INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

LATHROP ROAD / UNION PACIFIC RAILROAD WESTERLY GRADE SEPARATION PROJECT

LATHROP, CALIFORNIA

Submitted to:

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LSA

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ACRONYM LIST

Ac	acres
AASHTO	American Association of State Highway and Transportation Officials
APN	Assessor's Parcel Number
BMP	best management practices
Caltrans	California Department of Transportation
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
City	City of Lathrop
County	County of San Joaquin
dBA	A-weighted decibel
EPA	U.S. Environmental Protection Agency
I-5	Interstate 5
IS/MND	Initial Study/Mitigated Negative Declaration
L_{dn}	day-night average noise
L_{max}	maximum noise level
LOS	level of service
mph	miles per hour
NA	not applicable
ODS	owner, developer, or successor-in-interest
PG&E	Pacific Gas and Electric
PM_{10}	particulate matter less than 10 microns in diameter
RWCF	Regional Wastewater Control Facility
RWQCB	Regional Water Quality Control Board
SCH	State Clearing House
SJAFCA	San Joaquin Area Flood Control Agency
SJCOG	San Joaquin County Council of Governments
SJMSCP	San Joaquin County Multi-Species Habitat Conservation and Open Space Plan
SJVAPCD	San Joaquin Valley Air Pollution Control District
SOC	Statement of Overriding Consideration
SPCP	Spill Prevention and Countermeasure Plan
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
R/W	Right-of-way
UPRR	Union Pacific Railroad

1.0 SUMMARY OF MITIGATION MEASURES

The following is a summary of the mitigation measures identified within this Initial Study/Mitigated Negative Declaration (IS/MND). For detailed discussion regarding the potential impacts of the proposed project, please refer to Section 3.0 Environmental Significance Checklist.

AIR QUALITY

AIR-1: The following "Basic Control Measures" shall be implemented by contractor to reduce construction impacts:

1. *All active construction areas shall be watered at least twice daily;*
2. *All trucks hauling soil, sand, and other loose materials shall be covered or maintain at least two feet of freeboard;*
3. *All unpaved access roads, parking areas, and staging areas at the construction site shall be paved, watered, or applied with non-toxic soil stabilizers;*
4. *All paved access roads, parking areas, and staging areas at the construction site shall be swept daily with water sweepers; and*
5. *All streets shall be swept daily (with water sweepers) if visible soil materials have migrated off site onto adjacent public streets.*

BIOLOGICAL RESOURCES

BIO-1: The project could impact burrowing owls, Swainson's hawk, and/or other nesting birds if one or more of these species is present when construction begins. The project will implement the following measures to avoid and minimize project impacts to burrowing owls, nesting birds, and Swainson's hawks.

A pre-construction survey should be performed in order to determine if burrowing owls, Swainson's hawks, or other migratory birds are nesting in the project area. If special status (and other) birds are nesting in the project area the following seasonal work restrictions will be implemented during construction. All work will comply with the Federal Migratory Bird Treaty Act, Fish and Game Code, and SJMSCP Incidental Take Minimization Measures (ITMMs).

1. *Western Burrowing Owls: If the preconstruction surveys identify burrowing owls nesting on the site during the breeding season (February 1 through August 31) the nest shall be designated as an ESA and a 250-foot buffer shall be established on the project site around the occupied burrow and delineated using orange construction fence or the equivalent. The buffer shall be maintained in place until the end of the breeding season or until a qualified biologist determines through non-invasive methods that 1) the birds have not begun egg laying, or 2)*

juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival the burrow(s) can be destroyed.

If the preconstruction surveys identify burrowing owls on the site during the non-breeding season (September 1 through January 31) burrowing owls occupying the project site shall be evicted from the project site by passive relocation as described in the CDFG's Staff Report on Burrowing Owls (CDFG 1995).

With the implementation of the above measures the project will have a less than significant impact on burrowing owls.

2. *Swainson's Hawks and Other Nesting Birds: If trees that will be impacted by project construction are not removed during the non-nesting season (between October 1 and February 29) and project construction is to begin during the nesting season (March 1 to September 30), all trees and other suitable nesting habitat within the limits of work shall be surveyed by a qualified biologist prior to initiating construction-related activities. If a nest tree in the vicinity of the project becomes occupied during construction activities then all construction activities shall remain a distance of two times the dripline diameter of the tree (measured from the nest) as designated by protective fencing. The protective fencing shall be maintained in good condition until the end of the breeding season or until the young have fledged as determined by a qualified biologist.*

BIO-2: As the applicant, the City shall prepare an application form and submit to the San Joaquin Council of Governments (SJCOG) to initiate project review and determine conformity with the SJMSCP. To offset potential impacts to special status species that may occur in the BSA the project shall implement the SJMSCP conservation strategy which includes one or a combination of two or more of the following options to provide compensation pursuant to the SJMSCP:

1. *Pay the appropriate fee as indicated in the SJMSCP; or*

2. *Dedicate, as conservation easements or fee title, or in-lieu dedications; or*

3. *Purchase approved mitigation bank credits; or*

4. *Propose an alternative mitigation plan consistent with the goals of the SJMSCP and equivalent in biological value to options 1, 2, and 3 above subject to approval by the Joint Powers Authority with the concurrence of the Permitting Agencies' representatives on the Technical Advisory Committee.*

   Once the applicant selects from these options additional interaction with the SJCOG will be required. This includes a biologist on-call with SJCOG conducting a survey of the project site to confirm findings from prior biological surveys. The biologist will collect information relating to the BSA such as habitat type and potential presence of covered species. This information will be used to formulate ITMMs for the project applicant consistent with the SJMSCP. Focused wildlife and plant survey, including preconstruction surveys are not conducted by the SJCOG biologist but are the responsibility of the project applicant (Steve Mayo, SJCOG, pers. comm).

Mitigation measures consistent with the SJMSCP are included in the mitigation requirements for individual species.

CULTURAL RESOURCES

Mitigation Measure CULT-1: Prior to issuance of a grading permit, plans shall include a requirement (via notation) indicating that if historic and/or cultural resources, or human remains are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the contractor shall immediately notify the City of the discovery. In such case, the applicant shall retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the City for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the vicinity of the discovery, as identified by the qualified archaeologist, shall not be allowed until the preceding steps have been taken.

Mitigation Measure CULT-2: Pursuant to State Health and Safety Code §7050.5 (c) State Public Resources Code §5097.98, if human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find and the San Joaquin County Coroner shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission who shall notify the person believed to be the most likely descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. Additional work is not to take place in the immediate vicinity of the find, which shall be identified by the qualified archaeologist, until the identified appropriate actions have been implemented.

PALEO-1: During grading, should paleontological resources be uncovered, all ground-disturbing activities should be redirected within 25 feet and a qualified paleontologist contacted to assess the situation, consult with the City of Lathrop and other agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel should not collect or move any paleontological materials. It is recommended that adverse effects to such deposits be avoided by project activities. If such deposits cannot be avoided they should be evaluated for their significance.

GEOLOGY AND SOILS

GEO-1:

1. *Before excavation or construction activities the boundaries of the project area shall be delineated by flagging or other means to prevent workers or equipment from working outside the right-of-way.*
2. *Access routes, staging areas, and total area of activity shall be limited to the minimum necessary to achieve the project goal. All workers shall be notified of the appropriate access routes, staging areas, and total area of the activity. These areas shall be clearly marked.*
3. *Ground disturbance and vegetation removal shall be limited during construction.*
4. *Work shall be suspended during periods of heavy rain.*

5. *All areas with exposed soil will be hydroseeded as soon as practicable.*

HAZARDS AND HAZARDOUS MATERIALS

HAZ-1:

1. *The contractor will prepare a Spill Prevention and Countermeasure Plan (SPCP) prior to the commencement of construction activities. The SPCP will include information on the nature of all hazardous materials that will be used on-site. The SPCP will also include information regarding proper handling of hazardous materials and clean-up procedures in the event of an accidental release. The phone number of the agency overseeing hazardous materials and toxic clean-up will be provided in the SPCP.*
2. *It is required that soil samples be collected to the depth of the proposed excavation area and analyzed for any contamination from the above hazardous materials. If any hazardous materials are present clean-up of the material is required to State and Federal standards.*
3. *With the purchase of any structure which is planned to be demolished an ACM investigation is required by an inspector certified by Asbestos Hazardous Emergency Response Act (AHERA) under Toxic Substance Control Act (TSCA) Title II and certified by Cal OSHA under State of California rules and regulations (California Code of Regulations, Section 1529). Survey for lead based paint should be conducted prior to demolition of the structure within the right-of-way. If asbestos and/or lead based paint is present and abatement is required, state certified contractors will perform the work in accordance with State and Federal regulations.*

HYDROLOGY AND WATER QUALITY

HWQ-1: Prior to issuance of a grading permit, the contractor shall demonstrate compliance with all of the applicable requirements in the City of Lathrop Storm Water Development Standards, for the review and approval of the City Engineer.

HWQ-2: In conjunction with approval of the final improvement plans, the City Engineer shall review the hydraulic and hydrologic calculations from the additional project runoff and determine that the proposed drainage systems (drainages, drain pipes, basins, etc.) are adequate in size and capacity,

NOISE

NOI-1: The closest sensitive receptor locations are located within 50 feet of the project construction areas. Therefore, these receptor locations may be subject to short-term noise reaching 91 dBA L_{max} generated by construction activities along the project alignment. To reduce this impact to a less-than-significant level, the project sponsor shall ensure the contractor complies with the City's hours of construction, as outlined below, as well as the following measures:

1. *Without prior permission, all noise producing construction activities shall comply with Section 8.20.110 of the Lathrop Municipal Code. The code states that it shall be unlawful for any*

person within a residential zone or within a radius of five hundred (500) feet of a residential zone to operate construction equipment between the hours of ten p.m. of one day and seven a.m. of the next day, or between the hours of eleven p.m. and nine a.m. Fridays, Saturdays and legal holidays (e.g., night-time periods). Should it be necessary to operate construction equipment during the restricted night-time periods, the contractor shall obtain prior approval from the Lathrop City Council. In addition, no noise producing activities shall be permitted adjacent to any place of worship (including the church located at the corner of 5th and H Streets) while the same is in use.

2. *The project contractors shall equip all construction equipment fixed or mobile with properly operating and maintained mufflers consistent with manufacturers' standards;*
3. *The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.*
4. *The construction contractor shall locate equipment staging in areas that will create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.*

Implementation of these mitigation measures would reduce project related construction noise impacts to a less-than-significant level.

POPULATION AND HOUSING

PH-1: As a condition of project approval, in conjunction with acquiring the single family residence needed for access purposes, the City shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

2.0 INTRODUCTION

2.1 PROJECT BACKGROUND AND PURPOSE / NEED

Background

LSA Associates, Inc. has prepared the following materials for the Lathrop Road / Union Pacific Railroad Westerly Grade Separation Project within the City of Lathrop (Figure 1). These materials are intended for the use by the City of Lathrop and other agencies in their assessment of the project as it pertains to the California Environmental Quality act (CEQA). The CEQA lead agency for the proposed project is the City of Lathrop.

The City of Lathrop must evaluate environmental impacts of the proposed action when considering whether to approve the project. The City has determined that the appropriate level of CEQA environmental documentation is a Mitigated Negative Declaration because the proposed project does not have significant unavoidable impacts on the environment.

The purpose of this document is to approve widening Lathrop Road from two to four lanes and construct a grade separated crossing over the Union Pacific Railroad tracks on 31 parcels from Harlan Road to east of McKinley Avenue. The project would widen the right-of-way along Lathrop Road on both sides of the UPRR tracks and construct an overpass over the UPRR tracks. The approximately 2,200 foot long overpass over the UPRR tracks will be north of the current at-grade crossing intersection and will require an easement from the UPRR. The overpass and eastern approach will be partly built on Sharpe Army Depot property. The City's previously obtained easement through the Sharpe Army Depot varies in width from 80 to 242 feet north from the centerline of Lathrop Road, and expires in 2052. The City is the lead agency for this project.

The City of Lathrop is located in Northern San Joaquin Valley at the intersection of I-5 and State Route 120. Lathrop is centrally located within a 30-minute commute of Tracy, Manteca, Stockton, Lodi, Modesto, Livermore and Pleasanton. Figure 2 (Project Area) show the location of the proposed project.

The project site is on level terrain at an elevation of 15 to 20 feet above sea level. Geologically, the majority of the project area consists of fine-grained Pleistocene alluvial fan which is a skirt deposit comprised of clay, silt, and sand. The northeast corner of the project area consists of urban fill. Tertiary deposits underlay Pleistocene alluvial deposits at an unknown depth. The soils in the project area consist of Veritas fine sandy loam, Timor Loamy sand, and Tinnin loamy coarse sand.

There are no water courses in the project area. The San Joaquin River lies approximately 1.25 miles west of the project area.

The western half of the project area consists of residential subdivisions, as well as park land and open fields. The eastern half of the project area consists of a portion of the Sharpe Army Depot and the edges of several industrial complexes including a large manufacturing and distribution center for California Natural Products. To the west is I-5, marshlands, and sloughs. To the south are the original

oldest portions of Lathrop. The terrain surrounding Lathrop consists primarily of open level agricultural fields.

Lathrop's current population is estimated to be 17,671 (per Department of Finance, January 1, 2009) and is expected to reach 30,000 by 2012 (unless growth slows due to the current economic conditions). The City has a projected "build out" population of 70,000 expected under the current General Plan. The City of Lathrop is one of Northern California's fastest growing and most comprehensive Master Planned Communities. Several projects within the Lathrop area are proposed or are in the construction phases. These include:

River Islands at Lathrop:
Residential construction is currently underway

- 11,000 residential units
- 325-acre Employment Center
- 50-acres of town center
- 17,000 new jobs – 4 million square feet of non-residential development

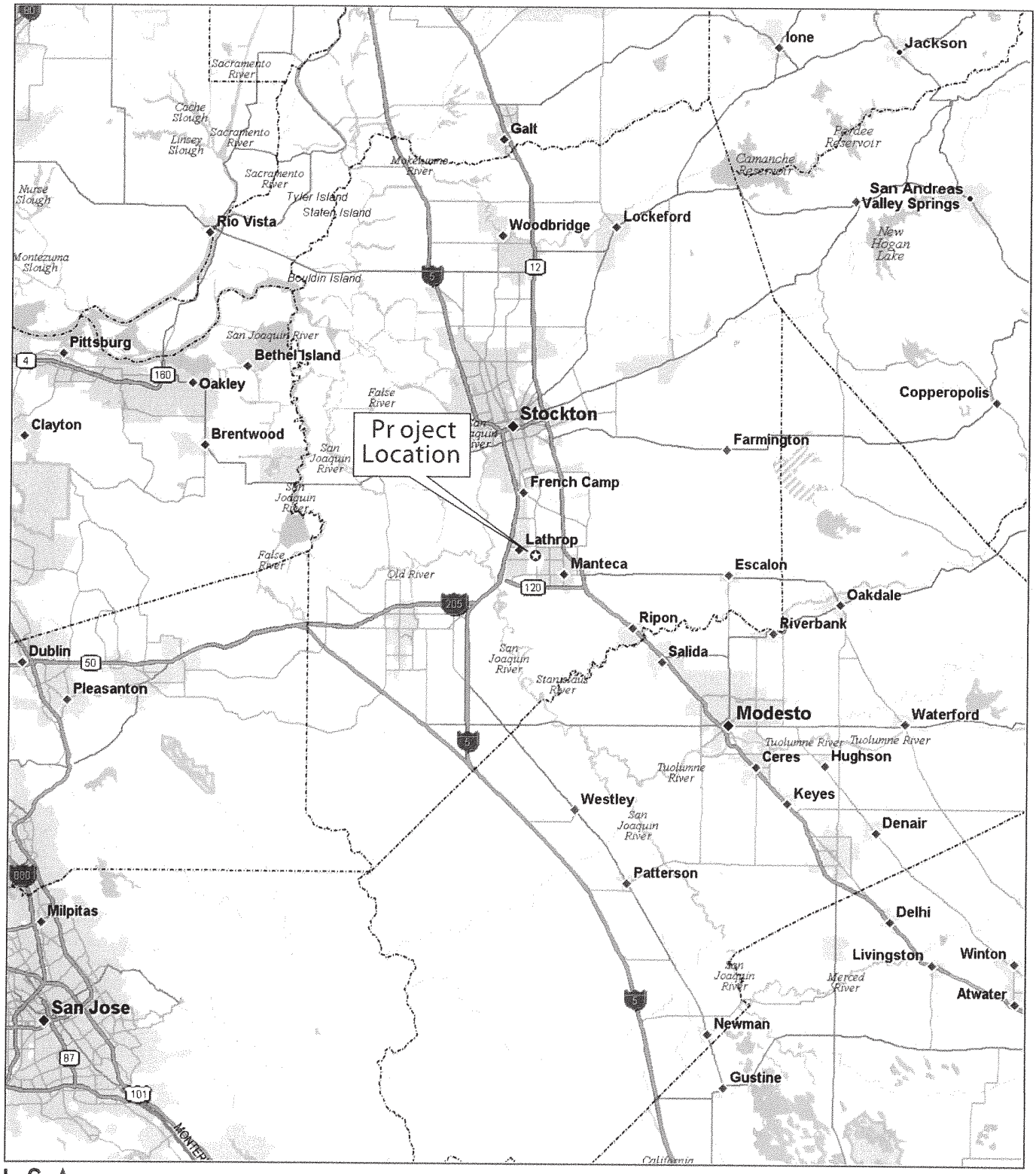
Mossdale Village:
Residential construction is currently underway

- 2,500 units Master Planned Community
- Freeway Commercial – 27 acres at SWQ I-5/Louise--Grocery and big box opportunities for this site
- Nearly 1 million square feet of retail/office space

Central Lathrop Specific Plan:
1,540 acre site – west side of I-5, north of Louise Ave.

- Up to 6,800 dwelling units, including low density, medium density and high density
- Site for power center and other retail uses along west side of I-5
- Nearly 4.5 million square feet of office commercial in Lathrop's I-5 regional commercial corridor
- Annexations are being pursued

Purpose / Need
With the expected growth within the City and region, Lathrop Road and the current at-grade UPRR crossing configuration will become inadequate due to the increased volume expected on this arterial street. Train frequency, combined with forecast traffic volumes will cause a significant deterioration in levels of service at this location resulting in lengthy delays. The proposed project will ease congestion and improve levels of service along Lathrop Road and improve safety for motorists, pedestrians, and bicyclists.



LSA

FIGURE 1

N

0 7.5 15

MILES

SOURCE: DeLORME Street Atlas, 2006

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Lathrop Road / Union Pacific Railroad
Westerly Grade Separation Project
Lathrop, San Joaquin County, California

Project Location

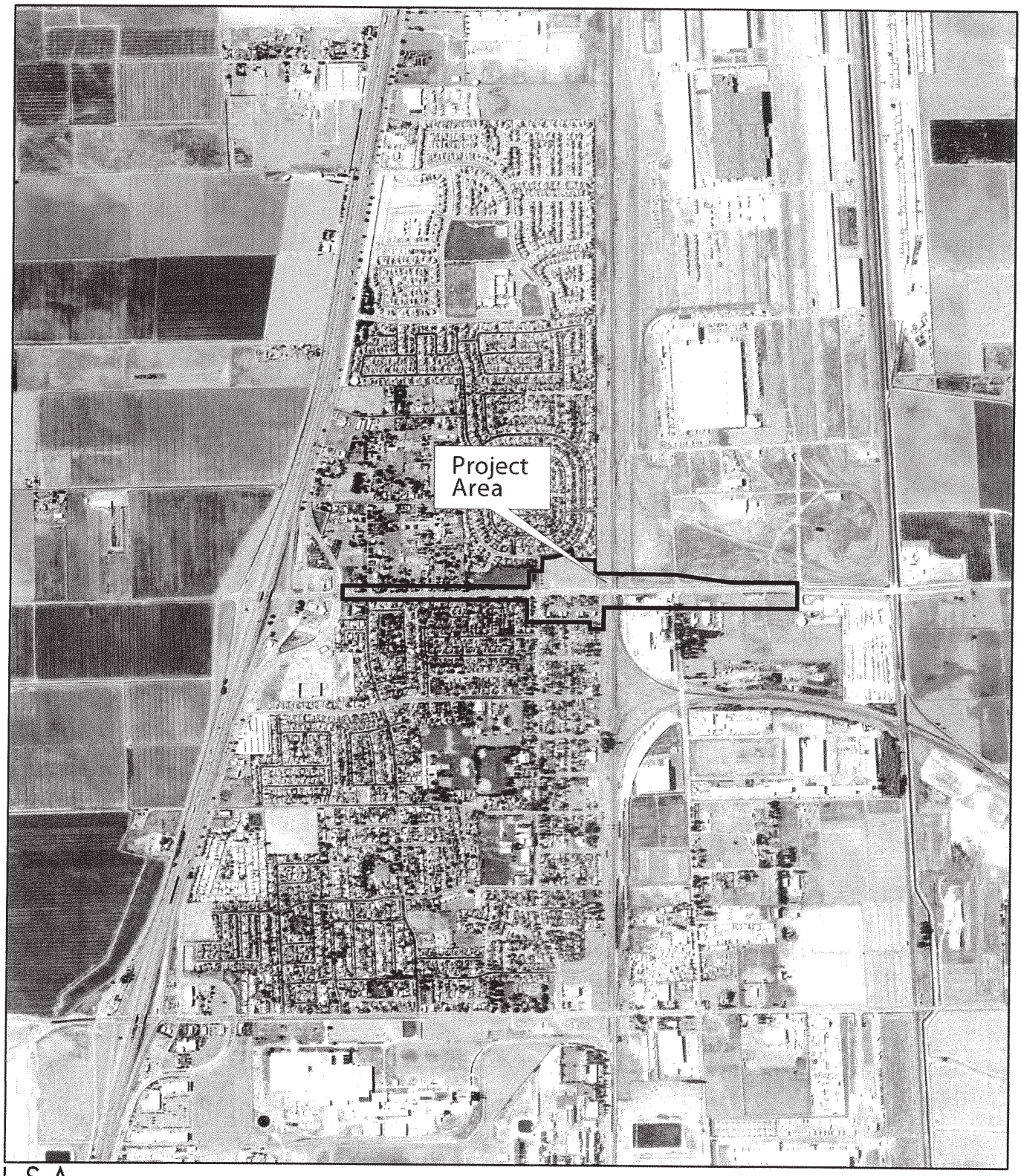

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FIGURE 2

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SOURCE: LSA (2008)

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Lathrop Road / Union Pacific Railroad
Westerly Grade Separation Project
Lathrop, San Joaquin County, California

Project Area

2.2 PROJECT DESCRIPTIONS

This section provides a description of the project and the project alternatives that were evaluated.

2.2.1 No Build Alternative

No improvements on Lathrop Road would be made other than routine roadway maintenance. Traffic operations on this roadway would continue as they currently exist and would worsen over time. Traffic queuing as result of train crossings would continue to increase over time.

2.2.2 Build Alternative

The Preliminary Technical report for this project by Mark Thomas & Company analyzed five build alternatives. Only the recommended alternative, the Overhead (North-AASHTO) Alternative has been carried forward in this environmental document.

As shown in Figure 3 the Overhead (North-AASHTO) Alternative proposes to widen Lathrop Road from two to four lanes and construct a grade separated crossing over the Union Pacific Railroad tracks. The roadway section is consistent with the existing easterly grade separation on Lathrop Road. The section consists of a modified version of the City of Lathrop's Arterial Section.

The objective of this alternative is to minimize impacts at the Woodfield/5th and McKinley intersections. As shown in Figure 4, this alternative proposes 2:1 side slopes along the north side of the roadway while a combination of 2:1 side slopes and a retaining wall are proposed along the south side of Lathrop Road. This combination of 2:1 side slopes and retaining walls are needed to accommodate local access needs for residents. McKinley Avenue is slightly elevated along the current alignment while the 7th Street connection is severed from Lathrop Road. 7th Street traffic will be rerouted to 5th Street via H Street.

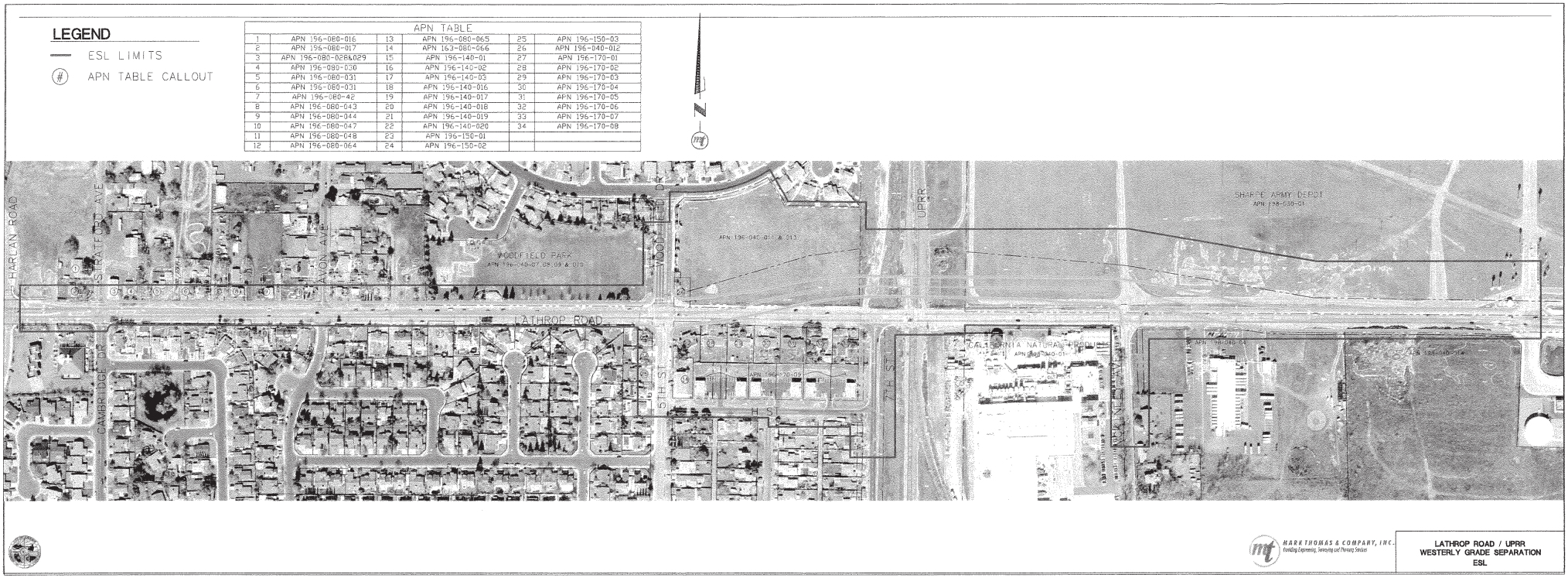
Horizontal Alignment

The horizontal alignment for this alternative is shifted approximately 77 feet to the north of the Overhead (Staged-AASHTO) Alternative at the UPRR crossing.

Vertical Alignment

The vertical alignment is consistent with the other Overhead alternatives except for the following:

- The crest curve over the UP railroad tracks has been designed using AASHTO (instead of Caltrans) design standards for vertical curves. It is also designed to accommodate a future 3rd track and access road. The clearance over the tracks accommodates the UPRR's minimum vertical clearance. There will be a temporary reduction in vertical clearance to 21 feet for falsework during construction of the superstructure.



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0 0.25 0.5

Miles

SOURCE: MARK THOMAS & COMPANY, INC. (2008)

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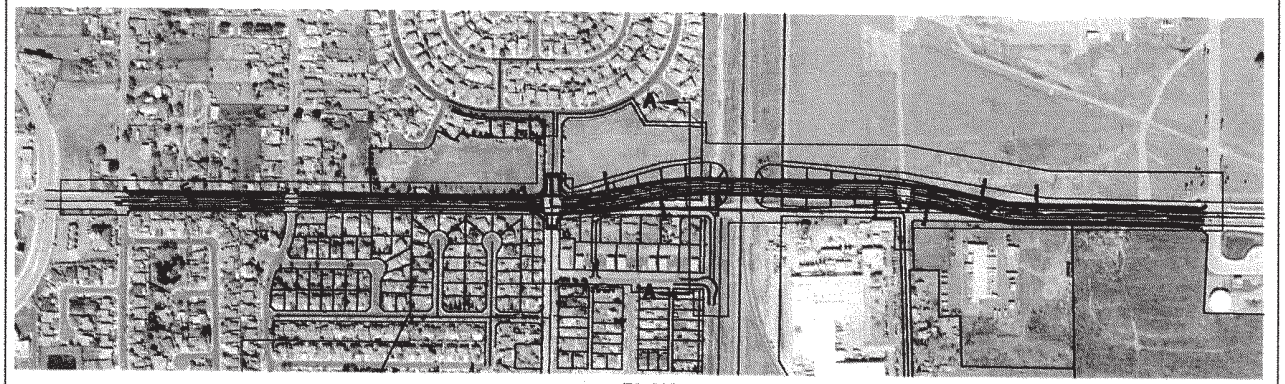
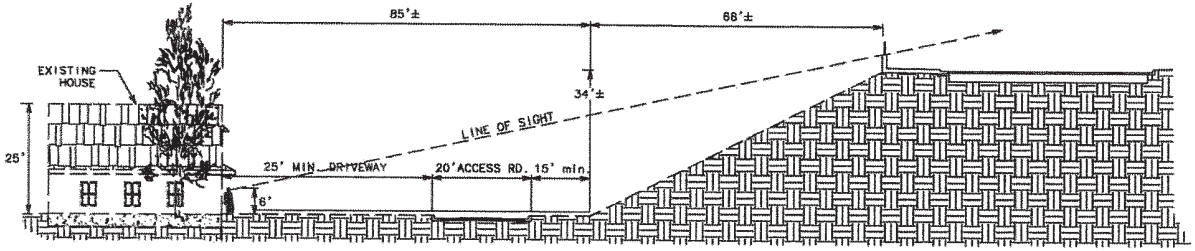
FIGURE 3

Lathrop Road / Union Pacific Railroad
Westerly Grade Separation Project
Lathrop, San Joaquin County, California
Project Study Area / Project Overview



PLAN



SECTION A-A

MARK THOMAS & COMPANY, INC.
Providing Engineering, Surveying and Planning Services

LATHROP ROAD / UPRR
GRADE SEPARATION
VISUAL IMPACT

LSA

FIGURE 4

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0 1000 2000
FEET

SOURCE: Mark Thomas & Company, Inc.

Lathrop Road / Union Pacific Railroad
Westerly Grade Separation Project
Lathrop, San Joaquin County, California

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Lathrop Road / UPRR Grade Separation Cross-Section

- Similar to the other overhead alternatives, the west and east sag curves are designed using AASHTO comfort design vertical curves. The west end conforms around the Woodfield/5th intersection while the east end conforms just east of the McKinley Avenue intersection.

Right of Way

- Northeast quadrant property, Sharpe Army Depot – no additional right of way is needed from the Depot with this project.
- Northwest quadrant property – on the north west quadrant of the crossing, within the Woodfield Park subdivision, is an empty field planned for commercial development. A varying (50' to 132') R/W take will be needed to accommodate the proposed side slopes.
- Southwest quadrant properties – on the south west quadrant of the crossing, one property would need to be fully acquired with this alternative. With this alternative, the second property east of 5th Street needs to be fully acquired due to the access road proposed to provide access for the properties fronting Lathrop Road.
- Southeast quadrant – no additional right of way is needed with this project.
- UPRR – a wider roadway easement will be needed from the railroad for this project. A width of 200 feet across the railroad property will need to be acquired to accommodate the project's improvements.

Embankment and Walls

This alternative proposes 2:1 embankment slopes along the north side and a combination of 2:1 side slopes and a retaining wall along the south side of Lathrop Road. Right of way acquisitions can be reduced by constructing a retaining wall along the northwest quadrant of the crossing. The additional cost for constructing retaining walls along the north side would be approximately $2 million.

Structures

The overcrossing will be a three span, closed abutment, cast-in-place structure with a minimum vertical clearance of 23'-4". To construct the structure, falsework will be erected and the vertical clearance is temporarily reduced to 21 feet. The falsework will be required at 2 different time periods (two stages) for approximately 4 months each.

Roadway/Driveway Conforms

The existing and proposed roadway and driveways will be impacted by this project as follows:

- Woodfield/5th intersection – because the proposed profile conforms at the intersection, intersection improvements will be necessary but minimal in comparison to the Overhead alternatives with Caltrans crest curves. The intersection can continue to operate as a full access intersection. Access to adjacent properties along 5th Street can be accommodated with this alternative.

- UPRR driveway on northwest quadrant – because of the elevation difference between the proposed Lathrop Road and the existing UPRR driveway, this driveway will no longer be accessible from Lathrop Road. Roughly 1000' north, UPRR has a driveway connecting into the east end of Princeville Street that will provide access for UPRR to Lathrop Road. A secondary access option is to provide a drive approach in the knuckle at 7th Street and the new Lathrop Road frontage street.
- South west properties – because of the elevation difference between the proposed Lathrop Road and the existing driveways of these properties fronting Lathrop Road, a new access will need to be created to avoid land locking these properties. Access for these properties is provided via a 20' (27' in front of the houses for one side parking) access road. The access road alignment is proposed to begin from the 7th/H Street intersection, runs north towards Lathrop Road, then runs west between the SW houses and Lathrop Road, then runs south and connects to H Street. These properties would need to be fully acquired if access is not provided.
- 7th Street – because of the proximity to the at-grade crossing, the proposed Lathrop Road profile is approximately 30 feet higher than the existing intersection. It is proposed to sever the connection to Lathrop Road with this project. Traffic using 7th Street can access Lathrop Road via H Street to 5th Street.
- McKinley Avenue – the elevation difference between the proposed profile and existing intersection is approximately 2.75 feet. This alternative maintains the existing McKinley Avenue alignment.

Utilities

The existing utilities in the project area include the following:

- Utilities present at the Lathrop Road/UPRR intersection are fiberoptic, telecommunication lines, high-pressure pipeline, gas, overhead and underground electrical, water lines, sanitary sewer and storm drains. Most of the utilities in Lathrop Road will need to be relocated into the embankment and through the structure. Several overhead electric lines should remain overhead and relocated as needed to avoid the new raised roadway.
- Stormwater from the proposed project will be diverted and treated (for water quality) in a proposed retention basin located on a vacant property in the northwest intersection of Woodfield Drive and Lathrop Road. Treatment will consist of retaining runoff for percolation and/or evaporation.

Landscaping

Landscaping will be provided throughout the roadway corridor to enhance the project image. While the type of landscape materials has not been determined, it is anticipated that a minimal, low maintenance plan will be implemented.

Railroad

There will be minimal impacts to the existing railroad with this alternative. The existing at-grade crossing will be eliminated with this project. The structure will be designed to accommodate a future third track and access road.

Traffic Handling

The northerly shift of the horizontal alignment eliminates the need for construction staging of the structure. Upon completion of the structure the east and westbound roadway transitions will be constructed without impeding the existing traffic flow on Lathrop Road. The existing at-grade crossing will remain operational during construction. A significant cost savings is realized due to the minimized traffic handling needs of this alternative.

There is no staging of the railroad required with this alternative.

2.3 ALTERNATIVES CONSIDERED AND REJECTED

Several alternatives were studied in defining the preferred alternative. For ease of discussion, the project was segmented to have two (2) study areas (Lathrop Road Widening and Lathrop Road/UPRR Grade Separation). The following discussion pertains to the alternatives considered and rejected for both segments of the project.

A. Lathrop Road Widening (Stratford Avenue to Woodfield Drive/5th Street)

The City had two standard cross sections that were considered and rejected (Standard Drawing R-3 – Four-Lane Parkway and Standard Drawing R-2 – Arterial).

The following roadway widening alternatives were considered:

Standard Drawing R-2 - Arterial
R-2 is a 126' wide corridor (16 median, 64' roadway, 46' sidewalk/landscape area). The R-2 cross sections impacted all the houses fronting Lathrop Road along the north side and the pump station at Woodfield Park.

Standard Drawing R-3 – Four-Lane Parkway
R-3 is a 112' corridor (16' median, 66' roadway, 30' sidewalk/landscape area). The R-3 cross section impacts most of the houses fronting Lathrop Road along the north side and pump station at Woodfield Park.

B. Lathrop Road/UPRR Grade Separation (Woodfield/5th to existing easterly crossing)

The several alternatives (three overhead and one underpass) were studied and rejected for the grade separation portion of the project. The overhead alternatives compared impacts associated with proposed alignment and design standards for the proposed profile.

For the profile, Caltrans Highway Design Manual (HDM) standards were compared with American Association of State Highway and Transportation Officials (AASHTO) standards. The difference between the HDM and AASHTO profile standards are as follows:

- The biggest difference in the HDM and AASHTO standards is the object height used to calculate vertical curve lengths. The HDM uses a 6 inch object height, while AASHTO uses a 2 foot object height. The object height used in the AASHTO standards is considered to represent an object that involves potential risk to the driver and can be identified in time to stop before reaching the object. According to AASHTO, using object heights of less than 2 feet result in longer crest vertical curves without any documented safety benefits.
- The resulting vertical curve length for that accommodates the corridor design speed (50mph) for an HDM crest curve is a 1400 foot vertical curve while an AASHTO crest curve is an 875 foot vertical curve.

The following grade separation alternatives were considered:

Overhead Staged-Caltrans Alternative
At the Woodfield/5th/Lathrop intersection, the new profile of Lathrop Road will be 6' higher than the existing elevation at this location. This results in the following improvements/impacts:

- Four (4) full acquisitions due to loss of access along 5th Street.
- Retaining wall along Lathrop Road and Woodfield Drive to prevent impacts affecting functionality of Woodfield Park.
- Reconstruct about the entire length of Woodfield Drive and all the way to 5th Street to conform to the new Lathrop Road profile.

At the McKinley/Lathrop intersection, the new profile of Lathrop Road will be 10' higher than the existing elevation at this location. This results in the following improvements/impacts:

- Realignment of McKinley Avenue about 850' east to avoid impacting California Natural Products.
- Retaining walls along McKinley Avenue to prevent impacts to properties along the corridor.
- One driveway for each commercial site along south side of Lathrop Road are is eliminated affecting functionality of business.
- Acquire R/W from SE parcel to accommodate realignment.
- Acquire R/W for the realignment of McKinley Avenue.

As a result of the above impacts, the City rejected this alternative.

Overhead Straight-Caltrans Alternative
This alternative has similar impacts the above alternative associated with the profile. In addition, the straighter alignment presents that following impacts/improvements:

At Woodfield/5th/Lathrop intersection, the new profile of Lathrop Road will be 6' higher than the existing elevation at this location. This results in the following improvements/impacts:

- Fifteen (15) full acquisitions due to loss of access along 5th Street and 7th Street
- Retaining wall along Lathrop Road and Woodfield Drive to prevent impacts affecting functionality of Woodfield Park.
- Retaining walls along 7th Street.
- Reconstruct about the entire length of Woodfield Drive and all the way to 5th Street to conform to the new Lathrop Road profile.

At the McKinley/Lathrop intersection, the new profile of Lathrop Road will be 10' higher than the existing elevation at this location. This results in the following improvements/impacts:

- Realignment of McKinley Avenue about 850' east to avoid impacting California Natural Products.
- Construct cul-de-sac at the severed location of the existing McKinley Avenue.
- Access for commercial site east of McKinley losses a driveway affecting functionality of site.
- Acquire R/W from SE parcel to accommodate cul-de-sac.
- Acquire R/W for the realignment of McKinley Avenue.

Constraints:
Traffic Handling – A temporary detour, lasting 2 years, would need to be constructed to direct traffic away from the construction site. The detour would have reversing curves and a reduced design speed of 30 mph. In addition to the roadway detour, temporary crossing gates will need to be constructed by UPRR crews.

Schedule – The construction of this alternative would start approximately one year later the other overhead crossings (see UPRR/CPUC Coordination below). Construction of a temporary detour would require a temporary at-grade crossing constructed north of the construction site prior to starting work. The construction of the temporary at-grade crossing would need to be constructed by Union Pacific Railroad (UPRR) crews only. UPRR construction crew availability will control the start date of construction.

UPRR/CPUC Coordination – Construction of a temporary at-grade crossing requires additional coordination and approvals from UPRR and the California Public Utilities Commission (CPUC). This process adds up to an additional year to the project approval process.

The above impacts and constraints provided the City with justification to reject this alternative.

Underpass-Caltrans Alternative
An underpass alternative was considered. The underpass alternatives would lower Lathrop Road approximately 27 feet below the existing track elevation. The roadway section is in accordance with the City of Lathrop's standard roadway sections; however, the sidewalk would be eight foot wide and raised on a barrier/retaining wall to separate the pedestrians and vehicular traffic at the underpass. Behind the sidewalk retaining walls of 2 to 16 foot high would also be constructed to retain the earthen slopes from falling into the depressed roadway section.

Constraints:
Traffic Handling – A temporary detour, lasting 2 years, would need to be constructed to direct traffic away from the construction site. The detour would have reversing curves and a reduced design speed of 30 mph. In addition to the roadway detour, the existing tracks would require a "shoofly" track around the construction area. The shoofly will be designed for 60 mph and would require approximately 6000 feet of track around the construction area. The existing signal houses would require relocation to accommodate the track shoofly.

Schedule – The construction of the underpass would start approximately one year later than an overhead crossing (see UPRR/CPUC Coordination below). Construction of an underpass would require a temporary at-grade crossing constructed north of the construction site prior to starting work on the underpass. The construction of the temporary at-grade crossing would need to be constructed by Union Pacific Railroad (UPRR) crews only. Similar to the temporary at-grade crossing, shoofly connections to the UPRR mainline will need to be performed by UPRR crews only. UPRR construction crew availability will control the start date of the underpass construction.

UPRR/CPUC Coordination – Construction of a temporary at-grade crossing requires additional coordination and approvals from UPRR and the California Public Utilities Commission (CPUC). This process adds up to an additional year to the project approval process.

Utility Relocation – There are a substantial amount of critical utilities including a fuel line, electrical lines, track signal lines, track switches, and fiber optic lines that would need to be relocated with a track shoofly or underneath and/or around the lowered roadway to construct the underpass. Depending on the type of material conveyed in the pipe or fiber optic connection locations, potentially roughly 1000 feet on each side of the crossing will need to be relocated with an underpass.

Drainage Pump Station – Underpasses require a pump station to remove storm water from the depressed section of the roadway. Although the pump station would be equipped with main electric and/or fuel powered pumps and backup pumps with a back-up power supply, underpasses still have a risk of flooding during storm events which can be avoided with an overhead crossing.

Maintenance – An underpass requires more maintenance than an overhead crossing. The additional retaining wall surfaces would require periodic graffiti removal, the drainage pump station would require routine testing and monitoring during storm events, and the retaining wall joints and railroad structure bearing pads would require routine maintenance.

Construction Cost – The cost of the underpass crossings generally cost approximately 30% - 35% more than an overhead crossing. The higher costs are primarily due to temporary railroad track realignment, temporary roadway detours with temporary at-grade crossing, utility relocations along the railroad tracks, additional retaining walls, and drainage pump station.

The above constraints contributed to the City's decision to reject this alternative.

3.0 ENVIRONMENTAL SIGNIFICANCE CHECKLIST

1. AESTHETICS - Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?			X	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?				X
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?			X	

Environmental Setting

At present, Lathrop Road is a two lane road with an at-grade crossing at the UPRR tracks. The visual setting of the western half of the project area consists of older a residential subdivision which includes houses, a park, and opens fields. The eastern half of the project area consists of a portion of the Sharpe Army Depot and the edges of several industrial complexes including a large manufacturing and distribution center for California Natural Products.

Environmental Impact

The project will incorporate aesthetically designed treatments (landscaping, type selection of structure, etc.) to enhance the viewshed corridor for the entire project limits. With the public's input, aesthetic treatment opportunities will continue to evolve during the final design phase.

a. Have substantial adverse effect on a scenic vista?

The proposed project would not have an adverse effect on the scenic vista within the area as no scenic vistas are present within the view corridor. After construction is complete the project would add a vertical structure within the landscape context as follows:

- The west end of the proposed project conforms to Lathrop Road just west of the Woodfield/5th intersection. The sag curves are designed to accommodate AASHTO comfort design. The sag curve satisfies the stopping sight distance criteria provided adequate lighting is provided. The profile is approximately 5 feet higher than the existing roadway at the Woodfield/5th intersection.
- The crest curve over the UPRR tracks has been designed using Caltrans design standards for a vertical curve. It is also designed to accommodate a future 3rd track and access roads. The clearance over the tracks exceeds the UPRR's minimum vertical clearance (23'-4" from top of rail to nearest overhead obstruction). There will be a temporary reduction in vertical clearance to 21 feet for falsework during construction of the structure.
- The proposed structure will not dominate the visual setting. The proposed structures heights are insufficient to dominate over current buildings in the immediate area which include the Sharpe Army Depot and the California Natural Products plant. Located less than a mile east on Lathrop Road is an existing railroad grade separation constructed in the last few years. This existing grade separation establishes a similar setting to the east for the Lathrop Road corridor. The proposed grade separation will add a structure that is consistent with that setting.

Level of Significance: Less than significant.

Mitigation Measures: None Required.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?

The project area does not include any scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway.

Level of Significance: No impact.

Mitigation Measures: None required.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

The proposed project will not create a significant impact on the existing visual character of the site or its surrounding. With the project located within the transition zone between residential and industrial lands the project will not degrade the visual character or quality of site or surrounding areas. The proposed structure will provide a buffer between the industrial and residential lands. The structure will have landscaping surrounding it to soften the views and integrate the proposed project into the landscape. The roadway widening will not degrade the existing visual character. As a component of the project, the streetscape of Lathrop Road will be improved with new sidewalks and street trees along the project corridor. The proposed roadway widening will expand the roadway cross-section to conform to the existing four lane section. Loss of some landscaping and turfed area will occur, but will not change the existing urban setting. The widened roadway will introduce an updated and aesthetically-enhanced setting.

Level of Significance: Less than significant.

Mitigation Measures: None required.

d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

The proposed project will not create substantial light or glare that would adversely affect daytime or nighttime views in the area. The structure will include elevated streetlights. With the structure offset to the north and extending into the Sharpe Army Depot, light and glare should not affect any residents within the vicinity.

Level of Significance: Less than significant.

Mitigation Measures: None required.

2. AGRICULTURAL RESOURCES In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation. Would the project:	Potentially Significant Impact		Less than Significant with Mitigation Incorporated		Less-than-Significant Impact		No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?							X
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?							X
c. Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?							X

Environmental Setting

The western half of the project area consists of residential subdivisions and includes houses, park land, and undeveloped property. The eastern half of the project area consists of a portion of the Sharpe Army Depot and the edges of several industrial complexes including a large manufacturing and distribution center for California Natural Products. There are five different zonings classifications within the proposed project area. They are limited industrial, low density residential, medium density residential, neighborhood commercial, and neighborhood park. Historically the proposed project area was used for farmland, but with development in the last quarter century, agricultures uses in the area have declined and urban development has transformed the proposed project site.

Environmental Impacts

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

There will be no environmental impacts on agricultural resources due to the fact that the proposed project is in urban area and contains no agricultural lands.

b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?

Refer to "a." above.

c. Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

Refer to "a." above.

Level of Significance: No impact.

Mitigation Measures: None required.

3. AIR QUALITY When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?			X	
d. Expose sensitive receptors to substantial pollutant concentrations?		X		
e. Create objectionable odors affecting a substantial number of people?			X	

Information in this section was based on the technical air quality analysis developed by LSA Associates, Inc. May 2008.

Environmental Setting

The proposed project is located in the San Joaquin Valley Air Basin and within the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The *Extreme Ozone Attainment Demonstration Plan* contains control measures to reduce ozone precursor emissions and includes an emissions budget for vehicle miles traveled (VMT).

Environmental Impacts

a. Conflict with or obstruct implementation of the applicable air quality plan?

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a nonattainment area. The main purpose of the air quality plan is to bring the area into compliance with the requirements of federal and State air quality standards. The San Joaquin

Valley air quality status for 2008 is summarized in Table 1. The valley is currently in nonattainment for ozone, PM_{10} and $PM_{2.5}$ emissions.

Table 1: Air Quality Attainment Status

Pollutant	State	Federal
Ozone	Nonattainment/ Severe	Nonattainment/ Serious
Carbon Monoxide	Attainment/ Unclassified	Attainment/ Unclassified
PM_{10}	Nonattainment	Nonattainment/ Serious
$PM_{2.5}$	Nonattainment	Nonattainment
Sulfates	Attainment	No Federal Standards
Hydrogen Sulfide	Unclassified	No Federal Standards

Source: San Joaquin Valley Air Pollution Control District, 2008.

The proposed project would construct a grade-separated railroad crossing at Lathrop Road and the Union Pacific Railroad (UPRR), and would include the widening of Lathrop Road. The proposed project would improve traffic operations and circulation on the surrounding roadways, reduce vehicle delay and idling at the train crossing and would not increase regional vehicle miles travelled (VMT). The proposed project would not result in the generation of additional vehicle trips or increased regional emissions. Excavation and earthwork associated with the proposed project would be confined to temporary grading and construction activities. Both the area of ground disturbance and amount of construction equipment operating within the project site would be limited to the approximately 5-acre project site footprint of new disturbance. Therefore, the proposed project would not conflict with or obstruct implementation of the applicable air quality plan.

Level of Significance: Less than significant.

Mitigation Measures: None Required.

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Short-Term. Construction activities at the project site would include the use of construction vehicles such as trucks, backhoes, and graders. This equipment would increase air pollutants associated with dust and burning fossil fuel. Construction activities would result in blowing dust which is a major cause of increased PM_{10} and $PM_{2.5}$ concentrations and could contribute to the region's existing particulate matter air quality violation. Implementation of the following mitigation measures would reduce this impact to a less-than-significant level.

Level of Significance: Potentially significant.

Mitigation Measure AIR-1: The following "Basic Control Measures" shall be implemented by contractor to reduce construction impacts:

1. All active construction areas shall be watered at least twice daily;

2. All trucks hauling soil, sand, and other loose materials shall be covered or maintain at least two feet of freeboard;
3. All unpaved access roads, parking areas, and staging areas at the construction site shall be paved, watered, or applied with non-toxic soil stabilizers;
4. All paved access roads, parking areas, and staging areas at the construction site shall be swept daily with water sweepers; and
5. All streets shall be swept daily (with water sweepers) if visible soil materials have migrated off site onto adjacent public streets.

Significance After Mitigation: Less than significant.

Long-Term. As noted in Section 3.a the proposed project would not generate new vehicle trips or increase VMT that would increase ozone, PM_{10} or $PM_{2.5}$ emissions such that the proposed project would contribute to the basin's nonattainment status. The proposed project will improve traffic operations and circulation on the surrounding roadways and reduce vehicle delay and idling at the train crossing thus contributing to reduced regional vehicle emissions.

Particulate Matter (PM_{10} and $PM_{2.5}$) Analysis. According to the Environmental Protection Agency (EPA) Transportation Conformity Guidance, $PM_{2.5}$ and PM_{10} hot-spot analysis is required for Projects of Air Quality Concern (POAQC) in non-attainment areas (40 CFR 93.123(b)(1). Projects that are exempt or *not* POAQC do not require hot-spot analysis.

The proposed project does *not* qualify as a POAQC for the following reasons:

1. The proposed project is not a new or expanded highway project. While the proposed project would widen the collector street Lathrop Road from two to four lanes it would not be considered an expanded highway project as it would not generate new vehicle trips or increase VMT that would increase ozone or PM_{10} emissions. This type of project improves roadway operations and reduces vehicle delay and idling at the train crossing.
2. The proposed project does not affect intersections that are at level of service (LOS) D, E, or F with a significant number of diesel vehicles.
3. The proposed project does not include the construction of a new bus or rail terminal.
4. The proposed project does not expand an existing bus or rail terminal.

Therefore, the proposed project meets the Clean Air Act requirements and 40 CFR 93.116 without any explicit hot-spot analysis. The proposed project would not create a new or worsen an existing PM_{10} or $PM_{2.5}$ violation.

However, increases in PM_{10} and $PM_{2.5}$ would occur during the construction period of the proposed project implementation of Mitigation Measure AIR-1 would reduce construction impacts to a less-than-significant level.

Carbon Monoxide (CO) Hot Spots. Caltrans has developed a Transportation Project-Level Carbon Monoxide Protocol (Protocol) (December 1997) for assessing CO impacts of transportation projects. The procedures and guidelines comply with the following regulations without imposing additional requirements: Section 176(c) of the 1990 CAA Amendments, federal conformity rules, State and local adoptions of the federal conformity rules, the National Environmental Policy Act (NEPA), and the California Environmental Quality Act (CEQA) requirements [California Code of Regulations Title 21 Section 1509.3(25)].

Two conformity-requirement decision flow charts are provided in the Protocol. An explanatory discussion of the steps used to determine the conformity requirements that apply to the project is provided below.

3.1.1 Is the project exempt from all emissions analyses? **No.**

3.1.2 Is the project exempt from regional emissions analyses? **Yes.**
The proposed project is considered a change in the vertical and horizontal alignment of the existing roadway (i.e., the construction of a grade separated railroad crossing and widening from two to four lanes to conform to existing roadway lane configurations at each end of the project limits) which is listed as exempt under Table 2 of the Protocol.

3.1.9 Examine local impacts (proceed to Section 4).

4.7.0 Screening Projects in Attainment or Unclassified Areas.

4.7.1 Would the project likely worsen air quality? **No.** The project would not increase the percentage of vehicles operating in cold start mode or increase traffic volumes. The project would not worsen traffic flow, but would improve traffic flow and reduce vehicle delay and idling at the train crossing.

The proposed project is therefore exempt from additional project-level CO analysis. The proposed project would not create new or worsen existing CO concentrations.

Level of Significance: Less than significant.

Mitigation Measures: Refer to Mitigation Measure AIR-1 for reducing impacts during construction.

c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Refer to Section 3.b. Long-term project operations would not result in an increase in regional emissions and therefore, implementation of the proposed project would not result in substantial cumulative impacts to any criteria pollutant levels.

Level of Significance: Less than significant.

Mitigation Measures: None required.

d. Expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are facilities or land uses that included members of the population that are particularly sensitive to the effects of air pollutants, such as young children, the elderly, and people with illnesses. Residential areas in the vicinity of the project site may be exposed to airborne particulates and fugitive dust during project construction as well as a small quantity of pollutants associated with the use of construction equipment (e.g., diesel-fueled vehicles and equipment). Control measures provided in Mitigation Measure AIR-1 would minimize the exposure to substantial pollutant concentrations. After construction the proposed project is not expected to increase pollution concentrations. In addition implementation of the proposed project would not increase VMT (which contribute to pollution concentrations) in the vicinity, but would result in improved traffic operations and circulation on the surrounding roadways and reduced vehicle delay and idling at the train crossing.

Level of Significance: Potentially significant.

Mitigation Measures: Implementation of Mitigation Measure AIR-1 would minimize the exposure to substantial pollutant concentrations during construction.

Significance After Mitigation: Less than significant.

e. Create objectionable odors affecting a substantial number of people?

Development of the proposed project would not result in permanent objectionable odors affecting a substantial number of people. During project construction, emissions from diesel-driven equipment and vehicles may result in odors on the project site and immediate vicinity. However, construction is short-term in nature and these emissions would cease to occur after construction is completed. In addition odors from construction equipment and vehicles on the project site would be dispersed quickly and would not likely subject sensitive receptors to objectionable odors. Long-term operation of the proposed project would not generate objectionable odors. Therefore, no significant impacts related to objectionable odors would result from the proposed project.

Level of Significance: Less than significant.

Mitigation Measures: None required.

Greenhouse Gas Emissions. There is a general scientific consensus that global climate change is occurring, caused in whole or in part by increased emissions of greenhouse gases (GHGs) that keep the Earth's surface warm by trapping heat in the Earth's atmosphere. While many studies show evidence of warming over the last century and predict future global warming, the causes of such warming and its potential effects are far less certain. In its "natural" condition, the greenhouse effect is responsible for maintaining a habitable climate on Earth, but human activity has caused increased

concentrations of these gases in the atmosphere, thereby contributing to an increase in global temperatures.

GHGs are present in the atmosphere naturally, are released by natural sources, or formed from secondary reactions taking place in the atmosphere. The six gases that are widely seen as the principal contributors to global climate change are: Carbon dioxide (CO_2), Methane (CH_4), Nitrous oxide (N_2O), Hydroflourocarbons (HFCs), Perflourocarbons (PFCs), and Sulfur Hexaflouride (SF_6).

For the proposed grade separation project, as no additional vehicle trips will be generated and vehicle miles travelled are not expected to increase, the overall effect on GHG's should improve when compared with the No Build scenarios. Since the project does improve local air quality conditions by eliminating delay and therefore, reducing idling time, the project's effects on global climate change is considered incrementally beneficial. By eliminating the at-grade crossing, the GHG emissions should be reduced, and global climate change should not be an issue for the project.

Nevertheless, because no applicable numeric thresholds have yet been defined for GHGs in CEQA documentation, and because the precise causal link between an individual project's emissions and global climate change has not been developed, it is reasonable to conclude that an individual roadway project cannot generate a high enough quantity of GHG emissions to affect global climate change.

4. BIOLOGICAL RESOURCES - Would the project:	Potentially Significant Impact		Less than Significant with Mitigation Incorporated		Less-than-Significant Impact		No Impact
a. 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 the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?							X
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?							X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?							X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?					X		
f. Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?			X				

Information in this section was based on a review of site conditions by a qualified biologist at LSA Associates, Inc. in June 2008.

Environmental Setting

The Biological Study Area (BSA) totals approximately 60 acres and consists of the project footprint, including cut/fill slopes, access, and staging areas, etc. The BSA also includes lands beyond the footprint that could potentially be affected by project construction and/or were determined necessary to inventory in order to perform an adequate analysis of project impacts. The area within the BSA is developed and highly disturbed due to its proximity to Interstate 5, high traffic streets such as Lathrop Road, rail lines, Sharpe Army Depot, industrial businesses, and residences.

Plant Communities

The lands around the project are dominated by residential and industrial development. As a result, natural communities have been largely displaced. The plant communities/land uses occurring in the BSA include disturbed/ruderal, pasture, and developed lands.

Approximately 26.42 acres of disturbed/ruderal habitat occurs in the BSA typically along the road edges and in previously disturbed areas (e.g., graded) that have begun to revegetate. This community consists of nonnative grasses, ruderal forbs, and landscape plantings. The dominant plants observed in the disturbed/ruderal community include ripgut brome (*Bromus diandrus*), filaree (*Erodium* sp), that Italian wild rye (*Lolium multiflorum*), and black mustard (*Brassica nigra*). Two mature native trees, a Fremont cottonwood (*Populus fremontii*) and a black willow (*Salix goodingii*) occur in this community east of the UPRR rail lines.

The pasture community in the BSA consists of fields where native plant species have been replaced by weedy introduced species. The dominant plants observed in the pasture are non native annual grasses including ripgut brome, soft chess (*Bromus hordeaceus*), barley (*Hordeum murinum*), wild oats (*Avena* sp.), and Italian wild rye. The pasture community comprises 0.70 acre of the BSA.

Developed areas consist of all man-made structures including roads (paved and unpaved), railroad right of way, parking lots, and buildings. Within the BSA, developed areas comprise 32.35 acres.

Special Status Species

A list of sensitive wildlife and plant species potentially occurring within the project area was compiled to evaluate potential impacts resulting from project construction. Sources used to compile the list include the California Natural Diversity Data Base (CNDDB 2008), the California Native Plant Society (CNPS) Online Edition (2008), and the U.S. Fish and Wildlife Service (USFWS) online list (2008) and the species covered under the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The special status species lists obtained from the CNDDB, CNPS, USFWS, and SJMSCP were reviewed to determine which species could potentially occur on the project site.

The amount of potential habitat in the BSA is minimal and of low quality especially as it pertains to wildlife usage. The high level of disturbance and lack of native plant communities in the project area excludes the majority of the special status plants and animals known to occur in the vicinity of the project. Consequently most of the special status animals and plants included on the aforementioned lists are not expected to occur in the BSA. However, two special status species that may inhabit urbanized areas and could potentially occur in the BSA are the western burrowing owl (*Athene cunicularia*) and the Swainson's hawk (*Buteo swainsoni*). The project could also potentially impact other nesting birds.

Western Burrowing Owl. The western burrowing owl is a State species of special concern and an SJMSCP covered species. Burrowing owls occur in warmer valleys, open, dry grasslands, deserts, and scrublands associated with agriculture and urban areas that support populations of California ground squirrels. Burrowing owls nest below ground utilizing abandoned burrows of other species, most commonly ground squirrel burrows, and feed on insects and small mammals.

Suitable nesting habitat (i.e., burrows with an opening diameter four inches or greater) was observed within the railroad right-of-way on the south and north sides of Lathrop Road and the surrounding disturbed/ruderal communities provide suitable foraging habitat. The CNDDB contains several records of burrowing owls within ten miles of the BSA. Since potentially suitable habitat is present, burrowing owls could occur in the BSA.

Swainson's Hawk. The Swainson's hawk is State threatened and an SJMSCP covered species. Swainson's hawks are long distance migrants, wintering primarily in South America, and returning north to breed. Swainson's hawks are large broad-winged hawks that occur in open country throughout the western half of the United States. In California, Swainson's hawks occur in the northeastern portion of the state, in the Great Basin Province, and in the Central Valley. They return to the Central Valley in mid-March and begin migrating south in August. Nests are built in the tops of large trees primarily associated with riparian habitats. Home ranges maintained by Swainson's hawks for foraging average about 6,800 acres and range from 830 acres to 21,500 acres (Estep 1989). They are known to forage up to ten miles from their nest sites.

Although no nests are currently present, the Fremont cottonwood and black willow could provide nesting habitat for Swainson's hawk and the disturbed/ruderal communities provide suitable foraging habitat. The CNDDB contains several records of Swainson's hawk within ten miles of the BSA. Since suitable habitat is present Swainson's hawk could potentially occur in the BSA.

Nesting Birds. In addition to western burrowing owl and Swainson's hawk, other birds could potentially nest in the trees in the BSA.

Jurisdictional Waters

No potential jurisdictional waters occur in the BSA.

Environmental Impacts

a. 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 the California Department of Fish and Game or U.S. Fish and Wildlife Service?

The project could impact burrowing owls, Swainson's hawk, and/or other nesting birds if one or more of these species is present when construction begins.

Level of Significance: Potentially significant.

Mitigation Measure BIO-1: The project could impact burrowing owls, Swainson's hawk, and/or other nesting birds if one or more of these species is present when construction begins. The project will implement the following measures to avoid and minimize project impacts to burrowing owls, nesting birds, and Swainson's hawks.

A pre-construction survey should be performed in order to determine if burrowing owls, Swainson's hawks, or other migratory birds are nesting in the project area. If special status (and other) birds are nesting in the project area the following seasonal work restrictions will be implemented during construction. All work will comply with the Federal Migratory Bird Treaty Act, Fish and Game Code, and SJMSCP Incidental Take Minimization Measures (ITMMs).

1. *Western Burrowing Owls*: If the preconstruction surveys identify burrowing owls nesting on the site during the breeding season (February 1 through August 31) the nest shall be designated as an ESA and a 250-foot buffer shall be established on the project site around the occupied burrow and delineated using orange construction fence or the equivalent. The buffer shall be maintained in place until the end of the breeding season or until a qualified biologist determines through non-invasive methods that 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival the burrow(s) can be destroyed.

   If the preconstruction surveys identify burrowing owls on the site during the non-breeding season (September 1 through January 31) burrowing owls occupying the project site shall be evicted from the project site by passive relocation as described in the CDFG's Staff Report on Burrowing Owls (CDFG 1995).

   With the implementation of the above measures the project will have a less than significant impact on burrowing owls.

2. *Swainson's Hawks and Other Nesting Birds*: If trees that will be impacted by project construction are not removed during the non-nesting season (between October 1 and February 29) and project construction is to begin during the nesting season (March 1 to September 30), all trees and other suitable nesting habitat within the limits of work shall be surveyed by a qualified biologist prior to initiating construction-related activities. If a nest tree in the vicinity of the project becomes

occupied during construction activities then all construction activities shall remain a distance of two times the dripline diameter of the tree (measured from the nest) as designated by protective fencing. The protective fencing shall be maintained in good condition until the end of the breeding season or until the young have fledged as determined by a qualified biologist.

Significance After Mitigation: Less than significant.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

The BSA consists only of developed land, disturbed/ruderal, and pasture plant communities and does not include any riparian habitat or other sensitive natural communities. No riparian habitat or other sensitive community will be impacted by the project.

Level of Significance: No impact.

Mitigation Measures: None required.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The proposed project will not impact any federally protected wetlands. No wetlands were identified in the BSA.

Level of Significance: No impact.

Mitigation Measures: None required.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The proposed project will not interfere with the movement of any known sensitive, special status, or native fish or wildlife species. The BSA is not considered important habitat for any known sensitive or special status species.

Level of Significance: No impact.

Mitigation Measures: None required.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project will not conflict with any local ordinances, plans, or policies. Landscape trees and shrubs are planted sporadically throughout the project area. Two native trees, a cottonwood tree and a blackwillow, will be impacted by construction of the grade separation. However, the impacted trees are not protected; therefore, the project impacts are less than significant.

Level of Significance: Less than significant.

Mitigation Measures: None required.

f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project could potentially impact special status species covered under the SJMSCP conservation strategy through removal of disturbed/ruderal and pasture plant communities within the BSA. A total of 7.28 acres of these plant communities will be converted to bridge/roadway uses.

Level of Significance: Potentially significant.

Mitigation Measure BIO-2: As the applicant, the City shall prepare an application form and submit to the San Joaquin Council of Governments (SJCOG) to initiate project review and determine conformity with the SJMSCP. To offset potential impacts to special status species that may occur in the BSA the project shall implement the SJMSCP conservation strategy which includes one or a combination of two or more of the following options to provide compensation pursuant to the SJMSCP:

1. Pay the appropriate fee as indicated in the SJMSCP; or

2. Dedicate, as conservation easements or fee title, or in-lieu dedications; or

3. Purchase approved mitigation bank credits; or

4. Propose an alternative mitigation plan consistent with the goals of the SJMSCP and equivalent in biological value to options 1, 2, and 3 above subject to approval by the Joint Powers Authority with the concurrence of the Permitting Agencies' representatives on the Technical Advisory Committee.

Once the applicant selects from these options additional interaction with the SJCOG will be required. This includes a biologist on-call with SJCOG conducting a survey of the project site to confirm findings from prior biological surveys. The biologist will collect information relating to the BSA such as habitat type and potential presence of covered species. This information will be used to formulate ITMMs for the project applicant consistent with the SJMSCP. Focused wildlife and plant survey, including preconstruction surveys are not conducted by the SJCOG biologist but are the responsibility of the project applicant (Steve Mayo, SJCOG, pers. comm). Mitigation measures consistent with the SJMSCP are included in the mitigation requirements for individual species.

With the implementation of the above measures the project will have a less than significant impact on the special status species. The potential for special status species to be impacted by the project is considered low.

Significance After Mitigation: With the incorporation of the mitigation measures the project impacts on Biological Resources are considered less than significant.

5. CULTURAL RESOURCES Would the project:	Potentially Significant Impact		Less than Significant with Mitigation Incorporated		Less-than-Significant Impact		No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?					X		
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?					X		
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?					X		
d. Disturb any human remains, including those interred outside of formal cemeteries?					X		

Information in this section was based on the technical cultural resource study developed by LSA Associates, Inc. March 2008. (Appendix A)

Environmental Setting

The project site is on level terrain at an elevation of 15 to 20 feet above sea level. Geologically, the majority of the project area consists of fine-grained Pleistocene alluvial fan which is a skirt deposit comprised of clay, silt, and sand. The northeast corner of the project area consists of urban fill. Tertiary deposits underlay Pleistocene alluvial deposits at an unknown depth. The soils in the project area consist of Veritas fine sandy loam, Timor loamy sand, and Tinnin loamy coarse sand.

There are no water courses in the project area. The San Joaquin River lies approximately 1.25 miles west of the project area.

The western half of the project area consists of residential subdivisions and includes houses, a park and open fields. The eastern half of the project area consists of a portion of the Sharpe Army Depot and the edges of several industrial complexes including a large manufacturing and distribution center for California Natural Products. Beyond the project limits, to the west is I-5, marshlands and sloughs are present. To the south are the original oldest portions of Lathrop. The terrain surrounding Lathrop consists primarily of open level agricultural fields.

Environmental Impacts

a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

The Cultural and Paleontological Resources Study prepared in March 2008 identified two historic-period cultural resources consisting a portion of the Sharpe Army Depot and a segment of the Union Pacific Railroad. A review of environmental, historical, and archaeological information indicates a low sensitivity for buried historical resources.

Sharpe Army Depot. The portion of the Sharpe Army Depot within the project area is not part of the developed portions of the Sharpe Army Depot and consists of barren grassy fields and a modern asphalt pad. The Sharpe Army Depot does not contain any properties eligible for the National Register nor does it contain any known archaeological pre-historic sites.

Union Pacific Railroad. While the UPRR may have historical values, such values of that portion of the railroad in and immediately adjacent to the project area have been compromised by significant alteration to the railroad and its setting. The current Lathrop Road/UPRR crossing is modern and does not convey any historical feelings. The general setting, much of which contains new subdivisions and a recently constructed manufacturing center, also lacks historical feeling. In consideration of these alterations to the railroad and its setting in and adjacent to the project area the railroad does not convey any historical values.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

A review of environmental, historical, and archaeological information indicates a low sensitivity for buried archaeological resources based of The Cultural and Paleontological Resources Study prepared in March 2008. No archaeological artifacts or deposits were identified at the location of buildings, structures and features neither depicted on historical maps nor were any cultural resources identified elsewhere in the project area. No evidence of the cultural resources identified in the background research was noted during the field survey.

Although the project area appears to have low sensitivity for archaeological resources there is always a possibility that such resources might be encountered. If archaeological resources are uncovered they should be addressed in accordance with the mitigation procedures described below.

Level of Significance: Less than significant.

Mitigation Measure CULT-1: Prior to issuance of a grading permit, plans shall include a requirement (via notation) indicating that if historic and/or cultural resources, or human remains are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the contractor shall immediately notify the City of the discovery. In such case, the applicant shall retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the City for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the vicinity of the discovery, as identified by the qualified archaeologist, shall not be allowed until the preceding steps have been taken.

Mitigation Measure CULT-2: Pursuant to State Health and Safety Code §7050.5 (c) State Public Resources Code §5097.98, if human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find and the San Joaquin County Coroner shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission who shall notify the person believed to be the most likely descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. Additional work is not to take place in the immediate vicinity of the find, which shall be identified by the qualified archaeologist, until the identified appropriate actions have been implemented.

Significance After Mitigation: Less than significant.

c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

There are no recorded fossil localities within or adjacent to the project area; three vertebrate fossil localities are within ten miles of the project area. Late Pleistocene alluvial deposits within and directly adjacent to the project area may contain significant paleontological resources. The Tertiary Great Valley formation of marine sedimentary rock lies at an unknown depth below the Pleistocene alluvial deposits and will not be affected by project activities.

The study identified two cultural resources within the project area: a portion of the Sharpe Army Depot, and an unrecorded portion of the Union Pacific Railroad. Neither of these resources will be adversely affected by the project.

While no paleontological resources (fossils) were identified within or adjacent to the project area, there is a possibility of uncovering significant paleontological resources in the Late Pleistocene sediments below the project area's soils. Compliance with the mitigation procedures described below will be required in the event that resources are encountered during grading.

Level of Significance: Less than significant.

Mitigation Measure PALEO-1: During grading, should paleontological resources be uncovered, all ground-disturbing activities should be redirected within 25 feet and a qualified paleontologist contacted to assess the situation, consult with the City of Lathrop and other agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel should not collect or move any paleontological materials. It is recommended that adverse effects to such deposits be avoided by project activities. If such deposits cannot be avoided they should be evaluated for their significance.

Significance After Mitigation: Less than significant.

d. Disturb any human remains, including those interred outside of formal cemeteries?

This disruption of human remains within the project site is unlikely but if encountered the contractor will be required to follow state law in the reporting and handling of the remains as follows:

Level of Significance: Less than significant.

Mitigation Measures: Refer to Mitigation Measures CULT-1 and CULT-2.

6. GEOLOGY AND SOILS - Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: (1) Rupture of a known earthquake fault, as delineated Caltrans 1996 California Seismic Hazard Map.			X	
(2) Strong seismic groundshaking?			X	
(3) Seismic-related ground failure, including liquefaction?			X	
(4) Landslides?				X
b. Result in substantial soil erosion or the loss of topsoil?		X		
c. Be located on a geologic unit or soil that is unstable or would become unstable as a result of the project and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?				X

Environmental Setting

Historically, the project area has been in agricultural use located on relatively flat land. Geologically, the majority of the project area consists of fine-grained Pleistocene alluvial fan which is a skirt deposit comprised of clay, silt, and sand. The northeast corner of the project area consists of urban fill. Tertiary deposits underlay Pleistocene alluvial deposits at an unknown depth. The soils in the project area consist of Veritas fine sandy loam, Timor loamy sand, and Tinnin loamy coarse sand.

The City of Lathrop is located within a seismic zone which could be impacted by strong groundshaking from a moderate to large earthquake on active and potentially active faults to the east and west of San Joaquin County. The faults that could be involved are the San Andreas, Hayward, Calaveras and Green Valley-Concord faults to the west, the Midland fault zone to the north and the Bear Mountain and Melones fault zones to the east. Localized ground shaking and liquefaction pose seismic hazards in the County and in the Lathrop area.

Environmental Impacts

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

(1) Rupture of a known earthquake fault, as delineated Caltrans 1996 California Seismic Hazard Map.

(2) Strong seismic groundshaking?

(3) Seismic-related ground failure, including liquefaction?

(4) Landslides?

Although there are no active or potentially active faults located on or in the vicinity of the project site the proposed structures and roadway would be exposed to potential ground shaking associated with earthquake activity occurring on more distant fault systems. This includes structural damage from seismic activity, soil limitations, disruption, displacement, compaction, and soil erosion. The proposed site is not located within the Alquist-Priolo Earthquake Fault Zone. Based on Caltrans 1996 California Seismic Hazard Map the peak horizontal rock acceleration for the project area ranges between 0.1g and 0.12g. The causative fault is the Coast Ranges-Sierran Block Boundary Zone located about 25 to 35 miles to the west of the project area. According to the 1996 Caltrans Seismic Map the style of faulting is reverse thrust. The estimated Maximum Earthquake Moment Magnitude for this fault is 7.0. The proposed project will be designed to meet Caltrans and FHWA transportation seismic building standards (i.e., self-mitigating).

Level of Significance: Less than significant.

Mitigation Measures: None required.

b. Result in substantial soil erosion or the loss of topsoil?

The proposed project features will cause disruption and displacement of soil during construction activities. However, the combination of sandy soil and level terrain will reduce the potential for soil erosion during construction, except during periods of heavy rain. While landscaping will be installed as a project feature, additional erosion control measures will be required on exposed soils immediately following soil disturbance.

Level of Significance: Potentially significant.

Mitigation Measure GEO-1:

1. Before excavation or construction activities the boundaries of the project area shall be delineated by flagging or other means to prevent workers or equipment from working outside the right-of-way.
2. Access routes, staging areas, and total area of activity shall be limited to the minimum necessary to achieve the project goal. All workers shall be notified of the appropriate access routes, staging areas, and total area of the activity. These areas shall be clearly marked.

7. HAZARDS AND HAZARDOUS MATERIALS - Would the project:	Potentially Significant Impact		Less than Significant with Mitigation Incorporated		Less-than-Significant Impact		No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X				
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					X		
c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?							X
d. Be located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?							X
e. Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area?							X
f. Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area?							X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?					X		
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?							X

hydrocarbons (TPH) as diesel, fuel oil and polychlorinated biphenyl (PCB) soils and (polynuclear aromatics).

Impacts from Farm Operations: Review of historical photographs and USGS maps show that prior to the 1960s the area surrounding the project area was occupied by farmland. It is likely that the soils are impacted with pesticides and herbicides including arsenic as a result of historical farming operations.

Level of Significance: Potentially significant.

Mitigation Measure HAZ-1:

1. The contractor will prepare a Spill Prevention and Countermeasure Plan (SPCP) prior to the commencement of construction activities. The SPCP will include information on the nature of all hazardous materials that will be used on-site. The SPCP will also include information regarding proper handling of hazardous materials and clean-up procedures in the event of an accidental release. The phone number of the agency overseeing hazardous materials and toxic clean-up will be provided in the SPCP.
2. It is required that soil samples be collected to the depth of the proposed excavation area and analyzed for any contamination from the above hazardous materials. If any hazardous materials are present clean-up of the material is required to State and Federal standards.
3. With the purchase of any structure which is planned to be demolished an ACM investigation is required by an inspector certified by Asbestos Hazardous Emergency Response Act (AHERA) under Toxic Substance Control Act (TSCA) Title II and certified by Cal OSHA under State of California rules and regulations (California Code of Regulations, Section 1529). Survey for lead based paint should be conducted prior to demolition of the structure within the right-of-way. If asbestos and/or lead based paint is present and abatement is required, state certified contractors will perform the work in accordance with State and Federal regulations.

Significance After Mitigation: Less than significant.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

The proposed project should not result in an accidental upset or release of hazardous materials/wastes into the environment. By eliminating the potential conflict between vehicles and train traffic that currently occurs with the at-grade intersection, the project should reduce the potential for accidental release of hazardous materials into the environment.

Level of Significance: Less than significant.

Mitigation Measures: None required.

c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

8. HYDROLOGY AND WATER QUALITY - Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?				X
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?				X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on-site or off-site?			X	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-site or off-site?			X	
e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?			X	
g. Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?			X	
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j. Contribute to inundation by seiche, tsunami, or mudflow?				X

this basin would eventually dry out. This basin would provide wildlife habitat in both the wet and dry seasons.

With the new retention basin, since stormwater will not be discharged into the City's drainage system, or into waters of the United States, a National Pollutant Discharge Elimination System permit is not required.

Stormwater from widening Lathrop Road will be collected in two different locations. The roadway improvements west of Woodfield Drive/5th Street will have the stormwater collected in the City's existing stormwater drainage system consisting of surface run-off to detention basins which then discharge into pipes or pump stations that convey it to the San Joaquin River. The roadway improvements east of Woodfield Drive/5th Street will have the stormwater collected into the new retention basin.

Level of Significance: No impact.

Mitigation Measure HWQ-1: Prior to issuance of a grading permit, the contractor shall demonstrate compliance with all of the applicable requirements in the City of Lathrop Storm Water Development Standards, for the review and approval of the City Engineer.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

This proposed project will not have any impact on groundwater supplies or interfere substantially with groundwater within the region. The project does not require the use of groundwater supplies.

Level of Significance: No impact.

Mitigation Measures: None required.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on-site or off-site?

The proposed project will not significantly alter the existing drainage pattern of the site. The proposed project stormwater drainage will be collected in storm drains and/or diverted into a retention basin as described in 8a above. .However, in light of the relatively flat/level character of the project site and adjacent lands, the drainage collection and disposal system will be designed to minimize erosion and prevent siltation on and off-site. For the drainage shed west of Woodfield Drive/5th Street, the additional runoff from widening Lathrop Road is not significant in quantity to generate a hydraulic flow that would cause erosion. Since the drainage improvements are already in place and are not currently prone to erosion, the project runoff contributions should not change those conditions. For the drainage shed east of Woodfield Drive/5th Street, the runoff will be diverted into the proposed retention basin where erosion conditions are not anticipated. Overall, for the

contributing watershed, since project runoff will occur from primarily paved surfaces, accumulation of sediments and siltation should not be a concern.

Level of Significance: Less than significant.

Mitigation Measure HWQ-2: In conjunction with approval of the final improvement plans, the City Engineer shall review the hydraulic and hydrologic calculations from the additional project runoff and determine that the proposed drainage systems (drainages, drain pipes, basins, etc.) are adequate in size and capacity.

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-site or off-site?

The proposed project will require minor alterations to the existing drainage patterns of this section of Lathrop Road. Refer to "a." above.

Level of Significance: Less than significant.

Mitigation Measures: None required.

e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The proposed project will have a self-contained stormwater drainage system that will manage project runoff. The project is not expected to add any additional stormwater to the city's current system.

Level of Significance: Less than significant.

Mitigation Measures: None required.

f. Otherwise substantially degrade water quality?

The proposed project will not affect the overall water quality of the roadway. The retention basin for the proposed project is designed to treat and eliminate stormwater through evaporation and/or percolation into the groundwater system.

Level of Significance: Less than significant.

Mitigation Measures: None required.

g. Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

The proposed project is not located within the 100-year flood hazard area. According to the Flood Hazard Boundary and Flood Insurance Rate Map the proposed project site has a 1 percent chance of having a major flood event.

Level of Significance: Less than significant.

Mitigation Measures: None required.

h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?

The proposed project is not located within the 100-year flood hazard area.

Level of Significance: Less than significant.

Mitigation Measures: None required.

i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

The proposed project is not located within the 100-year flood hazard area. According to the Flood Hazard Boundary and Flood Insurance Rate Map the proposed project site has a 1 percent chance of having a major flood event. The proposed will not affect any levees or dams within the region.

f. Contribute to inundation by seiche, tsunami, or mudflow?

The proposed project is located outside any regions that are prone to seiche, tsunami, or mudflows.

Level of Significance: No impact.

Mitigation Measures: None required.

9. LAND USE AND PLANNING - Would the project:	Potentially Significant Impact		Less than Significant with Mitigation Incorporated		Less-than-Significant Impact		No Impact
a. Physically divide an established community?					X		
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, Precise Road Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?					X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?							X
d. Result in land use/operational conflicts between existing and proposed on-site or off-site land uses?					X		

Environmental Setting

The land west of the UPRR rail line is developed as low to medium density residential. To the east of the rail line, land uses include military, residential, commercial and industrial uses. Lands surrounding the project site have transitioned from agricultural uses to urban/military uses.

The proposed project is located within Sub-Plan Area 1 of the City's General Plan.

Listed below are policies for Sub-Plan Area 1 that pertains to the proposed project:

Low Density Proposals. The need to reinforce Community Commercial development proposals near the I-5/Lathrop Road Interchange.

Industrial Development Policies. Area designated for industrial uses are intended to take advantage of rail and freeway access.

It should also be noted that the City's General Plan identifies a UPRR grade separation structure with Lathrop Road at the project site, and therefore, the project is consistent with the City's General Plan (refer to discussion below in 9.b.).

Environmental Impacts

a. Physically divide an established community?

The proposed project will not divide an established community. While the widened roadway (Lathrop Road) and new grade separation will increase the distance and separation for uses/ neighborhoods to the north and south sides of Lathrop Road, as this division currently exists, the community will not be affected.

Level of Significance: Less than significant.

Mitigation Measures: None required.

b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, Precise Road Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The Lathrop General Plan, Section B Transportation, Circulation & Traffic (page 4-B-8) outlines various proposals to improve transportation in the City. A proposal to improve traffic patterns which rely heavily on Lathrop Road and Louise Avenue Interchanges at Interstate 5 are recommended to improve traffic flow to and from Manteca. The General Plan specifically recommends "Improve Lathrop Road and Louise Avenue to 4 traffic lanes between Interstate 5 and the Manteca city limits; provide railroad separation structures along Lathrop Road." The proposed project is designed to implement these transportation improvements for Lathrop Road (in part) and is therefore, consistent with the General Plan program.

The proposed project does not conflict with any other plans, zoning or programs applicable to the vicinity.

Level of Significance: Less than significant.

Mitigation Measures: None required.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

The proposed project is located within the SJMSCP jurisdiction. Accordingly, the project will comply with the policies and mitigation strategies included in the SJMSCP (see Section 4. Biological Resources).

Level of Significance: No impact.

Mitigation Measures: None required.

d. Result in land use/operational conflicts between existing and proposed on-site or off-site land uses?

Project implementation requires the acquisition of a single family home on Lathrop Road to create an access road to homes along the south side of Lathrop Road affected by the grade separation. Acquisition of the home will be in accordance of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. An easement has been granted by the U.S. Army for use of the proposed project on a portion of the Sharpe Army Depot. Although widening of Lathrop Road will occur along residential and commercial frontages, current driveway and parcel accesses will remain unaffected.

Level of Significance: Less than significant.

Mitigation Measures: None required.

10. MINERAL RESOURCES - Would the project:	Potentially Significant Impact		Less than Significant with Mitigation Incorporated		Less-than-Significant Impact		No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?							X
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a general plan, Precise Road Plan, or other land use plan?							X

Environmental Setting

The proposed project site is located within the city limits of Lathrop in areas developed as low density residential, medium density residential, neighborhood commercial and neighborhood park. The site is located within an urban context and the soils on the site do not represent known mineral resources.

Environmental Impacts

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No known mineral resources exist within the proposed project footprint. Therefore, the project will not result in the loss of mineral resources, locally important or otherwise.

Level of Significance: No impact.

Mitigation Measures: None required.

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a general plan, Precise Road Plan, or other land use plan?

The proposed project is not located near a locally important mineral resources recovery site delineated in the General Plan, Precise Road Plan or other land use plan.

Level of Significance: No impact.

Mitigation Measures: None required.

11. NOISE - Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a. Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?			X	
b. Expose persons to or generate excessive groundborne vibration or groundborne noise levels?			X	
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e. Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?				X
f. Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?				X

Information in this section is based on the Noise Impact Analysis report developed by LSA Associates, Inc. May 2008. This report is provided in Appendix B.

Environmental Setting

The primary source of noise in the study area is traffic on Lathrop Road. Other sources of noise within the project area include train noise. Currently the UPRR has an at-grade crossing at Lathrop Road. There are existing residences located adjacent to the UPRR. The existing rail operations currently contribute to the noise environment at the adjacent residences and will continue with development of the proposed project. Because the proposed Lathrop Road grade separation project does not include modifications to the UPRR line operations such as a train pass-by were screened out of the short-term ambient noise level measurements. The ambient noise levels without rail operations

were used to calibrate the noise model; all train noise sources were screened out during the ambient noise measurement.

Environmental Impacts

a. Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?

Existing conditions were modeled (April 2008) to determine whether a substantial noise increase would occur in the future as a result of the proposed project. The proposed project was modeled using the Federal Highway Administration (FHWA) traffic noise model, TNM 2.5. This model more accurately depicts traffic noise impacts due to changes in roadway alignment and elevation than does the FHWA traffic noise prediction model FHWA RD-77-108. The existing traffic noise levels were calculated using the existing traffic volumes from the traffic impact analysis provided by TJKM which is available for review at the City of Lathrop Public Works Department.[1] The model input and output data for the existing conditions are included in the technical noise analysis provided in Appendix B. A total of 56 locations were modeled to determine the potential existing and projected noise levels. The results of the existing traffic noise modeling are shown in Table 2.

Table 2: Existing Traffic Noise Levels

Receptor	Location	Type of Development	Modeled Existing Noise Level (dBA L_{eq}/L_{dn})
R1	Lathrop Road	Residential	60
R2	Lathrop Road	Residential	61
R3	Lathrop Road	Residential	61
R4	Lathrop Road	Residential	61
R5	Lathrop Road	Residential	61
R6	H Street	Residential	57
R7	H Street	Residential	58
R8	H Street	Church	59
R9	H Street	Residential	53
R10	H Street	Residential	52
R11	5th Street	Residential	50
R12	5th Street	Residential	58
R13	5th Street	Residential	60
R14	Poppy Drive	Residential	55
R15	Poppy Drive	Residential	60
R16	Poppy Drive	Residential	61
R17	Poppy Drive	Residential	62
R18	Poppy Drive	Residential	58
R19	Hollyhock Court	Residential	54
R20	Hollyhock Court	Residential	61
R21	Hollyhock Court	Residential	62
R22	Lathrop Road	Residential	68
R23	Lathrop Road	Residential	62

[1] TJKM Transportation Consultants, *Draft Lathrop-Manteca Traffic Study*, January 4, 2007.

Receptor	Location	Type of Development	Modeled Existing Noise Level (dBA L_{eq}/L_{dn})
R24	Lathrop Road	Residential	61
R25	Avon Street	Residential	60
R26	Avon Street	Residential	59
R27	Sunrise Place	Residential	59
R28	Sunrise Place	Residential	60
R29	Lathrop Road	Residential	60
R30	Lathrop Road	Residential	60
R31	Lathrop Road	Residential	60
R32	Camish Place	Residential	67
R33	Camish Place	Residential	67
R34	Camish Place	Residential	67
R35	Camish Place	Residential	66
R36	Sunrise Court	Residential	59
R37	Sunrise Court	Residential	59
R38	Sunrise Court	Residential	57
R39	Harbor Court	Residential	46
R40	Harbor Court	Residential	48
R41	Harbor Court	Residential	48
R42	Harbor Court	Residential	48
R43	Harbor Court	Residential	48
R44	Long Barn Drive	Residential	56
R45	Long Barn Drive	Residential	56
R46	Long Barn Drive	Residential	56
R47	Lathrop Road	Recreational Area	65
R48	Lathrop Road	Residential	64
R49	Lathrop Road	Residential	65
R50	Avon Street	Residential	63
R51	Lathrop Road	Residential	62
R52	Lathrop Road	Residential	62
R53	Lathrop Road	Residential	62
R54	Lathrop Road	Residential	62
R55	Stratford Avenue	Residential	66
R56	Stratford Avenue	Residential	61

Source: LSA Associates, Inc., May 2008.

The Noise Element of the General Plan for the City of Lathrop delineates the City's land use compatibility standards for community noise environments[1] for new developments. Noise environments of up to 60 dBA L_{dn} are considered "normally acceptable" for new residential development, while noise environments between 55 and 70 dBA L_{dn} are considered "conditionally acceptable" provided noise insulation features are included in the design in order to maintain the interior noise level standard of 45 dBA L_{dn}; conventional construction, but with windows closed and fresh air supply systems or air conditioning, will normally suffice. Standards for new industrial and

[1] Lathrop, City of, 2004. *Comprehensive General Plan,* Part VI – Hazard Management Element, Section B – Noise. Figure VI-1. Amended: November 9.

commercial development are also provided. Since the City does not provide specific noise standards for new roadway projects, for purposes of this analysis, the "conditionally acceptable" land use compatibility standards for new developments are used as the threshold for project related noise impacts.

Results of the existing conditions analysis indicate that existing traffic noise at all sensitive receptor locations meet City of Lathrop conditionally acceptable noise threshold for new residential development. Refer to "c." below for a discussion on project-related noise impacts.

Level of Significance: Less than significant.

Mitigation Measures: None required.

b. Expose persons to or generate excessive groundborne vibration or groundborne noise levels?

The proposed project is expected not to add any excessive goundborne vibration or groundborne noise levels. The proposed project does not include any long-term operations that will result in increased goundborne vibrations and groundborne noise levels. In the short-term, during construction of the grade separation, ground level vibrations may temporarily increase if driven piles are necessary. Compliance with City ordinance will minimize these temporary impacts on adjacent receptors. Also refer to Mitigation Measure NOI-1.

Level of Significance: Less than significant.

Mitigation Measures: None required.

c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Potential long-term noise impacts associated with project operations are solely from traffic noise. The proposed project was modeled using the TNM 2.5 model. Fifty-six receptor locations where a church, an outdoor recreational area, and residential land uses currently exist were evaluated in the model using coordinates obtained from the CADD maps.

The TNM 2.5 model is sensitive to the volume of trucks on the roadway because trucks contribute disproportionably to the traffic noise. Auto vehicles and truck percentages on the roadways were obtained from the traffic counts taken at the time of the noise monitoring. The average of the observed traffic mix on Lathrop Road included 90.8 percent automobiles and 9.2 percent trucks.

The existing traffic noise levels were calculated using the existing traffic volumes from the traffic impact analysis provided by TJKM.[1] Results of the existing conditions analysis indicate that existing traffic noise at all sensitive receptor locations experience traffic noise levels below the City of Lathrop's conditionally acceptable noise threshold for new residential development of 70 dBA L_{dn}.

[1] TJKM Transportation Consultants, op. cit., p. 51.

Future 2025 traffic sound levels at the representative sensitive receptor locations along the project corridor were determined for the future build and no build conditions using the forecast traffic volumes for the year 2025 that were also provided in the traffic study by TJKM,. The traffic noise model results for existing conditions and future 2025 no project and plus project conditions are shown in Table 3.

The modeled future 2025 plus project traffic noise levels were compared to the modeled future without project traffic noise levels (after calibration) to determine whether a substantial noise increase would occur. The following receptor locations would experience a substantial increase in traffic noise levels with implementation of the proposed project above the no project conditions: R39, R40, R41, and R43. All of these modeled receptors represent residential properties located on Harbor Court. The increases in future plus project related traffic noise levels for these receptors over future no project conditions range from 4 to 5 dBA with resulting project traffic noise levels ranging from 53 to 55 dBA L_{dn}. This increase in traffic noise level is due to the realignment of the Lathrop Road to the north of the current alignment which brings noise source closer to these receptors. While these increases are greater than 3 dBA (perceptible noise increase) these receptor locations would not be exposed to (future combined) traffic noise levels exceeding the City's "normally acceptable" noise standard for new residential development of 60 dBA L_{dn}; therefore the potential impacts to these receptors are less than significant.

As stated previously, for purposes of this analysis the "conditionally acceptable" land use compatibility standards for new developments are used as the threshold for project related noise impacts. Noise environments of up to 60 dBA L_{dn} are considered "normally acceptable" for new residential development, while noise environments between 55 and 70 dBA L_{dn} are considered "conditionally acceptable" provided noise insulation features are included that maintain the interior noise level standard of 45 dBA L_{dn}. Conventional construction with windows closed and fresh air supply systems or air conditioning will normally provide attenuation adequate to meet the interior noise standard. All noise sensitive land uses in the project vicinity as observed at the time of the noise monitoring are of conventional construction, and have air conditioning systems that allow windows to remain closed for prolonged periods of time.

Only one modeled receptor location would experience future traffic noise levels in excess of 70 dBA L_{dn}. The residential property at 638 Lathrop Road represented by receptor R22 would experience traffic noise levels of up to 71 dBA L_{dn} under both future no build and build conditions. Under CEQA analysis no mitigation would be necessary as these future traffic noise levels would exist even without the project, as they are not project-related impacts.

Table 3: Projected Traffic Noise Levels

Receptor	Location	Modeled Existing Noise Level (dBA Leq/Ldn)	Future (2025) No Build Condition (dBA Leq/Ldn)	Future (2025) Build Condition (dBA Leq/Ldn)	Increase over Future No Build Levels (dBA)
R1	Lathrop Road	60	63	60	**-3**
R2	Lathrop Road	61	63	61	**-2**
R3	Lathrop Road	61	63	61	**-2**
R4	Lathrop Road	61	63	62	**-1**
R5	Lathrop Road	61	63	62	**-1**
R6	H Street	57	59	59	**0**
R7	H Street	58	60	60	**0**
R8	H Street	59	62	62	**0**
R9	H Street	53	55	56	**1**
R10	H Street	52	54	56	**2**
R11	5th Street	50	53	53	**0**
R12	5th Street	58	61	61	**0**
R13	5th Street	60	62	62	**0**
R14	Poppy Drive	55	57	58	**1**
R15	Poppy Drive	60	62	62	**0**
R16	Poppy Drive	61	63	62	**-1**
R17	Poppy Drive	62	64	64	**0**
R18	Poppy Drive	58	61	61	**0**
R19	Hollyhock Court	54	57	57	**0**
R20	Hollyhock Court	61	64	64	**0**
R21	Hollyhock Court	62	64	64	**0**
R22	Lathrop Road	68	71	71	**0**
R23	Lathrop Road	62	64	65	**1**
R24	Lathrop Road	61	63	64	**1**
R25	Avon Street	60	63	63	**0**
R26	Avon Street	59	61	62	**1**
R27	Sunrise Place	59	61	62	**1**
R28	Sunrise Place	60	62	63	**1**
R29	Lathrop Road	60	63	63	**0**
R30	Lathrop Road	60	63	63	**0**
R31	Lathrop Road	60	62	63	**1**
R32	Camish Place	67	69	70	**1**
R33	Camish Place	67	70	70	**0**
R34	Camish Place	67	69	70	**1**
R35	Camish Place	66	68	69	**1**
R36	Sunrise Court	59	61	62	**1**
R37	Sunrise Court	59	62	62	**0**
R38	Sunrise Court	57	59	59	**0**
R39	Harbor Court	46	48	53	**5**
R40	Harbor Court	48	50	55	**5**
R41	Harbor Court	48	50	54	**4**

Receptor	Location	Modeled Existing Noise Level (dBA Leq/Ldn)	Future (2025) No Build Condition (dBA Leq/Ldn)	Future (2025) Build Condition (dBA Leq/Ldn)	Increase over Future No Build Levels (dBA)
R42	Harbor Court	48	50	53	**3**
R43	Harbor Court	48	50	55	**5**
R44	Long Barn Drive	56	58	60	**2**
R45	Long Barn Drive	56	58	59	**1**
R46	Long Barn Drive	56	58	60	**2**
R47	Lathrop Road	65	67	67	**0**
R48	Lathrop Road	64	67	68	**1**
R49	Lathrop Road	65	67	68	**1**
R50	Avon Street	63	65	65	**0**
R51	Lathrop Road	62	65	66	**1**
R52	Lathrop Road	62	64	65	**1**
R53	Lathrop Road	62	64	65	**1**
R54	Lathrop Road	62	64	65	**1**
R55	Stratford Avenue	66	68	69	**1**
R56	Stratford Avenue	61	63	65	**2**

Source: LSA Associates, Inc., May 2008.

Additionally based on the existing railroad noise contours found in the City's General Plan these residential properties are located within the 60 dBA L_{dn} railroad noise contours. Therefore, although the traffic noise levels at these receptors would increase up to 55 dBA L_{dn} the existing day/night average noise level at these residential properties is currently in excess of this noise level. Thus project related traffic noise levels of up to 55 dBA L_{dn} added to the existing noise environment of 60 dBA L_{dn} would result in an increase of only 1.1 dBA (up to 61.1 dBA L_{dn}) which is a less than significant increase in ambient noise levels. Therefore, project implementation would not result in a substantial increase in ambient noise levels at any modeled receptor in the project vicinity and project-related traffic noise level increases would be considered less than significant.

Level of Significance: Less than significant.

Mitigation Measures: None required.

d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Two types of short-term noise impacts would occur during construction of the project. The first type would be from construction crew commutes and the transport of construction equipment and materials to the project site and would incrementally raise noise levels on access roads leading to the site. The pieces of heavy equipment for grading and construction activities will be moved on site, will remain for the duration of each construction phase, and will not add to the daily traffic volume in the project vicinity. A high single event noise exposure potential at a maximum level of 87 dBA L_{max} from trucks passing at 50 feet (15 m) will exist. However, the projected construction traffic will be

small when compared to existing traffic volumes on Lathrop Road and its associated long-term noise level change will not be perceptible. Therefore, short-term construction-related worker commutes and equipment transport noise impacts would be less than significant.

The second type of short-term noise impact is related to noise generated during excavation, grading, and roadway construction. Construction is performed in discrete steps, each of which has its own mix of equipment, and consequently its own noise characteristics. These various sequential phases would change the character of the noise generated, and therefore the noise levels along the project alignment as construction progresses. Despite the variety in the type and size of construction equipment similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table 8 in the Noise Impact Analysis (Appendix B) lists typical construction equipment noise levels (L_{max}) recommended for noise impact assessments based on a distance of 50 feet (15 m) between the equipment and a noise receptor.

Typical noise levels at 50 feet (15 m) from an active construction area range up to 91 dBA L_{max} during the noisiest construction phases. The site preparation phase which includes grading and paving tends to generate the highest noise levels because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers bulldozers, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three or four minutes at lower power settings.

Construction of the proposed project is expected to require the use of earthmovers, bulldozers, water trucks, and pickup trucks. Noise associated with the use of construction equipment is estimated between 79 and 89 dBA L_{max} at a distance of 50 feet (15 m) from the active construction area for the grading phase. As seen in Table 8 in the Noise Impact Analysis (Appendix B the maximum noise level generated by each scraper is assumed to be approximately 87 dBA L_{max} at 50 feet (15 m) from the scraper in operation. Each bulldozer would also generate approximately 85 dBA L_{max} at 50 feet (15 m). The maximum noise level generated by water trucks and pickup trucks is approximately 86 dBA L_{max} at 50 feet (15 m) from these vehicles. Each doubling of the sound source with equal strength increases the noise level by 3 dBA. Each piece of construction equipment operates as an individual point source. The worst case composite noise level at the nearest noise-sensitive receptor during this phase of construction would be 91 dBA L_{max} (at a distance of 50 feet (15 m) from an active construction area).

Level of Significance: Potentially significant.

Mitigation Measure NOI-1: The closest sensitive receptor locations are located within 50 feet of the project construction areas. Therefore, these receptor locations may be subject to short-term noise reaching 91 dBA L_{max} generated by construction activities along the project alignment. To reduce this impact to a less-than-significant level, the project sponsor shall ensure the contractor complies with the City's hours of construction, as outlined below, as well as the following measures:

1. Without prior permission, all noise producing construction activities shall comply with Section 8.20.110 of the Lathrop Municipal Code. The code states that it shall be unlawful for any person

within a residential zone or within a radius of five hundred (500) feet of a residential zone to operate construction equipment between the hours of ten p.m. of one day and seven a.m. of the next day, or between the hours of eleven p.m. and nine a.m. Fridays, Saturdays and legal holidays (e.g., night-time periods). Should it be necessary to operate construction equipment during the restricted night-time periods, the contractor shall obtain prior approval from the Lathrop City Council. In addition, no noise producing activities shall be permitted adjacent to any place of worship (including the church located at the corner of 5th and H Streets) while the same is in use.

2. The project contractors shall equip all construction equipment fixed or mobile with properly operating and maintained mufflers consistent with manufacturers' standards;
3. The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
4. The construction contractor shall locate equipment staging in areas that will create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

Implementation of these mitigation measures would reduce project related construction noise impacts to a less-than-significant level.

Significance After Mitigation: Less than significant.

e. Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?

The proposed project is not located within an airport land use plan area or within two miles of a public airport or public use airport.

Level of Significance: No impact.

Mitigation Measures: None required.

f. Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?

The proposed project is not located in the vicinity of a private airstrip that exposes people residing or working in the project area to excessive noise levels.

Level of Significance: No impact.

Mitigation Measures: None required.

12. POPULATION AND HOUSING - Would the project:	Potentially Significant Impact		Less than Significant with Mitigation Incorporated		Less-than-Significant Impact		No Impact
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?					X		
b. Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?					X		
c. Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?					X		

Environmental Setting

Located within the Sub-Plan Area 1 of the City's General Plan the western half of the proposed project area consists of older residential subdivisions. North of Lathrop Road is potential redevelopment called "Lathrop Acres". The eastern half of the project area consists of a portion of the Sharpe Army Depot and the edges of several industrial complexes. According the U.S. Census Bureau the population of Lathrop in 2000 was 10,445 residents with an estimated 563-1758 people per square mile. According to the State Department of Finance (January 1, 2009), the population in the City of Lathrop is currently estimated to be 17,671.

Environmental Impacts

a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?

The proposed project will not induce substantial population growth or decline in the Lathrop area. The proposed project is not expected to decrease or increase development of any type within the community of Lathrop. Project improvements are required to accommodate future traffic forecasts, rather than create additional vehicular capacity to serve new growth.

Level of Significance: Less than significant.

Mitigation Measures: None required.

b. Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?

The proposed project will displace one single family residence and its occupants requiring acquisition of the home to create an access road in order to prevent homes along the south side of Lathrop Road from being landlocked. As a result of the location for the proposed grade separation, properties at Lathrop Road near Fifth Street will require the construction of an access road along the south side of Lathrop Road, extending to the south through the property currently occupied by the single family residence. In order to provide access, the single family residence must be acquired and removed, and the property improved with the access road extension. The Lathrop Road widening portion of the project will not displace any residents along the project corridor.

The City of Lathrop will provide relocation assistance to affected residents in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Those persons displaced by the project will receive relocation advisory service in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The Relocation Assistance Program was developed to help businesses, homeowners, and renters move with as little inconvenience and expense as possible. All rights and services provided under the Act will strictly be adhered to by the City of Lathrop. The City's relocation programs are sensitive to the special needs of the handicapped, elderly, low income, and other social groups (e.g., non-English speaking) to ensure that their relocation needs are met. Programs implemented by the City to meet these needs include bilingual brochures on relocation services, interpreters, and the determination of needs and preferences through individual interviews. Transportation services for those unable to drive, information on other State and federal assistance programs, and counseling to minimize hardships are also available. Based on available housing supplies in the Lathrop area and relocation assistance programs provided by the City of Lathrop Housing of Last Resort is not anticipated.

Level of Significance: Less than significant.

Mitigation Measures: PH-1: As a condition of project approval, in conjunction with acquiring the single family residence needed for access purposes, the City shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

c. Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?

The proposed project will displace one residence and its occupants. Also refer to b, above.

The City of Lathrop will provide relocation assistance to affected residents in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

Level of Significance: Less than significant.

Mitigation Measures: None required.

13. PUBLIC SERVICES - Would the project:	Potentially Significant Impact		Less than Significant with Mitigation Incorporated		Less-than-Significant Impact		No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:							
(1) Fire protection?					X		
(2) Police protection?					X		
(3) Schools?					X		
(4) Parks?					X		
(5) Other public facilities?					X		

Environmental Setting

The proposed project sites consist of roadway, railroad right of ways, and developed/underdeveloped land. The only governmental facility that exists in the immediate project area is the Sharpe Army Depot.

Environmental Impacts

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

(1) Fire protection?
(2) Police protection?
(3) Schools?
(4) Parks?
(5) Other public facilities?

During construction of the proposed project emergency vehicle access may be impacted however, these impacts will be temporary and of short duration. Fire and police facilities will be notified of road closure (if necessary) before construction begins. The proposed project will improve circulation and emergency vehicle access once the project is completed. The Sharpe Army Depot will be notified of temporary road closures so that shipments to the depot can be rerouted to other entry gates.

Level of Significance: Less than significant.

Mitigation Measures: None required.

14. RECREATION - Would the project:	Potentially Significant Impact		Less than Significant with Mitigation Incorporated		Less-than-Significant Impact		No Impact
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?					X		
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?							X

Environmental Setting

There is one recreation facility (Woodfield Park on 801 Lathrop Road) that exists in the immediate project area of the proposed project. Woodfield Park is a neighborhood park and provides local recreational opportunities. The park consists of playground structure, restroom and an open field space. According to the City's General Plan, parks can contain stormwater and water quality facilities.

Environmental Impacts

a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The proposed project consists of constructing a grade separation overcrossing on Lathrop Road and widening portions of the roadway from two to four lanes. The project does not generate population increases. Therefore, the project will not decrease or increase the use of existing parks nor will the project require construction or expansion of recreational facilities.

Level of Significance: Less than significant.

Mitigation Measures: None required.

b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

The proposed project does not involve recreational improvements. The project will not project require construction or expansion of recreational facilities and will not have any affect on the environment.

Level of Significance: No impact.

Mitigation Measures: None required.

15. TRANSPORTATION/TRAFFIC -Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?			X	
b. Cause, either individually or cumulatively, exceedance of a level-of-service standard established by the county congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e. Result in inadequate emergency access?			X	
f. Result in inadequate parking capacity?			X	
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Information in this section was based on the technical traffic and transportation study developed by Fehr & Peers Transportation Consultants in May 2008, and is provided in Appendix C.

Environmental Setting

Currently the project area is composed of developed industrial and residential property. Under existing conditions Lathrop is an east-west roadway that connects Interstate 5 to State Route 99. Sections of the Lathrop Road to the east are a four lane configuration and to the west is a two lane configuration. The current at-grade railroad crossing is a two lane configuration. The proposed project will conform to the eastern part of Lathrop Road which is a four lane configuration.

Environmental Impacts

a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?

This project is proposed to improve safety and traffic operation as well as forecast traffic volumes along Lathrop Road. This project will enhance Lathrop Road and extend the four lane configuration westward towards I-5. The project configuration will allow Lathrop Road to accommodate future traffic. The current eastbound traffic volumes on Lathrop Road are 647 vehicles per hour and expected to increase to 1097 vehicles per hour by 2025. This is a 41 percent increase in traffic volumes with project implementation, however, the levels of service will meet the City's policy for construction year conditions. Under long-range cumulative conditions, levels of service will continue to decline to unacceptable levels due to General Plan build-out. Table 4 summarizes the level of service for existing, construction year and cumulative conditions.

Table 4: Levels of Service Summary

Location	Peak Period	Existing Conductions (LOS)	Construction Year Conditions (LOS)	Cumulative 2025 Conditions (LOS)
NO PROJECT				
H Street / 5th Street	AM	A	A	A
	PM	A	A	A
Lathrop Road / 5th Street / Woodfield Drive	AM	C	B	C
	PM	C	B	**D**
Lathrop Road / 7th Street	AM	B	B	**F**
	PM	C	C	**F**
Lathrop Road / McKinley Avenue	AM	C	C	**F**
	PM	C	C	**F**
Lathrop Road / Commercial Driveway	AM	B	B	**D**
	PM	B	C	**E**
PROPOSED PROJECT				
H Street / 5th Street	AM	A	A	A
	PM	A	A	B
Lathrop Road / 5th Street / Woodfield Drive	AM	C	B	B
	PM	B	B	C
Lathrop Road / 7th Street	AM	This Intersection no Longer Exists Under the Proposed Project		
	PM			
Lathrop Road / McKinley Avenue	AM	A	A	B
	PM	A	A	B
Lathrop Road / Commercial Driveway	AM	B	B	C
	PM	B	B	**D**

Source: Fehr & Peers, May 2008.

Construction Impacts

It is proposed that the new westbound roadway will be constructed in the first stage. The existing at-grade crossing will remain operational during the construction of the westbound roadway. Temporary retaining walls will needed along the existing roadway to keep traffic lanes open to traffic during the first stage of construction. After the westbound direction is complete, traffic would be shifted to the new roadway and construction of the eastbound direction would be started. Once all construction is complete, traffic would be directed to the new roadway and the old alignment would be improved for use as an access road residential uses. With staged construction and retaining the existing lane configurations during construction, traffic operations should continue to operate in accordance with current levels of service.

Level of Significance: Less than significant.

Mitigation Measures: None required.

b. Cause, either individually or cumulatively, exceedance of a level-of-service standard established by the county congestion management agency for designated roads or highways?

The proposed project will not individually cause and exceedance of level of service standards on Lathrop Road. The proposed project will improve the levels of service along this section of Lathrop Road with the addition of travel lanes and the removal of the at-grade crossing. In the cumulative condition, as a result of General Plan build-out and future traffic volumes unrelated to the project, level of service along Lathrop Road will deteriorate to unacceptable levels.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed project will not result in any change in air traffic patterns. Likewise, the project will not an increase traffic levels or a change in location that would result in substantial safety risks. The project will have no affect on aviation conditions.

Level of Significance: No impact.

Mitigation Measures: None required.

d. Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Lathrop Grade Separation Project design features meet City safety standards do not include any sharp curves or dangerous intersections. The project overall will improve the traffic flow of Lathrop Road and the design could accommodate oversized vehicles such as farm equipment, although farm equipment would not be expected to use the roadway in the project area.

Level of Significance: No impact.

Mitigation Measures: None required.

e. Result in inadequate emergency access?

Once complete, the project will improve emergency access along Lathrop Road due to removal of train delays and increase in roadway cross-section. During the construction phase the road will remain open however, occasional delays along the road may occur on a temporary basis.

Level of Significance: Less than significant.

Mitigation Measures: None required.

Result in inadequate parking capacity?

Parking is not currently provided along Lathrop Road; the proposed project will not change those conditions.

Level of Significance: Less than significant.

Mitigation Measures: None required.

f. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

The proposed project will not conflict with adopted policies, plans, or programs that support alternative transportation within Lathrop or the surrounding communities.

Level of Significance: No impact.

Mitigation Measures: None required.

16. UTILITIES AND SERVICE SYSTEMS - Would the project:	Potentially Significant Impact		Less than Significant with Mitigation Incorporated		Less-than-Significant Impact		No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?							X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?							X
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?					X		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?							X
e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?							X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?							X
g. Comply with federal, state, and local statutes and regulations related to solid waste?							X

Environmental Setting

Utilities present at the Lathrop Road/UPRR intersection include fiberoptics, telecommunication lines, high-pressure pipeline, gas, overhead and underground electrical, water lines, sanitary sewer drains, and storm drains.

Environmental Impacts

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The proposed project does not require wastewater treatment. Therefore, the project does not need to comply with requirements established by the Regional Water Quality Control Board for wastewater treatment.

Level of Significance: No impact.

Mitigation Measures: None required.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The proposed project does not include the construction of wastewater facilities. Existing facilities within the project site will remain unchanged.

Level of Significance: No impact.

Mitigation Measures: None required.

c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The proposed project will require construction of a stormwater retention basin. This retention basin will be constructed adjacent to the new crossing. Utilities within the project construction area will have to be relocated to cross the UPRR rail line either attached to the new structure or in a public utilities easement. Several overhead electric lines should remain overhead and be relocated as needed to avoid the new raised roadway and roadway widening.

Level of Significance: Less than significant.

Mitigation Measures: Refer to Mitigation Measure HWQ-2.

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?

The proposed project is a transportation improvements project and will require no water supplies. No new or expanded entitlements would be needed.

Level of Significance: No impact.

Mitigation Measures: None required.

e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The proposed project is a transportation improvements project and wastewater treatment service is not required.

Level of Significance: No impact.

Mitigation Measures: None required.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Solid waste disposal needs from a landfill will not be required for the proposed project due to the fact that the project is a transportation improvements project.

Level of Significance: No impact.

Mitigation Measures: None required.

g. Comply with federal, state, and local statutes and regulations related to solid waste?

The proposed project is compliance with federal, state or local statutes, involving solid waste. Since the project involves transportation improvements, issues related to solid wastes are not expected.

Level of Significance: No impact.

Mitigation Measures: None required.

17. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact		Less than Significant with Mitigation Incorporated		Less-than-Significant Impact		No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?					X		
b. Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)					X		
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?			X				

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

The proposed project does not have the potential to degrade the quality of the environment or reduce the habitat of fish or wildlife species or eliminate important examples of California history or prehistory. The result is less-than-significant impact.

b. Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

The project impacts are specific to the project and cumulatively limited and should not cause any adverse affects to residents, businesses or the environment within the project limits. The result is a less-than-significant impact.

c. *Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?*

The proposed project will cause a displacement for one single family residence within the project area. This property must be acquired as a consequence of providing local access and to prevent adjacent properties from being landlocked. Mitigation measures are provided throughout this document that reduces potential impacts to less-than-significant levels.

4.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

[*Completed by Lead Agency or Authorized Consultant* - -Check (X), as applicable]:

The environmental factors checked below would potentially be affected by this project (i.e., the project would involve at least one impact that is a "Potentially Significant Impact"), as indicated in the preceding Checklist (Section C):

[ ] Aesthetics	[ ] Agricultural Resources	[X] Air Quality
[X] Biological Resources	[ ] Cultural Resources	[X] Geology/Soils
[X] Hazards and Hazardous Materials	[ ] Hydrology/Water Quality	[ ] Land Use/Planning
[ ] Mineral Resources	[X] Noise	[ ] Population/Housing
[ ] Public Services	[ ] Recreation	[ ] Transportation/Traffic
[ ] Utilities/Service Systems	[X] Mandatory Findings of Significance	

5.0 REFERENCES AND PERSONS CONSULTED

City of Lathrop, California. Comprehensive General Plan. Adopted December 17, 1991.

Fehr & Peers Transportation Consultants, Traffic Engineering Evaluation May 2008.

LSA Associates, Inc. Acoustical Analysis, Lathrop Road / Union Pacific Railroad Grade Separation Project. May 2008.

LSA Associates, Inc. A Cultural and Paleontological Resources Study for Lathrop / Union Pacific Railroad Westerly Grade Separation Project. March 2008.

Mark Thomas & Company, Inc. Draft Preliminary Technical Report. 2007.

Parikh Consultants, Inc. Phase I Environmental Site Assessment Lathrop Road Widening and Lathrop Road / Union Pacific Railroad Grade separation Project. 2008.

San Joaquin Council of Governments. The Future of Mobility for San Joaquin County, 2007 Regional Transportation Plan. 2007.

TJKM Transportation Consultants, *Draft Lathrop-Manteca Traffic Study*, January 4, 2007.

6.0 DETERMINATION

[*Completed by Lead Agency* - -Check (X), as applicable]:
On the basis of this initial evaluation and on substantial evidence in light of the whole record before the Lead Agency:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, however, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent (see attached Mitigation Agreement). A MITIGATED NEGATIVE DECLARATION or an ADDENDUM to a MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR), SUBSEQUENT EIR, SUPPLEMENT to an EIR, or an ADDENDUM to an EIR is required.

☐ I find that the proposed project MAY have an impact on the environment that is "potentially significant" or "potentially significant unless mitigated" but at least one effect: (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards and (2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or MITIGATED NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or MITIGATED NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required. Specifically, the environmental documentation for the proposed project is provided by the following document(s):

(Pursuant to the State and City Guidelines for Implementation of CEQA, the determination of the Community Development Director may be appealed to the City Planning Commission by submitting a written appeal with the applicable fee to the Community Development Department within ten (10) calendar days following this date of the determination.)

CITY OF LATHROP

By: Charles Mueller
(Signature of Planner)

Date: 6/2/09
(Date of Determination)

Asst Community Dev Dir.
(Name and Title of Planner—Typed or Printed)