aceextension.south@gmail.com&gt;

---

## Potential train station in Atwater, CA

1 message

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**Cole Williams** <cole11080040@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:42 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Location of Station in Atwater.**

1 message

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**Jim Williamson** <wincquercus@gmail.com>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 4:03 PM

Greetings, I feel that Atwater has the greater opportunity for ridership and other related businesses simply because of the plans related to the Former Castle Air Force Base reuse plans. In addition to the Castle project, the land from Highway 99 is cleared for development. Please give this more thought. Respectfully, Jim Williamson. 🌿

"A society grows great when old men plant trees whose shade they know they shall never sit in." - Greek proverb  
"And when I go, only a part of me is gone." - Peter Maffay



Matt Hertel <aceextension.south@gmail.com>

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**I am a student from Atwater and I hope you will choose our little down just waiting for something new and shinny! Me and my fellow pupils hope that you will choose the sweet town of Atwater for the new Ace train!**

1 message

---

**Taylor Willson** <taylor11080041@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:09 PM



Matt Hertel &lt;aceextension.south@gmail.com&gt;

---

**Atwater is the best choice!**

1 message

---

**Sarah Wolff** <sarah7080042@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:39 AM

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- The Mid-California International Trade District (MCITD) established at the Castle Commerce Center is a planned 2,000-acre multimodal industrial development, expected to be a hub of economic activity with nearly 10,000 onsite jobs and 8 million square feet of technology-oriented modern industrial development. *Construction of the Atwater Station would provide for the fewest vehicle miles traveled between the MCITD and any proposed/potential ACE station.* MCITD partners include the Port of Los Angeles, California Forward, UC Merced, UC Berkeley, BNSF Railway, The Central California Economic Development Corporation, The Governor’s Office of Business and Economic Development, and GLDPartners. The MCITD is already home to over 75 business tenants including the California AutoTech Testing and Development Center, Google/Waymo’s Autonomous Vehicle Castle Test Center, and the UC Merced Research Facility. (MOU with the Port of Los Angeles executed on 10/24/2017)
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- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
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- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is great!**

1 message

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**Gavin Wrighton** <gavin6080082@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:53 PM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the best place!!!!**

1 message

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**Alexis Xiong** <alexis5080619@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:42 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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Casey Xiong <casey4080105@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:53 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the Place to be

1 message

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**Wang Xiong** <wang6080410@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:52 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**we need this**

1 message

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**Nasratullah Zamani** <nasratullah7080325@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:18 AM

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater needs this**

1 message

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**Kimberly Zapien** <kimberly6080085@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 9:20 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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**Atwater is the Place!**

1 message

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**Oscar Zapien** <oscar11080450@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 7:50 AM

Email to : [ACEextension.south@gmail.com](mailto:ACEextension.south@gmail.com)

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- As economic interdependence throughout the Northern California Megaregion continues to grow and intensify, the MCITD is poised to attract a larger share of commuters from the San Francisco Bay Area into the Atwater area. The Atwater ACE station would best serve this community.
- Median annual household income in the City of Atwater is about \$45,000, or about \$10,000 less than in the City of Livingston, which indicates higher ridership potential for rail transit, especially with consideration to low price elasticity among dependent riders as opposed to discretionary riders.
- The 2016 estimated population of census tracts in which the City of Atwater is located is 43,000 and rises to 56,200 when adding the tracts containing the adjacent community of Winton. The 2016 estimated population of census tracts in which the City of Livingston is located is 14,800. Owing to significant residential development on unincorporated lands surrounding the City of Atwater, the population of the Atwater area is much larger than that within the corporate city limits. Atwater is estimated to be growing 0.5% faster than Livingston in the most recent year for which data is available (1/1/2016 – 1/1/2017), with Livingston growing 0.4% slower than Merced County overall.
- The City of Atwater has considerable resources available that benefit the ACE station, including the budgeted signalization of the intersection of Atwater Boulevard and First Street and contributions to parking on at least two City-owned properties. Additionally, the proposed Atwater Station site is currently home to

the City of Atwater Transit Station served by The Bus. The City is committed to ensuring a bus station is located at or adjacent to the Atwater Station. These resources would benefit the ACE project at little cost and without measurable impacts.

- The City of Atwater offers numerous conveniences located within 1/2 mile of the Atwater Station which could further reduce vehicle trips. These include the Applegate Inn and the Valley Motel, numerous restaurants, the Applegate Ranch Shopping Center, the Applegate Square Shopping Center, and the Atwater Gateway Shopping Center, the Downtown Atwater commercial district, the Atwater Branch Library, 4 City parks, and the Bloss House Museum.

- Based on our review of the previously proposed Atwater Station Site Plan together with the Track Alignment Plan and Profile between Stations 1151+00 and 1663+00, minor design changes to the Atwater Station Site Plan would allow for the western portion of the parking lot to be double-loaded 90-degree spaces, reducing the off-site land requirement and increasing the amount of parking adjacent to the platform. With this configuration, additional parking spaces could be added on the City-owned parcel west of the previous design. It also appears that if the platform is moved slightly east, that the double-loaded parking configuration could be between Fifth Street and Third Street, with access at Third Street, and then single-loaded from Third Street to the eastern exit from the lot.



Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is the place

1 message

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**Alicia Zaragoza** <alicia11080772@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 1:53 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

- Vehicle trip connections via the Atwater Merced Expressway between the Atwater Station and regional destinations such as the UC Merced campus and the Castle Commerce Center would require less time and fewer stops than those linked to the Merced Station, providing for *increased ridership at the Atwater Station as well as reduced emissions and lower environmental impacts overall when compared to alternatives.*
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Matt Hertel &lt;aceextension.south@gmail.com&gt;

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## Atwater is an OKAY place!

1 message

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**Brianna Zavala** <brianna3080554@aesd.us>  
To: ACEextension.south@gmail.com

Thu, Feb 8, 2018 at 12:30 PM

The classification of Atwater as a “Potential Station” as opposed to a “Proposed Station” is a detriment to both the region and to the Project. Atwater presents regional benefits and offers contributing projects that should be considered in the environmental analysis. We respectfully request that the City of Atwater be evaluated as a “Proposed Station” and that all potential impacts of not locating an ACE station in Atwater be fully evaluated. In support of this request, we offer the following for your consideration and evaluation:

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