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# **1.0 INTRODUCTION**

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This section of the Draft Environmental Impact Report (Draft EIR) for the proposed Mitchell Ranch Center project describes the purpose and type of EIR and its intended uses, and describes the organization and scope of the Draft EIR. Responsible and trustee agencies are identified. This section also provides an overview of the environmental review process, including the public participation process, and summarizes comments that were received on the Notice of Preparation. This section also contains a list of commonly used terms. Impact terminology is identified and defined in Chapter 4.0 Environmental Setting and Assumptions, of this Draft EIR.

### 1.1 PURPOSE OF THE EIR

The Mitchell Ranch Center project (project) consists of a proposal to construct a retail center, anchored by a Walmart, near the south end of the City of Ceres at the northwest corner of the intersection of Mitchell Road and Service Road. The proposed project consists of five parcels (APNs 053-012-068 and 053-013-016 through -019), totaling approximately 26.4+ acres.

This Draft EIR evaluates the potential environmental effects of the project known as the Mitchell Ranch Center project, pursuant to the California Environmental Quality Act (CEQA). The project as currently proposed totals 299,830 square feet of commercial uses. However, earlier versions of the project were larger and certain analyses contained in this Draft EIR provide a conservative analysis by evaluating impacts for a project of up to 327,229 square feet of commercial uses, including retail and restaurant uses. The proposed Walmart building would include approximately 191,430 square feet of commercial space. The proposed project would also include construction of parking areas and access driveways and connection to existing infrastructure. Infrastructure improvements, including roadway improvements, would be required with implementation of the proposed project. Please see **Section 3.0, Project Description**, for a more detailed description of the proposed commercial development.

The purposes of the Environmental Impact Report are provided in CEQA Guidelines Section 15121(a), which states that an EIR is an informational document for the decision-makers and the general public that discusses the significant environmental effects of a project, identifies possible ways to minimize the significant effects, and describes reasonable alternatives to the project that both meet the basic objectives of the applicant and serve to reduce or eliminate any significant environmental effects of the project. Public agencies with discretionary authority are required to consider the information in the EIR regarding the environmental effects of the project. Thus, the focus of the EIR is to provide information regarding the environmental consequences of implementation of the project and ways to lessen the environmental effects.

The City of Ceres serves as the lead agency (meaning the City has the primary discretionary authority regarding the project) and has prepared this Draft EIR to provide information about the potential environmental effects of the proposed project. The information in this Draft EIR is required to be considered by the City, along with other considerations that inform their decision (planning, economic, and social) in determining whether to approve the Project.

### 1.2 KNOWN RESPONSIBLE AND TRUSTEE AGENCIES

For the purpose of CEQA, the term "responsible agency" includes all public agencies other than the lead agency that have discretionary approval power over the project or an aspect thereof. The term "trustee agency" is a state agency having jurisdiction by law over natural resources affected by the project that are held in trust for the people of the State of California. The following agencies are identified as potential responsible and trustee agencies:

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### Federal Agencies

*U.S. Fish and Wildlife Service  
Operations Office  
2800 Cottage Way, Suite W2606  
Sacramento, CA 95825*

Section 7 Consultation or Section 10 Consultation with the U.S. Fish and Wildlife Service (USFWS) may be required as federally threatened and state species of concern may occur within the proposed project site. Additionally, habitat at the project site provides suitable nesting and foraging opportunities for avian species, including some raptors and migratory birds. The Migratory Bird Treaty Act, administered by the USFWS, protects migratory birds, their occupied nests, and their eggs (16 U.S. Code 703, 50 Code of Federal Regulations 21, and 50 Code of Federal Regulations 10). The USFWS is a responsible agency.

A single blue elderberry shrub (*Sambucus mexicana*) was observed on the project site. This species of shrub is a host plant to the valley elderberry longhorn beetle (VELB), a federally threatened species. The shrub was removed during demolition on the project site as permitted by the USFWS. Correspondence with the USFWS is included in **Appendix 1.0-2** of this Draft EIR. (See also **Section 4.3, Biological and Natural Resources**, for a more detailed discussion)

### State Agencies

*California Regional Water Quality Control Board, Central Valley Region  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670*

The Regional Water Quality Control Board (RWQCB) regulates wastewater disposal and stormwater discharges through established waste discharge requirements. A National Pollution Discharge Elimination System (NPDES) permit and a Stormwater Pollution Prevention Plan (SWPPP) may be required for the proposed project. The RWQCB is a responsible agency.

*California Department of Fish and Game, Region 4  
1234 E. Shaw Avenue  
Fresno, CA 93710*

The California Department of Fish and Game (CDFG) is a trustee agency with authority, in accordance with the provisions of the Fish and Game Code Section 1802, to exercise administration over the fish and wildlife resources of California. CDFG will provide comments and recommend measures for the conservation and prevention of damage to fish and/or wildlife resources of the state. The CDFG is a trustee agency for fish and wildlife resources held in trust for the State of California.

*California Department of Transportation District 10  
1976 East Charter Way/East Dr. Martin Luther King Jr. Blvd.  
Stockton, CA 95205*

The California Department of Transportation (Caltrans) has authority over activities occurring on or around state highways and their easements. The proposed project is located near State Route 99 (SR 99) and interchanges with this highway. The project may require improvements or alterations to SR 99, and an encroachment permit for proposed improvements to SR 99 may be required. Caltrans is a responsible agency.

### Local Agencies

This Draft EIR may also be used by the local agencies listed below for subsequent approvals or other permits that may be required for the proposed project:

Stanislaus County Department of Environmental Resources: The project will likely include restaurants, which are subject to permits and approvals from the Department of Environmental Resources. The department must also approve permits for the removal of on-site septic tanks.

City of Ceres Department of Development Services - Building Division: Construction of new buildings on the project site will require the approval of building permits, electrical permits, and pumping permits from the City's Building Division.

### 1.3 TYPE OF DOCUMENT

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This Draft EIR has been prepared as a Project EIR pursuant to CEQA Guidelines Section 15161. This type of analysis focuses primarily on the changes in the environment that would occur as a result of project implementation and examines all phases of development of the site (i.e., planning, construction, and operation). The project-level analysis addresses on- and off-site environmental impacts resulting from the construction and operation of site development. Please refer to Section 3.0, Project Description, for a complete description of project characteristics.

### 1.4 INTENDED USES OF THE EIR

The Draft EIR is intended to evaluate the environmental impacts of the construction of the Walmart and other commercial development on the Mitchell Ranch Center project site to the greatest extent possible. This Draft EIR should be used as the primary environmental document to evaluate all current and subsequent permitting actions associated with site development (CEQA Guidelines Section 15124(d)). The discretionary actions that may be taken by the City of Ceres currently include, but are not limited to, the following:

- Certification of the Environmental Impact Report
- Adoption of the Mitigation Monitoring and Reporting Program
- Approval of a Conditional Use Permit
- Approval of the Vesting Tentative Parcel Map
- Approval of a Development Agreement

Additional subsequent ministerial and discretionary approvals and other permits that may be required from the city and other local, regional, state, and federal agencies for which the Draft EIR may be used are identified below:

- Approval of the Final Map
- Issuance of Building Permits
- Issuance of Encroachment Permits

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- Service Agreements, Abandonment and Relocation Agreements with local utility providers
- Water quality permits (Clean Water Act) that may be required include Construction Storm Water Activity Permit, Report of Waste Discharge, NPDES permit
- U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service

### 1.5 ORGANIZATION OF THE EIR

Sections 15120 through 15132 of the CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The environmental issues addressed in this Draft EIR were established through review of environmental documentation for nearby projects, preparation of an Initial Study of the project application, responses to the Notice of Preparation (NOP), and agency consultation. The complete text of the Initial Study and NOP can be found in **Appendix 1.0-1**, and responses to the NOP are contained in **Appendix 1.0-2**. The City of Ceres determined based on this information that the preparation of an EIR was appropriate due to potentially significant environmental impacts that could be caused by the proposed Mitchell Ranch Center project. This Draft EIR evaluates the existing environmental resources in the vicinity of the project site, analyzes potential impacts on those resources due to the proposed project, and identifies mitigation measures that could avoid or reduce the magnitude of those impacts.

This Draft EIR is organized in the following manner:

#### SECTION 1.0 – INTRODUCTION

Section 1.0 summarizes the purpose of the Environmental Impact Report; describes the type of EIR; describes the intended uses of the EIR in compliance with CEQA Guidelines Section 15124(d) including the list of agencies, permits, and consultation for which this EIR is anticipated to be used; describes the scope and organization of the Draft EIR; identifies the environmental effects that were dismissed from further consideration in the Initial Study; describes the environmental review process that has been undertaken and is anticipated to be undertaken; identifies a contact person; describes the terminology of the impact analysis; and provides a summary of the agencies, organizations, and individuals that commented on the Notice of Preparation of the EIR for the proposed Mitchell Ranch Center project.

#### SECTION 2.0 – EXECUTIVE SUMMARY

This section briefly summarizes the proposed actions (characteristics of the proposed project) and provides a concise summary matrix table of the project's environmental impacts and associated mitigation measures, and resulting level of significance (in accordance with CEQA Guidelines Section 15123). Areas of controversy associated with the project are identified. The alternatives considered in this Draft EIR are listed and the environmentally superior alternative is identified.

#### SECTION 3.0 – PROJECT DESCRIPTION

This section includes a complete description of the proposed project (in accordance with CEQA Guidelines Section 15124). The regional and local existing conditions are described and depicted, the project history is summarized, requested entitlements and permits are listed, the objectives for

the project are described, the technical and operational characteristics of the project are described and depicted, and a list of current development activity in the vicinity is included.

### SECTION 4.0 – ENVIRONMENTAL SETTING AND ASSUMPTIONS

This section is an introduction to the project-specific environmental analysis provided in Sections 4.1 through 4.14, including cumulative impacts and general assumptions used in the environmental analysis of the Mitchell Ranch Center EIR. This section describes the format of the environmental issue sections, the level of significance nomenclature used in this document, and the format of the impact analysis. Additionally, this section describes the cumulative setting used in the environmental analysis throughout the issue sections, including the planned and approved projects within the City that are considered in the context of potential cumulative impacts.

### SECTIONS 4.1 THROUGH 4.14 – ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

These sections contain an analysis of environmental topic areas as identified below. Each subsection contains a description of the existing setting of the project area, identifies project-related and cumulative impacts, and recommends mitigation measures. The following major environmental topics are addressed in this Draft EIR:

***Section 4.1 – Aesthetics and Visual Resources:*** This section describes the aesthetic setting of the proposed project and analyzes the impacts of the proposed project on the visual resources surrounding the project site. The analysis focuses on the anticipated alteration of the landscape characteristics, including the introduction of light sources and glare and visual resources in the vicinity of the proposed project.

***Section 4.2 – Air Quality:*** This section analyzes the potential impacts on air quality resulting from the proposed project. The air quality analysis was prepared by AMBIENT Air Quality and Noise Consulting, using methodologies and assumptions recommended within the various guidelines of the San Joaquin Valley Air Pollution Control District (SJVAPCD or District). Regional and local air quality conditions are presented, along with pertinent air quality standards and regulations. Mitigation measures are recommended, as necessary, to reduce significant air quality impacts. An analysis of the proposed project's contribution to greenhouse gases (GHGs) and climate change is presented at the end of this section.

***Section 4.3 – Biological and Natural Resources:*** This section describes the biological resources present in the project study area and includes a discussion of the special-status species and sensitive habitats potentially occurring in the area. This section analyzes impacts that could occur to biological resources due to project implementation and provides appropriate mitigation measures to reduce or avoid these impacts. The analysis of biological resources presented in this section is based on a review of the most current project description, data collected from a reconnaissance-level survey, as well as available literature from federal, state, and local agencies. This section also includes the results of the bat survey conducted on the project site. Additionally, this section discusses the demolition activities completed on the site prior to preparation of this Draft EIR, including how these activities may have affected biological resources and potential impacts and mitigation measures provided in this section.

***Section 4.4 – Cultural Resources:*** This section considers and evaluates the potential impacts of the proposed project on cultural and paleontological resources. Cultural resources include historic buildings and structures, historic districts, historic sites, prehistoric and historic archaeological sites, and other prehistoric and historic objects and artifacts. Paleontological resources include vertebrate, invertebrate, or plant fossils. Additionally, this section discusses the

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demolition activities completed on the site prior to preparation of this Draft EIR including how these activities may have affected cultural resources and potential impacts and mitigation measures provided in this section.

**Section 4.5 – Economics and Blight:** This section considers whether the proposed project would result in significant adverse physical deterioration of properties or structures, or urban decay, due to economic impacts on existing businesses (specifically, household product and grocery retailers in the area and businesses in nearby downtown Ceres) causing such businesses to close and leading to long-term vacancies. The analysis within this section is based on a report prepared by Bay Area Economics (BAE) entitled *Economic Impact Analysis Update for Mitchell Ranch*, included as **Appendix 4.5-1** to this EIR.

**Section 4.6 – Geology and Soils:** This section describes the geology of the project site and surrounding vicinity and analyzes potential exposure of people and future improvements to geologic hazards, soil instability, and erosion. It also discusses the types of soil that have been identified on the site and their properties as they relate to the proposed project. The analysis contained in this section is primarily based on a review of the City and County General Plans and the Natural Resource Conservation Service’s Web Soil Survey and Official Soil Series Descriptions.

**Section 4.7 – Hazards and Hazardous Materials:** This section addresses the potential presence of hazardous materials and conditions in the project area and analyzes the potential risk of such materials in proximity to proposed development and human activity. This section also addresses potential conflicts with the City’s adopted emergency plan and hazards to people.

**Section 4.8 – Hydrology, Drainage, and Water Quality:** This section discusses and analyzes surface hydrology, storm drainage, flooding, surface water quality and groundwater quality impacts associated with the proposed project. Information presented in this section was based primarily on a *Preliminary Drainage Study* prepared for the project by Baker Williams Engineering Group in August 2007, as well as a review of the City and County General Plans, the Department of Water Resources Bulletin 118: California’s Groundwater, and flood hazard maps prepared by the Federal Emergency Management Agency (FEMA).

**Section 4.9 – Land Use, Population, and Housing:** This section describes the existing land uses at the project site, characterizes the surrounding land uses, and discusses the proposed Mitchell Ranch Center project in the context of the City of Ceres General Plan, the Mitchell Road Corridor Specific Plan, Stanislaus County General Plan, and other adopted plans and policies. This section also considers the potential for the proposed project to add to the current and future population of the project area. Environmental impacts associated with changes to land use, inconsistencies with applicable plans, or population growth in the project area are identified and analyzed in this section.

**Section 4.10 – Noise:** This section describes the existing noise environment in the project vicinity and identifies potential noise impacts and mitigation measures related to development of this project. Specifically, this section analyzes potential noise impacts that would result from development of the project site and noise impacts that would be experienced by occupants of the project site. The project impacts are evaluated relative to applicable noise level criteria and to the existing ambient noise environment. This section was based primarily on an environmental noise assessment prepared for the proposed project by Bollard Acoustical. (see **Appendix 4.10-1**).

**Section 4.11 – Agricultural Resources:** This section describes the agricultural resources in the area and the policies pertaining to these resources. Sources used to assess impacts of the proposed project include the Ceres General Plan Policy Document, the Ceres General Plan Final EIR, the

Agricultural Element of the Stanislaus County General Plan, California Department of Conservation Farmland Conversion Reports, Farmland Mapping and Monitoring Program maps, and the Stanislaus County Soil Survey. Local and regional planning documents are utilized in this analysis to address the cumulative loss of agricultural land.

**Section 4.12 – Public Services, Utilities, and Service Systems:** This section includes an assessment of potential environmental impacts to public services, utilities, and service systems that could result from the implementation of the proposed project. Public services include municipal water, wastewater, solid waste, electrical, natural gas, telephone and communication, cable television, fire protection and emergency medical response, and law enforcement services. The analysis identifies the potential physical environmental impacts that would result from provision of service to the proposed project. This evaluation also identifies appropriate mitigation measures to reduce impacts that would result from the additional demand for services. Please refer to Section 4.8, Hydrology, Drainage, and Water Quality, for analysis of stormwater drainage.

**Section 4.13 – Transportation and Traffic:** This section describes the transportation setting of the proposed project and analyzes the impacts of the proposed project on transportation and traffic in the area surrounding the project site. The analysis focuses on the anticipated increase in vehicular traffic, conflicts with alternative modes of transportation and evaluation of level of service (LOS) changes resulting to surrounding intersections and roadways as a result of the proposed project. A transportation study for the proposed project was conducted by Fehr and Peers Transportation Consultants. The transportation study outlines the estimated increase in traffic in the project area, in the near- and long-term conditions, and reviews the project's impact on traffic, alternative transportation, and LOS. The traffic impact study is included as **Appendix 4.13-1** of this EIR. Analyses of parking, site access, and circulation issues are also covered in this section of the Mitchell Ranch Center Draft EIR, in the near- and long-term conditions. Further, transportation and traffic impacts that may result during the construction of the proposed project are identified and analyzed.

**Section 4.14 – Energy Conservation:** This section describes the potential energy use of the proposed project including the consumption of electricity, natural gas and petroleum, as well as the project's energy conservation measures. Electricity and natural gas consumption occurs in conjunction with a number of activities including space heating and cooling, lighting, food preparation and maintenance.

### SECTION 5.0 – ALTERNATIVES TO THE PROJECT

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project which could feasibly attain the basic objectives of the project and avoid and/or lessen the environmental effects of the project. This alternatives analysis provides the reasoning for the selection of the alternatives that were analyzed, a qualitative comparative analysis between the project and each of the selected alternatives, and a summary table. The environmentally superior alternative is identified. The alternatives to the project analyzed in this document include:

- Alternative 1 – No Project Alternative
- Alternative 2 – Site Redesign Alternative
- Alternative 3 – Proposed Project With Interchange and El Camino Road Realignment Alternative
- Alternative 4 – Off-Site Alternative

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### **SECTION 6.0 – LONG-TERM IMPLICATIONS**

This section of the Draft EIR contains discussions and analysis of various topical issues mandated by CEQA, including cumulative impacts, significant unavoidable environmental effects and significant irreversible environmental changes that cannot be avoided if the project is implemented and growth-inducing impacts. Cumulative impacts are the result of combining the potential effects of the project with other past, present, and probable future development projects.

### **SECTION 7.0 – REPORT PREPARERS AND REFERENCES**

This section lists all authors and agencies that assisted in the preparation of the report by name, title, and company or agency affiliation.

### **APPENDICES**

This section includes all notices and other procedural documents pertinent to the EIR, as well as technical material prepared to support the analysis.

## **1.6 SCOPE OF THE EIR**

Pursuant to the CEQA Guidelines, the scope of this Draft EIR includes specific issues and concerns identified as potentially significant physical effects on the environment. Based on the Initial Study analysis and NOP comments, this Draft EIR addresses the following topics in depth:

- Aesthetics and Visual Resources
- Air Quality and Climate Change
- Biological and Natural Resources
- Cultural and Paleontological Resources
- Economics and Blight
- Energy Conservation
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use, Population, and Housing
- Noise
- Agriculture
- Public Utilities and Services
- Transportation and Circulation
- Energy Conservation

The City of Ceres determined that the preparation of an EIR was appropriate due to potentially significant environmental impacts that could be caused by implementing the proposed Mitchell Ranch Center project. This Draft EIR evaluates the existing environmental resources in the vicinity of the project site, analyzes potential impacts on those resources due to the proposed project, and identifies mitigation measures that could avoid or reduce the magnitude of those impacts to a less than significant level.

In accordance with CEQA Guidelines Section 15063(c)(3), the Initial Study identified several environmental topics where potentially significant impacts would not be associated with the proposed project. These topics are determined to have no environmental effect, or to have effects that are not significant for the project, and will not be further analyzed in this Draft EIR. The topics that are dismissed from further analysis and a brief discussion of the reasons why these issues were determined not to be significant include:

**Recreation:** Impacts to recreational facilities and resources occur when a substantial number of new users will be introduced into an area with recreational facilities which lack sufficient capacity to serve the increased population in addition to the current users. Additional recreation impacts may occur when the project would require the construction of new recreational facilities. The proposed project will not result in the construction of any new residential units; therefore, the use of existing parks and other recreational facilities will not be increased and no new or expanded facilities will be required.

**Mineral Resources:** Impacts to mineral resources occur when the project would result in the loss of availability of known mineral resources within the project area, or when the project would result in the loss of availability of a locally-important mineral resource recovery site. No mineral resource recovery sites are located on or in the immediate vicinity of the project site. Implementation of the proposed project would not result in the loss of availability of a known mineral resource or resource recovery site.

### 1.7 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION PROCESS

The review and certification process for the EIR will involve the following procedural steps:

#### INITIAL STUDY AND NOTICE OF PREPARATION

In accordance with Section 15082 of the CEQA Guidelines, the City of Ceres prepared an Initial Study and Notice of Preparation of an EIR that was released for public review on September 5, 2007. The City of Ceres was identified as the lead agency for the proposed project. This notice was circulated to local, state, and federal agencies and other interested parties to solicit comments on the proposed scope of the EIR. The NOP is presented in **Appendix 1.0-1**. Comments received in response to the NOP were considered during preparation of the Draft EIR. These comments are summarized in **Table 1.0-1** at the end of this section and are included in **Appendix 1.0-2**.

#### DRAFT EIR

This document constitutes the Draft EIR. The Draft EIR contains a description of the proposed Mitchell Ranch Center project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of alternatives to the project. Upon completion of the Draft EIR, the City of Ceres will file the Notice of Completion (NOC) with the State Office of Planning and Research (Section 21161, California Environmental Quality Act) to begin the required 45-day public review period of the Draft EIR (Section 21091, California Environmental Quality Act).

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### PUBLIC NOTICE/PUBLIC REVIEW

Concurrent with the NOC, the City of Ceres will provide public notice of the availability of the Draft EIR for public review and will invite comment from the general public, agencies, organizations, and other interested parties. The public review and comment period should be no less than 30 days or longer than 90 days (CEQA Guidelines Section 15105). The review period in this case is 45 days. Public comment on the Draft EIR will be accepted in written form. All written comments or questions regarding the Draft EIR should be addressed to:

Tom Westbrook  
City of Ceres  
Development Services Department-Planning Division  
2220 Magnolia Street  
Ceres, CA 95307

### RESPONSE TO COMMENTS/FINAL EIR

Following the conclusion of the public review period for the Draft EIR, a Final EIR will be prepared. The Final EIR will respond to comments received during the public review period.

### CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The City of Ceres Planning Commission will hold a public hearing on the project applications and will review and consider the EIR in preparing its recommendations concerning the proposed Mitchell Ranch Center project for consideration by the City Council.

The City Council will review the Planning Commission's recommendations and will consider certification of the Final EIR. Following certification of the EIR, the City Council may take action to approve, revise, or deny approval of the project applications following a public hearing. A decision to approve the project would be accompanied by written findings in accordance with CEQA Guidelines Section 15091 and, if applicable, Section 15093. A Mitigation Monitoring and Reporting Program (MMRP), as described below, would also be adopted for mitigation measures that have been imposed upon the project entitlements to reduce or avoid significant effects on the environment.

### MITIGATION MONITORING

CEQA Guidelines Section 21081.6(a) requires lead agencies to adopt an MMRP to describe measures which have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. Throughout the Draft EIR, mitigation measures have been clearly identified and presented in language that will facilitate establishment of the MMRP. Any mitigation measures adopted by the City of Ceres as conditions of approval for the project will be included in the MMRP to verify compliance. This MMRP will be designed to ensure that these measures are carried out during project implementation. Although not a part of the EIR, the MMRP will be presented to the Planning Commission at the same time as the Final EIR.

## 1.8 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The City of Ceres received comment letters on the Notice of Preparation for the Mitchell Ranch Center project. A copy of each letter is provided in **Appendix 1.0-2**. The City received letters from the following state and local agencies and interested parties, as summarized in **Table 1.0-1**.

**TABLE 1.0-1  
COMMENT LETTERS RECEIVED ON THE MITCHELL RANCH CENTER NOTICE OF PREPARATION**

Letter Number	Author/Agency	Issues	Date
1	W. E. Loudermilk, Regional Manager California Department of Fish and Game	Lists Department jurisdiction as a trustee agency. Describes regulations related to endangered species and other wildlife protection measures, including the California Endangered Species Act and Stream Bed Alteration regulations. Indicates additional jurisdiction over bird protection, water pollution, nesting birds, and unlisted species. Identifies the federal Endangered Species Act as it applies to the proposed project.	9/27/2007
2	Tom Dumas, Chief of Metropolitan Planning California Department of Transportation	Requests a detailed traffic analysis. Recommends early consultation with Caltrans Traffic Operations to develop the Traffic Impact Study scope of work.  States that the Site Plan, as shown in Figure 3 of the Initial Study, would result in conflicts with the SR 99 on-ramp and project access ways. Indicates the access on Service Road nearest to Mitchell Road intersection should be right-in/right-out only.	9/19/2007
3	Katy Sanchez, Program Analyst California Native American Heritage Commission	Recommends actions: contact regional archaeological Information Center; prepare professional report, if an archaeological inventory survey is required. Contact the Native American Commission.  Also indicates that a lack of surface evidence does not rule out the presence of archaeological resources.	9/10/2007
4	David Warner, Director of Permit Services San Joaquin Valley Air Pollution Control District	The San Joaquin Valley is designated nonattainment for ozone and particulate matter.  Project may exceed District's threshold of significance for ozone precursor emissions.  Air quality components of EIR should include regulatory environment, analysis of existing vs. plus project pollutant emissions, district regulations which apply to the project, all feasible measures which will reduce impacts should be identified and discussed.	10/5/2007
5	Bella Badel, Senior Environmental Health Specialist Stanislaus County Department of Environmental Resources	Comments regarding the destruction of the on-site well and requirements for food facility construction permits.	9/10/2007
6	Arie W. Vander Pol Turlock Irrigation District	Removal and plugging of a pipeline running through the project site. This impacts users. Electric lines along Mitchell and Service roads have the capacity to serve the project. Utility easements and fees.	9/18/2007

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Letter Number	Author/Agency	Issues	Date
7	Arie W. Vander Pol Turlock Irrigation District	Storm water runoff generated by the project and entering the City's storm drain system would be subject to the restrictions of the Master Storm Drainage Agreement between the District and the City. Any proposed detention basin would be required to contain water for a 10-year and 48 hour storm.	9/26/2007
8	Sherri R. Jacobson P. O. Box 2523 Ceres	Aesthetics: site blocks a sense of a scenic vista, and also the night sky issues. Site designated as Prime Farmland and there is harmony with nature, identifies SR 99 as a scenic highway. Agricultural Resources: loss of Prime Farmland. Air Quality: odors from parking areas, buildings and other project elements. Geology and Soils: loss of topsoil. Hazards and Hazardous Materials: understaffed police force. Hydrology and Water Quality: altered drainage pattern and runoff from parking lots. Land Use and Planning: conflicts between proposed project and the adjacent churches and residences.	10/5/2007
9	James R. Vinyard 1339 Grandview Avenue Ceres	Traffic noise: delivery truck noise, noise from volume of traffic, idling, loading area noises, truck warning signals. Traffic safety: vehicle crossing hazards, increased traffic, congestion. Underground water contamination: parking lot drainage, garden center drainage/runoff. Blight: landscape maintenance, litter and trash, container storage. Environmental economic factors: depletion of groundwater, police and fire economics.	10/5/2007

## 1.9 COMMONLY USED TERMS

Identified below are common terms and acronyms that are used throughout this document.

### TERMS

**Applicant** – Any person or other legal entity who applies to the City to develop or improve any portion of the real property within the project boundaries. The term "applicant" shall include all successors in interest. For the proposed project, the applicant of record is Wal-Mart Real Estate Business Trust, a Delaware statutory trust.

**Developer** – Any person or other legal entity who converts the project site to urban uses. Such activities include, but are not limited to, grading, building construction, and installation of infrastructure. For the proposed project, the developer is Walmart.

**Draft EIR** – Mitchell Ranch Center Draft Environmental Impact Report.

**Final EIR** – Mitchell Ranch Center Final Environmental Impact Report.

**General Plan** – The General Plan of the City of Ceres, as adopted February 24, 1997.

**Project** – The development or improvement of the project site, as described in the project description (Section 3.0) of this EIR.

### **1.10 ACRONYMS**

The following listed acronyms and their descriptions are referenced in this Draft EIR:

AADTT	Annual Average Daily Truck Traffic
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ACBM	asbestos-containing building material
ACM	asbestos-containing material
ADA	Americans with Disabilities Act
ADT	average daily traffic
AFY	acre-feet per year
AG	Attorney General
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Commission Plan
ANSI	American National Standards Institute
AQAP	Air Quality Attainment Plan
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
BAU	business as usual
BMP	best management practices
BPS	best performance standards
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CAAQS	California Ambient Air Quality Standards
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CAT	Ceres Area Transit
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDF	California Department of Forestry and Fire Protection

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CDFG	California Department of Fish and Game
CDMG SP 42	California Division of Mines and Geology, Special Report 42
CDPH	California Department of Public Health
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFC	chlorofluorocarbons
CFR	Code of Federal Regulations
cfs	cubic feet per second
CGP	Construction General Permit
CHP	California Highway Patrol
CIWMB	California Integrated Waste Management Board
CMU	concrete masonry unit
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CPUC	California Public Utilities Commission
CRHR	California Register of Historic Resources
CSA	Community Services Area or County Service Area
CSD	Community Services District
CTR	California Toxics Rule
CWA	Clean Water Act
CWHR	California Wildlife Habitat Relationships
dB	decibel
dBA	A-weighted decibel
DBH	diameter at breast height
DHHS	Department of Health and Human Services
DoA	Division of Aeronautics
DTSC	Department of Toxic Substances Control
DWR	Department of Water Resources
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
ESA	Environmental Site Assessment
FAA	Federal Aviation Administration
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency

FESA	Federal Endangered Species Act
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
GHG	greenhouse gas
gpd	gallons per day
GWP	global warming potential
HAP	hazardous air pollutant
HVAC	heating, ventilation, and air conditioning
IRF	Intermediate Regional Flood
ISO	Insurance Services Office
ITE	Institute of Transportation Engineers
LCP	lead-containing paint
L <sub>dn</sub>	day/night average sound level
LED	light-emitting diode
L <sub>eq</sub>	equivalent or energy-averaged sound level.
LIM	Land Inventory and Monitoring
lbs/day	pounds per day
L <sub>max</sub>	maximum noise level
LOS	level of service
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
MCL	maximum contaminant level
MDD	maximum daily demand
mg	million gallons
mgd	million gallons per day
ml/L	milligrams per liter
MM	mitigation measure
MRCSP	Mitchell Road Corridor Specific Plan
msl	mean sea level
MUTCD	Manual of Uniform Traffic Control
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NO <sub>2</sub>	nitrogen dioxide

## 1.0 INTRODUCTION

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NOA	naturally-occurring asbestos
NOAA	National Oceanic and Atmospheric Administration
NOP	Notice of Preparation
NO <sub>x</sub>	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	National Resource Conservation Service
NRHP	National Registry of Historic Places
NWR	National Wildlife Refuge
O <sub>3</sub>	ozone
OES	State Office of Emergency Services
OHP	Office of Historic Preservation
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Pb	lead
PCB	polychlorinated biphenyl
pCi/L	picocuries per liter
pc/mi/ln	passenger cars per mile per lane
PG&E	Pacific Gas and Electric
PHD	peak hour demand
PM <sub>2.5</sub>	particulate matter $\leq 2.5$ microns
PM <sub>10</sub>	particulate matter $\leq 10$ microns
ppm	parts per million
PRD	Permanent Road Division
psi	pounds per square inch
PVC	polyvinyl chloride
RCRA	Resource Conservation and Recovery Act of 1976
RMPP	Risk Management Prevention Program
ROG	reactive organic gases
RWQCB	Regional Water Quality Control Board
SAA	Streambed Alteration Agreement
SAAQS	State Ambient Air Quality Standards
SDWA	Safe Drinking Water Act
SEL	Sound Exposure Level
SIP	State Implementation Plan
SJV	San Joaquin Valley
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District

SO <sub>2</sub>	sulfur dioxide
SP	Specific Plan
SRSWPA	Stanislaus County Regional Solid Waste Planning Agency
STAA	Surface Transportation Assistance Act
StART	Stanislaus Regional Transit
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminants
TDS	total dissolved solids
TIS	Traffic Impact Study
TPPG	Transportation Planning Partnership Group
TSS	total suspended solids
TID	Turlock Irrigation District
TMDL	Total Maximum Daily Load
TSCA	Toxic Substance Control Act
UBC	Uniform Building Code
UNFCCC	United Nations Framework Convention on Climate Change
URBEMIS	Urban Emissions Model
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USDA-NRCS	USDA Natural Resources Conservation Service
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	Underground Storage Tank
V/C	volume/capacity
VELB	valley elderberry longhorn beetle
vpd	vehicles per day
WWTP	Wastewater Treatment Plant

## **1.0 INTRODUCTION**

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