

Appendix A

Notice of Preparation, Initial Study,
and Scoping Comments

Notice of Preparation

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT

Date: November 14, 2018

To: Agencies and Interested Parties

From: City of Ripon Planning Department

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Proposed Diamond Pet Foods Project

Review Period: November 14, 2018, to December 18, 2018

Diamond Pet Foods (Diamond) operates a pet food production facility in the City of Ripon (City). The existing facility, which is housed almost entirely within a 366,000-square-foot structure, currently consists of three production lines. Diamond proposes to add a fourth production line to the existing facility. The expansion would be contained almost entirely within the existing physical structure of the production plant. The addition of a fourth production line would increase the total production capacity of the facility from 780 tons/day to 1,040 tons/day. The City is considering approval of a Major Site Plan Permit to allow installation and operation of the fourth production line, which requires environmental review under the California Environmental Quality Act (CEQA). Therefore, the City will serve as the lead agency for the project under CEQA and has prepared an Initial Study to evaluate whether an environmental impact report (EIR) should be prepared. The Initial Study (attached) has identified the potential for significant environmental effects in certain resource areas, discussed below; therefore, the City will prepare a limited-scope EIR for the project to satisfy the requirements of CEQA (Public Resources Code [PRC] Section 21000 et seq.).

PURPOSE OF THIS NOTICE OF PREPARATION

In accordance with the California Code of Regulations (CCR) Section 15082, the City has prepared this notice of preparation (NOP) to inform agencies and interested parties that an EIR will be prepared for the above-referenced project. The purpose of a NOP is to provide sufficient information about the project and its potential environmental impacts to allow agencies and interested parties the opportunity to provide a meaningful response related to the scope and content of the EIR, including mitigation measures that should be considered and alternatives that should be addressed (CCR Section 15082[b]).

The project location, description, and potential environmental effects are summarized below. Additional details about the project's potential effects are included in the attached Initial Study.

Project Location

The Diamond Pet Foods Processing Facility (project site) is a pet food production facility located in an industrial area within the City of Ripon, in San Joaquin County (Figure 1). The address of the facility is 942 South Stockton Avenue, Ripon, CA 95366. The Diamond Pet Foods property totals approximately 157 acres, of which the existing production facility occupies approximately 27 acres (including buildings, paved parking areas, paved driveways, and other impervious surface areas).

The project site is bounded by industrial uses to the north, railroad tracks and SR 99 to the east, the Stanislaus River to the south, and undeveloped land to the west. Oak Grove Park is located to the southwest and residential areas are located further to the north, on both sides of State Route (SR) 99. Regional access to the site is provided by SR 99 and Main Street (which connects SR 99 and South Stockton Avenue).

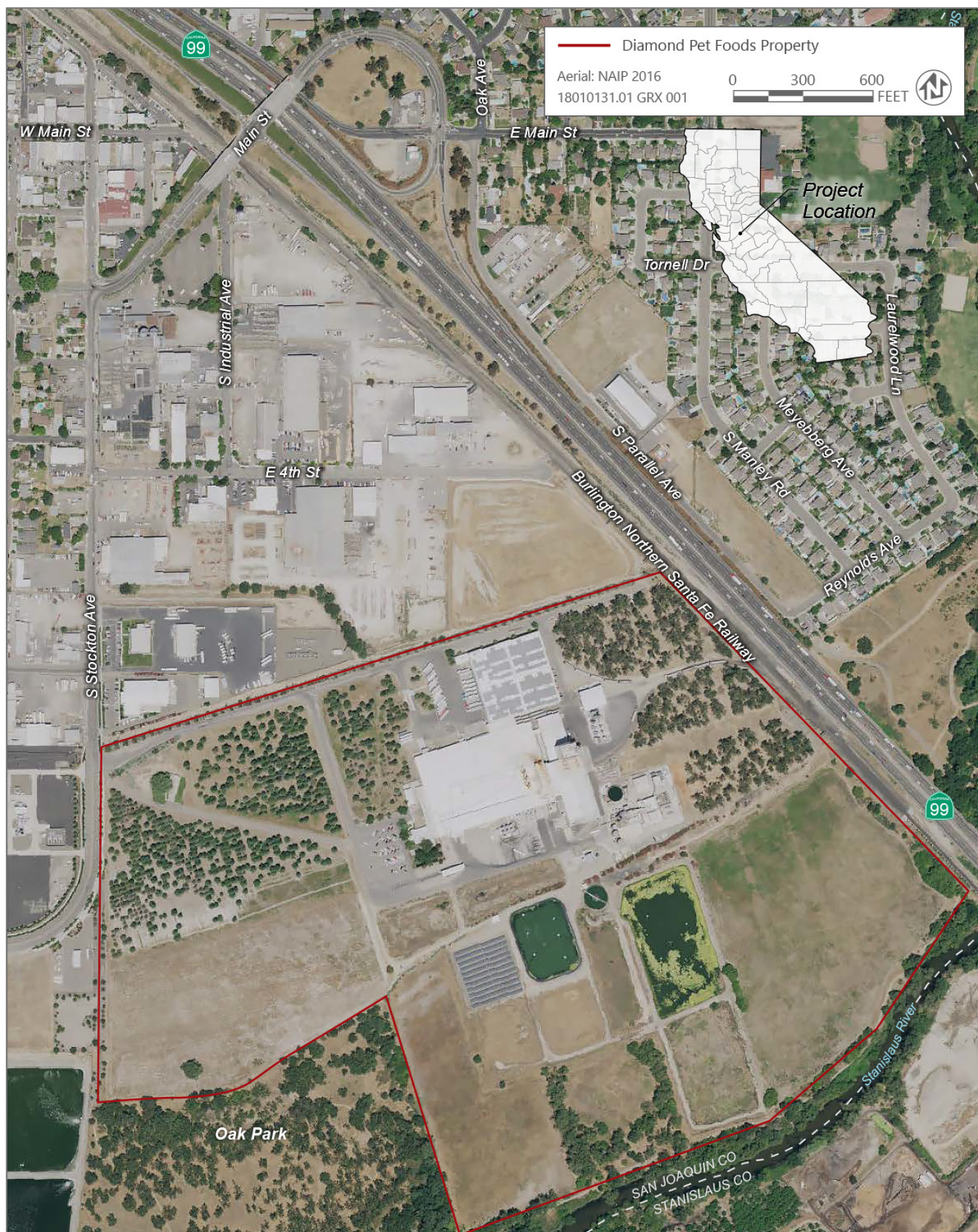


Figure 1 Project Location

PROJECT DESCRIPTION

Diamond proposes to add a fourth production line to its existing facility in the City of Ripon. The expansion would be contained almost entirely within the existing physical structure of the existing production plant.

Project Background

Diamond is a premium producer of over 100 different pet food recipes. After acquiring what had been Neenah Paper's former fine paper mill in 2010, Diamond remodeled the facility to accommodate a maximum of four pet food production lines. Diamond started producing pet food at the Ripon facility in 2012, under permits issued by the City, the State Regional Water Quality Control Board, and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Three production lines, with a total combined capacity of 780 tons per day of pet food, were initially permitted by SJVAPCD and installed in 2011/2012. In late 2016, Diamond determined that a fourth pet food production line was needed.

Odor Abatement Background

In July 2012, shortly after Diamond's facility became operational, an odor complaint—the first—was registered with SJVAPCD, followed by 103 odor complaints for the period from November 2012 through April 2013. In late 2012, Diamond hired Yorke Engineering, LLC (Yorke) to assist in evaluating the source, cause, and available methods to eliminate the odors and demonstrate compliance with the permit conditions listed in the Authority to Construct permit.

As a result of the odors analysis conducted by Yorke, in consultation with SJVAPCD and based on the available information at the time, Diamond determined that the best option for controlling odors was to install what is known as a "cold plasma injection system", which was reported to be widely successful in Europe and Canada for reducing pet food production odors. The Uniqair (a manufacturer) cold plasma system was permitted by SJVAPCD, installed in 2014, and became operational in July 2014. This system, however, achieved inconsistent results and odor complaints continued.

As a result of coordination with SJVAPCD and additional research into options to reduce odors, it was determined that the technology with the highest odor abatement efficiency was a regenerative thermal oxidation (RTO) system. In June 2017, Diamond selected Durr Systems to design, fabricate, and supervise the installation of the new RTO system. Installation of the RTO system was recently approved by SJVAPCD to replace the existing plasma injection system. Installation of the RTO equipment, which has the capacity to treat the dispelled air from the three existing production lines, as well as the proposed fourth production line, is currently underway and will be completed by late 2018.

Fourth Production Line

The City is considering approval of an entitlement to allow installation and operation of a proposed fourth pet food production line at Diamond's Ripon facility. The fourth production line would increase the permitted total production capacity to 1,040 tons per day (an increase of 260 tons per day from the existing capacity of 780 tons per day). Included in this application is a proposal to modify the permit conditions for the existing Pet Food Material Dispensing, Pre-Grinding, Conveying and Storage Operations (N-8234-2), to accommodate the incremental raw material transfer from outside storage to the mill tower. The modified permit condition would increase the maximum daily material transfer from the pre-grind system and the outside silos/bins from approximately 800 to 1,100 tons per day and increase the maximum annual material transfer from approximately 90,000 to 120,000 tons per year.

To facilitate the increase in pet food production, an additional steam conditioning unit/extruder would be installed in the steam conditioner room, as well as a fourth natural gas-fired dryer, dryer-cooler, and vertical cooler. Additional blowers, kibble take-up tubes, associated cyclones, and attrition handling equipment would also be installed within the facility.

The existing boilers are permitted for, and currently have adequate capacity to handle, the incremental steam requirements of the fourth steam conditioning unit, as well as any other steam requirements.

The existing packaging lines have adequate bagging capacity and do not require modification.

All of the new equipment and facilities associated with the proposed fourth production line would be located inside the existing building.

Utilities

Existing water demands at the facility are met by Diamond's onsite groundwater well. The project would require an incremental increase in water demand to supply the boiler and the reverse osmosis conditioning cylinders, and an incremental increase in wastewater generation. Electricity and natural gas use would also increase.

Deliveries

Currently, raw material deliveries to the facility arrive by truck and rail. With the addition of the fourth production line, the number of truck deliveries would increase for both raw material and finished product, and the number of rail deliveries would remain the same. No physical modifications to the truck or railcar facilities are required to accommodate the production increase.

Operation and Maintenance

The facility would have the same operating hours and work shifts as it does currently. Routine maintenance would continue as needed for existing and new equipment at the facility. Operation of the facility would require two additional employees per shift. Therefore, a total of eight additional employees would be required, as there are four shifts.

Project Construction

Construction of the Line Four process equipment would be performed at Extrutech's Kansas fabrication facility. Installation of the process equipment at the Diamond facility would last for 10 months, beginning either in 2019 or 2020, depending on the fabrication lead time. The three existing production lines would remain operational during construction of the fourth line. An average of 15 construction workers and one heavy duty truck per day would be required for the entire 10-month construction period.

POTENTIAL APPROVALS AND PERMITS REQUIRED

As the lead agency under CEQA, the City is responsible for considering the adequacy of the EIR and determining if the overall project should be approved. SJVAPCD is a responsible agency, and will need to issue an Authority to Construct permit for the project. No other permits or approvals from other agencies are anticipated to be required.

POTENTIAL ENVIRONMENTAL IMPACTS

Pursuant to CEQA and CCR Section 15064, the discussion of potential project effects on the environment in the EIR shall be focused on those impacts that the City has determined may be potentially significant. The EIR will also evaluate the cumulative impacts of the project when considered in conjunction with other related past, present, and reasonably foreseeable future projects. The City has determined that the project could potentially result in environmental impacts in the following topic areas, which will be further evaluated in the EIR:

- ▶ **Air Quality:** The project would result in short-term (construction) and long-term (operational) increases in criteria air pollutants and precursors. Long-term increases would be generated by stationary sources associated with the additional production line and any increase in mobile-source emissions associated with new vehicle trips to and from the project site. Construction- and operations-related emissions could adversely affect sensitive receptors in the vicinity, including residences, schools, and parks. These issues will be evaluated in the EIR.

Odors are an ongoing problem at the Diamond facility, and the intent of the new RTO system (currently being installed) is to effectively eliminate odors. The EIR will compare existing to potential, as well as actual project-related odors following installation of the RTO system to determine whether odor remains a significant impact

and will identify any necessary mitigation measures to further reduce potential impacts related to odors, if needed.

- ▶ **Greenhouse Gas Emissions:** Greenhouse gas (GHG) emissions would be associated with mobile-source exhaust from construction-related worker commute trips, haul truck trips, and equipment used at the project site. Operation of the project would also result in GHG emissions from stationary equipment to be installed at the facility and mobile sources associated with delivery trucks and worker vehicles. These issues will be evaluated in the EIR.
- ▶ **Energy Conservation:** The project would require an increase in energy use to operate the fourth production line. The EIR analysis will consider whether such use would be wasteful or inefficient, in accordance with Appendix F of the State CEQA Guidelines.
- ▶ **Traffic:** The project would result in minor increases in localized traffic volumes. The EIR will analyze whether the existing transportation network has sufficient capacity to serve the project. The analysis will be based on the most recently available published traffic data.

These issue areas will be discussed further in the EIR, and feasible and practicable mitigation measures will be recommended to reduce any identified potentially significant impacts.

Pursuant to CEQA, the discussion of potential effects on the physical environment is focused on those impacts that may be significant or potentially significant. CEQA allows a lead agency to limit the detail of discussion of the environmental effects that are not considered potentially significant (PRC Section 21100, CCR Sections 15126.2[a] and 15128). CEQA requires that the discussion of any significant effect on the environment be limited to substantial, or potentially substantial, adverse changes in physical conditions that exist within the affected area, as defined in PRC Section 21060.5 (statutory definition of "environment"). The attached Initial Study identifies other environmental issues as clearly insignificant and unlikely to occur. These environmental issues need not be discussed further in the EIR unless the lead agency subsequently receives information inconsistent with the finding in the Initial Study (CCR Section 15143). Environmental issue areas scoped out of the EIR will include an explanation of why these issues would not result in significant environmental effects and are not required to be evaluated further. Environmental issue areas that would be scoped out of the EIR are listed below.

- | | |
|------------------------------------|-----------------------------|
| ▶ Aesthetics | ▶ Mineral Resources |
| ▶ Agriculture and Forest Resources | ▶ Noise |
| ▶ Biological Resources | ▶ Population/Housing |
| ▶ Cultural Resources | ▶ Public Services |
| ▶ Geology/Soils | ▶ Recreation |
| ▶ Hazards and Hazardous Materials | ▶ Tribal Cultural Resources |
| ▶ Hydrology/Water Quality | ▶ Utilities/Service Systems |
| ▶ Land Use/Planning | |

ALTERNATIVES TO BE EVALUATED IN THE EIR

In accordance with the State CEQA Guidelines (14 CCR Section 15126.6), the EIR will describe a range of reasonable alternatives to the project that are capable of meeting most of the projects' objectives, and that would avoid or substantially lessen any of the significant effects of the project. The EIR will also identify any alternatives that were considered but rejected by the lead agency as infeasible and briefly explain the reasons why. At a minimum, the EIR will provide an analysis of a "No-Project" alternative. The EIR will also identify the environmentally superior alternative from among the proposed project and alternatives.

DOCUMENTS AVAILABLE FOR PUBLIC REVIEW

The NOP and Initial Study are available for public review at the following locations:

City of Ripon Planning Department
259 N. Wilma Avenue
Ripon, CA 95366

Ripon Branch Library
333 W Main Street
Ripon, CA 95366

The NOP and Initial Study are also available for public review online at:
http://www.cityofripon.org/connect/city_communication/public_notices.

PROVIDING COMMENTS

Agencies and interested parties may provide the City with written comments on topics to be addressed in the EIR for the proposed project. Because of time limits mandated by State law, comments should be provided no later than 5:00 p.m. on **December 18, 2018**. Please send all comments to:

City of Ripon Planning Department
259 N. Wilma Avenue, Ripon, CA 95366
Attention: Ken Zuidervaat, Planning Director
Telephone: (209) 599-2108; Fax: (209) 599-2685; Email: kzuidervaat@cityofripon.org

Agencies that will need to use the EIR when considering permits or other approvals for the project should provide the name, phone number, and email address of a contact person. Comments provided by email should include "Diamond Pet Foods Project NOP Scoping Comment" in the subject line, and the name and physical address of the commenter in the body of the email.

All comments on environmental issues received during the public comment period will be considered and addressed in the Draft EIR, which is anticipated to be available for public review in early 2019.

PUBLIC SCOPING MEETING

A public scoping meeting will be held by the City as part of their regular City Council Meeting to inform interested parties about the project and the EIR review process, and to provide agencies and the public with an opportunity to provide comments on the scope and content of the EIR. The meeting time and location are as follows:

December 11, 2018
6:00 p.m.
City Hall Council Chambers
259 N. Wilma Avenue, Ripon, CA 95366

The meeting space is accessible to persons with disabilities. Individuals needing special assistive devices will be accommodated to the City's best ability. For more information, please contact Ken Zuidervaat (at the contact information above) at least 48 hours before the meeting.

Initial Study Checklist

1 ENVIRONMENTAL CHECKLIST

PROJECT INFORMATION

1. Project Title: Diamond Pet Foods Project
2. Lead Agency Name and Address: City of Ripon, 259 N. Wilma Avenue, Ripon, CA 95366
3. Contact Person and Phone Number: Ken Zuidervaat, Planning Director, (209) 599-2108
4. Project Location: 942 S. Stockton Avenue, Ripon, CA 95366
5. Project Sponsor's Name and Address: Diamond Pet Foods, Inc., 250 Roth Road, Lathrop, CA 95330
6. General Plan Designation: Heavy Industrial (HI)
7. Zoning: M2 (Heavy Industrial) and RC (Resource Conservation)
8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Diamond Pet Foods, Inc. proposes to add a fourth production line to its existing facility in the City of Ripon. All expansion would be within the existing physical structure of its production plant. See the preceding Notice of Preparation (NOP) for a more detailed project description.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings) The project site is bounded by industrial uses to the north, State Route (SR) 99 to the east, the Stanislaus River to the south, and undeveloped land to the west. Oak Grove Park is located to the southwest and residential areas are located further to the north, on either side of SR 99.
10. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement) See the preceding NOP.
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun? *Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.*

See Section 1.18 of this Initial Study.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Energy |
| <input type="checkbox"/> Geology / Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | <input type="checkbox"/> None With Mitigation |

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ 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, there WILL NOT be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. 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** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, 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 **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

Ken Zuidervart

Printed Name

City of Ripon

Agency

11/13/18

Date

Planning Director

Title

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

1.1 AESTHETICS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Aesthetics. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.1.1 Environmental Setting

Aesthetic resources are generally defined as both the natural and built features of the landscape that contribute to the public's experience and appreciation of the environment. Depending on the extent to which a project's presence would negatively alter the perceived visual character and quality of the environment, aesthetic impacts may occur.

The Diamond Pet Foods Processing Facility is located in an industrial area within the City of Ripon, in San Joaquin County. It is bounded by industrial uses to the north, State Route (SR) 99 to the east, the Stanislaus River to the south, and undeveloped land to the west. Oak Grove Park is located to the southwest and residential areas are located further to the north, on either side of SR 99. There are no designated scenic routes in the *City of Ripon General Plan* (2006a), and the closest scenic routes identified in the *San Joaquin County General Plan* (1992) are located sufficiently distant from the project site (Austin Road is located approximately three miles west of the project site, and River Road is located approximately two miles northeast of the project site). Sensitive viewers near the project site include motorists along SR 99 and visitors at Oak Grove Park.

1.1.2 Discussion

a) Have a substantial adverse effect on a scenic vista?

No impact. A scenic vista is generally considered a view of an area that has remarkable scenery or a resource that is indigenous to the area. The project site does not contain any aesthetic resources that would be considered a scenic vista. The project site includes the existing Diamond Pet Foods Processing Facility surrounded by industrial land. From SR 99, the project site is not distinctive from other industrial development in the viewshed. Numerous buildings and other structures dot the horizon, and the Diamond Pet Foods Processing Facility blends in to this landscape. The new equipment would be installed inside the facility and would not be visible to the public. Because the project would not adversely affect a scenic vista, there would be **no impact**.

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

No impact. The project would not be located near a designated or eligible state scenic highway (Caltrans 2011). Furthermore, the project would not damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings. Therefore, **no impact** would occur.

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

No impact. See discussion under a) above. The project would be located in an industrial area. The new equipment would be installed inside the facility and would not be visible to the public. Therefore, the project would not change the visual character or quality of the site. There would be **no impact**.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No impact. Glare is caused by light reflections from pavement, water, vehicles, and building materials such as reflective glass and polished surfaces. During daylight hours, the amount of glare depends on the intensity and direction of sunlight. At night, artificial light can cause glare. The project would not include the addition of new lighting fixtures, beyond the existing security lighting of the facility, which are directed downward, and screened to avoid nighttime lighting spillover effects on adjacent land uses and nighttime sky conditions. Therefore, **no impact** would occur.

1.2 AGRICULTURE AND FOREST RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. Agriculture and Forest Resources.				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997, as updated) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.2.1 Environmental Setting

The California Department of Conservation Farmland Mapping and Monitoring Program classifies agricultural land in eight categories based on soil quality and irrigation status. The project site is located in an industrial area. There is no farmland in the project area.

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of preserving agriculture and restricting unnecessary conversion to urban uses. Under the contract, landowners receive reduced property tax assessments

based on the property's value for farming and open space uses as opposed to full market value. There is no farmland in the project area, and neither the project site nor surrounding sites are under a Williamson Act contract.

No forest land or timberland is located within or adjacent to the project site.

1.2.2 Discussion

- 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?**

No impact. The project would be located in and near an operational industrial land use. The project site is not on or adjacent to farmland; therefore, the project would not convert farmland to non-agricultural use. **No impact** would occur.

- b) **Conflict with existing zoning for agricultural use or a Williamson Act contract?**

No impact. The project would not be located on or adjacent to farmland or land associated with a Williamson Act contract; therefore, the project would not conflict with zoning for agricultural use or a Williamson Act contract. **No impact** would occur.

- c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

No impact. The project site is designated for Heavy Industrial land uses. There is no existing zoning for forest land within the project area, nor is the site forested. The project area is already developed with industrial facilities. Therefore, **no impact** would occur.

- d) **Result in the loss of forest land or conversion of forest land to non-forest use?**

No impact. The project site is not forested. Therefore, no forest lands would be lost or converted to non-forest uses as a result of the project. **No impact** would occur.

- e) **Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

No impact. Indirect impacts on agricultural lands can occur in two ways: (1) by urban development increasing property values, or extending infrastructure, thereby placing pressure on adjacent agricultural lands to convert to non-agricultural uses; or (2) through land use conflicts between the proposed use and the agricultural use leading eventually to the diminishment of the agricultural use (for example, reduction of viable cropland in response to crop-dusting-related complaints from a new adjacent subdivision).

The project would not be located on or adjacent to farmland or forest land; therefore, the project would not convert farmland or forest land to non-agricultural or non-forest use, or otherwise result in such conversion. **No impact** would occur.

1.3 AIR QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality.				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make the following determinations.				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.3.1 Environmental Setting

The project site is in the City of Ripon, which lies within the San Joaquin Valley Air Basin (SJVAB) and is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). With respect to ozone, SJVAB is currently designated nonattainment for the 1-hour ozone California Ambient Air Quality Standard (CAAQS) and for the 8-hour ozone National Ambient Air Quality Standard (NAAQS) (CARB 2017). SJVAB is designated as nonattainment for the state PM₁₀ (i.e., respirable particulate matter with an aerodynamic diameter of 10 micrometers or less) CAAQS and attainment for the national PM₁₀ NAAQS, and the SJVAB is designated as nonattainment for the PM_{2.5} (i.e., fine particulate matter with an aerodynamic diameter of 2.5 micrometers or less) CAAQS and NAAQS (CARB 2015).

Air quality within San Joaquin County is regulated by such agencies as the U.S. Environmental Protection Agency (EPA) and California Air Resources Board (CARB) at the federal and State levels, respectively, and locally by the SJVAPCD. SJVAPCD seeks to improve air quality conditions in the SJVAB through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. SJVAPCD's clean air strategy includes the development of programs for the attainment of ambient air quality standards, adoption and enforcement of rules and regulations, and issuance of permits for stationary sources. SJVAPCD also inspects stationary sources, responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements other programs and regulations required by the federal Clean Air Act (CAA), federal Clean Air Act Amendments of 1990 (CAAA), and the California Clean Air Act (CCAA).

SJVAPCD has developed plans to attain CAAQS and NAAQS for ozone and particulate matter. The air quality plans include emissions inventories to measure the sources of air pollutants, to evaluate how well different control methods have worked and to show how air pollution will be reduced. The plans also use computer modeling to estimate future levels of pollution and make sure that the SJVAB will meet air quality goals.

1.3.2 Discussion

a, b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation; conflict with or obstruct implementation of the applicable air quality plan?

Potentially significant. The project would include construction activities and would expand the operation of the existing pet food production facility by 33 percent. This would result in increased fuel and energy use, which would result in increased emission of stationary-source air pollutants. The increased operation would also increase vehicle trips associated with truck deliveries and worker commute trips. This would also generate additional air pollutant emissions. The level of air pollutants generated by the project is currently unknown, and further analysis is required. This impact would be **potentially significant**, and this issue will be evaluated further in the EIR.

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)?

Potentially significant. As described under the response to a,b) above, the project would result in an increase in stationary- and mobile-source air pollutant emissions. The level of air pollutants generated by the project is currently unknown, and further analysis is required to determine whether the project would result in a cumulative net increase of any criteria pollutant for which the SJVAB is in non-attainment. This impact would be **potentially significant**, and this issue will be evaluated further in the EIR.

d) Expose sensitive receptors to substantial pollutant concentrations?

Potentially significant. The nearest sensitive receptor is located approximately 1,500 feet east of the site. The project involves expansion of an industrial use, which may result in increased emission of toxic air contaminants (TACs) associated with the additional equipment and production capacity, as well as the additional truck trips. Technical analysis is necessary to determine the potential for increase in TACs and whether existing sensitive receptors could be exposed to a substantial increase. This impact would be **potentially significant**, and this issue will be evaluated further in the EIR.

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

Potentially significant. A residential neighborhood is located east of the facility across SR 99 (the nearest home is 1,500 feet from the proposed installation area), and odor has been an issue for the facility since the beginning of its operation. A new RTO system is currently being installed to reduce odor. However, given the history of odor issues associated with the facility, additional analysis is necessary to determine whether an increase in odor associated with the proposed operational expansion would be adequately abated by the new RTO system, such that a substantial number of people would not be affected by the proposed expansion. This impact would be **potentially significant**, and this issue will be evaluated further in the EIR.

1.4 BIOLOGICAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources. Would the project:				
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 Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.4.1 Environmental Setting

The project site is located in an industrial area, at the existing Diamond Pet Food Processing Facility in the City of Ripon. The factory is located adjacent to a field and south of the Stanislaus River. The nearest riparian habitat consists of trees along the riverbank. The undisturbed areas along the edges of fields and orchards are home to game birds, small animals, and rodents (City of Ripon 2006a). The riverbanks of the Stanislaus River are home to several sensitive species including: elderberry longhorn beetle, riparian woodrat, riparian brush rabbit, western yellow billed cuckoo, and delta button celery. The *City of Ripon General Plan* (2006a) policy does not allow for new buildings in the Stanislaus River's 100-year flood plain except by special permit. This project would place new equipment in an existing building and the project site is not located within the 100-year floodplain.

The San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) (San Joaquin Council of Governments 2000), provides a strategy for balancing the conservation of open space, the agricultural economy, and the long-term management of special-status plant, fish, and wildlife species. The SJMSCP covers 97 species in 52 vegetative communities throughout San Joaquin County. The plan provides comprehensive mitigation, in compliance with federal and local regulations, for impacts of SJMSCP-permitted activities on these species. The City of Ripon is a permittee of the SJMSCP and has opted for coverage under the SJMSCP for incidental take of covered species associated with future urban growth within the City's service area. As such, it is required to mitigate for the conversion of agricultural habitat lands and natural lands through in-lieu fees, habitat land dedication, purchase of mitigation bank credits, or by proposing an alternative mitigation plan consistent with the goals of the SJMSCP. The project site is designated as Category A/No Pay Zone in the SJMSCP. It is considered urban land already converted from open space.

1.4.2 Discussion

- 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 Wildlife or the U.S. Fish and Wildlife Service?

No Impact. The project would be located at the existing Diamond Pet Foods Processing Facility. The new equipment would be installed inside the facility. Therefore, the project would not have a substantial adverse effect on any species identified as a candidate, sensitive, or special-status species. **No impact** would occur.

- 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 Wildlife or the U.S. Fish and Wildlife Service?

No Impact. The closest riparian habitats are along the river banks of the Stanislaus River, approximately 0.2 mile south of the project site. This would be sufficiently distant such that the project would not affect the riparian habitats or other sensitive natural communities along the river. **No impact** would occur.

- 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?

No impact. The location of the new facilities is in an existing building in a currently paved area. No wetlands exist in this location. The project would not adversely affect wetlands as there would be no direct removal, filling, hydrological interruption, or other means of disturbing wetlands. **No impact** would occur.

- 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?

No impact. The project would be located in an industrial area at an existing facility. The Stanislaus River is located 0.2 mile south of the project site, which is sufficiently distant such that the project would not interfere with the movement of native resident or migratory fish or wildlife species. **No impact** would occur.

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

No impact. The project would not require the removal of biological resources, including trees. Therefore, it would not conflict with local policies protecting biological resources. **No impact** would occur.

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?**

No impact. As noted above, the project site is located within the boundaries of the SJMSCP, on land designated as Category A/No Pay Zone. This category of land is considered urban land already converted from open space. The project would not conflict with provisions of the SJMSCP, nor would it change the current designation of the project site.

No impact would occur.

1.5 CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.5.1 Environmental Setting

The region around and including the City of Ripon was previously inhabited by the Miwok tribe before being conquered by the Spanish (City of Ripon 2017). The City was established in 1945 but has history dating back to the 1800s. The first Americans in Ripon were fur trappers in 1826 prior to establishment of farming. The City of Ripon currently does not include any buildings listed on the National Register of Historical Places; however, the Ripon Community Center, located 0.5 mile from the project site, has a California Historic Landmark #436 plaque for New Hope. New Hope was the first known agricultural society in the San Joaquin Valley (City of Ripon 2006a).

1.5.2 Discussion

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

No impact. There are no structures or sites in the City of Ripon listed on the National Register of Historical Places. New Hope, which is located at the Ripon Community Center, is included on the California Historic Landmark list. The project would be located 0.5 mile from the Ripon Community Center and, therefore, would not cause a substantial adverse change in the significance of a historical resource. **No impact** would occur.

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

Less than significant. The City of Ripon has not publicized the location of any archaeological resources in the area (City of Ripon 2006a). The project would be located on a developed site where no archaeological resources have previously been recorded. No excavation or ground disturbance would be required because equipment would be assembled offsite and then installed within the existing facility. **No impact** would occur.

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

No impact. The City of Ripon has not identified any unique paleontological resources or geologic features in the area (City of Ripon 2006a). As noted above, no excavation or ground disturbance would be required because equipment would be assembled offsite and then installed within the existing facility; therefore, the project would not destroy a unique paleontological resource or site or unique geologic feature. **No impact** would occur.

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

No impact. As noted above, no excavation or ground disturbance would be required because equipment would be assembled offsite and then installed within the existing facility; therefore, the project would not disturb human remains. **No impact** would occur.

1.6 ENERGY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Energy. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.6.1 Environmental Setting

Electricity and natural gas are provided to the Diamond Pet Food Processing Facility by the Modesto Irrigation District (MID) and Pacific Gas & Electric (PG&E), respectively.

1.6.2 Discussion

A, b) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Potentially significant. The project would include construction activities and would expand the operation of the existing Diamond Pet Food Processing Facility by 33 percent. This would result in increased fuel and energy use relative to existing conditions. Most energy consumption would result from operation of off-road construction equipment and on-road vehicle trips associated with commutes by construction workers and haul trucks trips. Construction equipment use and associated energy consumption would be typical of that associated with construction of industrial land uses. Idling of on-site equipment during construction would be in accordance with SJVAPCD requirements. Further, on-site construction equipment may include alternatively-fueled vehicles (such as natural gas) where feasible. Finally, the construction contractors would use the best available engineering techniques, construction and design practices, and equipment operating procedures, thereby minimizing the potential for wasteful consumption of fuels and use of energy. Energy efficiency is also expected for the off-site production of construction materials, based on the economic incentive for efficiency.

Because final designs are not yet available, it is unknown what energy efficiency features would be incorporated into the project. Whether the project's increased fuel and energy use would be wasteful, inefficient, or unnecessary is currently unknown, and further analysis is required. This impact would be **potentially significant**, and this issue will be evaluated further in the EIR.

1.7 GEOLOGY AND SOILS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Geology and Soils. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.7.1 Environmental Setting

Most of the soils in the City of Ripon planning area are of the sandy loam type, providing good percolation and little erosion and sedimentation. The terrain generally slopes toward the Stanislaus River. (City of Ripon 2006a:2-73.)

No known seismic or geological faults are found in the City of Ripon planning area. The nearest faults are the Tracy-Stockton Fault and a small buried fault that extends south from Banta to Stanislaus County; these faults have no surface trace and have not had any movement over the last three million years. (City of Ripon 2006a:4-4.)

1.7.2 Discussion

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

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)

Less than significant. The project site is not located in an Alquist-Priolo Earthquake Fault Zone and the nearest faults (the Tracy-Stockton Fault and a small buried fault that extends south from Banta to Stanislaus County) are located at least 15 miles away (City of Ripon 2006a:4-4). Because surface ground rupture along faults is generally limited to a linear zone a few feet wide, ground rupture because of a fault across the project site is unlikely. Therefore, hazards associated with a potential fault rupture would be **less than significant**.

- ii) Strong seismic ground shaking?

Less than significant. If a seismic event occurs at a nearby fault, seismic-induced settlement could affect the project site. The extent of damage would depend on soil characteristics, groundwater depth, and duration and intensity of the earthquake. Potential ground shaking at the project site could expose people or structures to potentially substantial adverse impacts. As required by law, the existing Diamond Pet Foods Processing Facility conforms to the standards contained within California Building Code (CBC) Title 24, which identifies specific design requirements to reduce damage from strong seismic ground shaking. The project involves installing equipment within and near the existing building, but no new buildings would be constructed. Because the existing facility conforms to applicable CBC regulations and no new buildings would be constructed, potential hazards associated with strong seismic ground shaking would be **less than significant**.

- iii) Seismic-related ground failure, including liquefaction?

Less than significant. Liquefaction is the sudden temporary loss of strength in saturated, loose to medium dense, granular sediments subjected to ground shaking. Liquefaction can cause foundation failure of buildings and other facilities due to the reduction of foundation bearing strength. During a seismic event, the extent of damage from ground failure including liquefaction would depend on the soil characteristics, groundwater depth, and duration and intensity of the earthquake. Areas with the greatest potential for liquefaction are those in which the water table is less than 20 feet below the ground surface. As mentioned in item ii) above, the existing Diamond Pet Foods Processing Facility conforms to CBC Title 24, which identifies specific design requirements to reduce damage from ground failure and liquefaction. Because the existing facility conforms to applicable CBC regulations and no new buildings would be constructed, potential hazards associated with strong ground failure or liquefaction would be minimized. Therefore, this impact would be **less than significant**.

- iv) Landslides?

No impact. The topography of the project area is relatively flat. Therefore, the project site would not be subject to landslides. **No impact** would occur.

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

No impact. As noted above, most of the soils in the City of Ripon planning area are of the sandy loam type, providing good percolation and little erosion and sedimentation (City of Ripon 2006a:2-73). Because this project involves no ground disturbance, there would be **no impact** related to erosion or loss of topsoil.

- c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**

Less than significant. The project site is relatively flat and the existing Diamond Pet Foods Processing Facility has been designed to meet all applicable CBC Title 14 engineering requirements to ensure that the facility would not be affected by the above geologic hazards. The project involves installing equipment within the existing building, but no new buildings would be constructed. Therefore, this impact would be **less than significant**.

- d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial risks to life or property?**

Less than significant. Expansive soils are soils that are high in expansive clays or silts and that swell and shrink with wetting and drying, respectively. This shrinking and swelling can result in differential ground movement, which can cause damage to foundations. However, proper fill selection, moisture control, and compaction during construction can prevent these types of soils from causing significant damage.

The existing Diamond Pet Foods Processing Facility has been designed and constructed in conformance with the applicable CBC, which has specific site development and construction standards by soil type to prevent expansive soil hazards. Because the project does not include the construction of new buildings, no significant impacts related to expansive soil hazards would occur. Therefore, this impact would be **less than significant**.

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

No impact. Implementation of the project would not involve the use of septic tanks or alternative waste water disposal systems. Therefore, **no impact** would occur.

1.8 GREENHOUSE GAS EMISSIONS

ENVIRONMENTAL ISSUES		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII.	Greenhouse Gas Emissions. Would the project:				
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.8.1 Environmental Setting

Certain gases in the earth's atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. GHGs are responsible for "trapping" solar radiation in the earth's atmosphere, a phenomenon known as the greenhouse effect. Prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

Human-caused emissions of these GHGs in excess of natural ambient concentrations are believed responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the earth's climate, known as global climate change or global warming. It is "extremely likely" that more than half of the observed increase in global average surface temperature from 1951 to 2010 was caused by the anthropogenic increase in GHG concentrations and other anthropogenic factors together (IPCC 2014). By adoption of Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006, and Senate Bill (SB) 97, the State of California has acknowledged that the effects of GHG emissions cause adverse environmental impacts. AB 32 mandates that emissions of GHGs must be capped at 1990 levels by the year 2020.

On January 20, 2017, CARB released its proposed 2017 Climate Change Scoping Plan Update (2017 Scoping Plan Update), which lays out the framework for achieving the 2030 reductions as established in EO B-30-15 and SB 32 and AB 197 (discussed below). The 2017 Scoping Plan Update identifies the GHG reductions needed by emissions sector to achieve a statewide emissions level that is 40 percent below 1990 levels before 2030. It also identifies how GHGs associated with projects could be evaluated under CEQA. Specifically, it states that achieving "no net increase" in GHG emissions is the correct overall objective of projects evaluated under CEQA if conformity with an applicable local GHG reduction plan cannot be demonstrated. CARB also recognizes that it may not be appropriate or feasible for every development project to mitigate its GHG emissions and that this may not necessarily imply a substantial contribution to the cumulatively significant environmental impact of climate change. At the time of writing this environmental checklist, CARB has not yet approved its proposed 2017 Scoping Plan Update.

In August 2016, SB 32 and AB 197 were signed, which serve to extend California's GHG reduction programs beyond 2020. SB 32 amended the Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a statewide GHG emission reduction of at least 40 percent below the AB 32 goal of 1990 levels by 2020 by no later than December 31, 2030. SB 32 codified the targets established by EO B-30-15 for 2030, which set the next interim step in the State's continuing efforts to pursue the long-term target expressed in EOs S-3-05 and B-30-15 of 80 percent below 1990 emissions levels by 2050.

GHGs have the potential to adversely affect the environment because such emissions contribute, on a cumulative basis, to global climate change. Although the emissions of one single project would not cause global climate change,

GHG emissions from multiple projects throughout the world could result in a cumulative impact with respect to global climate change.

The Governor's Office of Planning and Research (OPR) guidance does not include a quantitative threshold of significance to use for assessing a project's GHG emissions under CEQA, nor has CARB established such a threshold or recommended a method for setting a threshold for project-level analysis. In the absence of a consistent statewide threshold, a threshold of significance for analyzing a project's GHG emissions was developed. The issue of setting a GHG threshold is complex and dynamic, especially considering the California Supreme Court decision in *Center for Biological Diversity v. California Department of Fish and Wildlife* (referred to hereafter as the Newhall Ranch decision). The California Supreme Court ruling also highlighted the need for the threshold to be tailored to the specific project type, its location, and the surrounding setting. Therefore, the threshold used to analyze the project is specific to the analysis herein, and the City of Ripon retains the ability to develop and/or use different thresholds of significance for other projects in its capacity as lead agency.

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has guidance on evaluating GHG emissions for stationary source projects using Best Performance Standards (BPS). SJVAPCD defines BPS as "the most effective Achieved-in-Practice means of reducing or limiting GHG emissions from a GHG emissions source" (SJVAPCD 2009). For stationary sources, BPS refers to equipment type, equipment design, and operational and maintenance activities. Because this project has not committed to using BPS in the project design, GHG emissions must be quantified and disclosed in the CEQA document, per SJVAPCD guidance. For the evaluation of this project, an impact would be significant if the project would not incorporate BPS in stationary sources such that emissions are considered consistent with AB 32, SB 32, and CARB's Scoping Plan.

1.8.2 Discussion

- a,b) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Potentially significant. The project would include construction activities to expand the operation of the existing pet food production facility by 33 percent. This would result in increased fuel and energy use, which would result in increased GHG emissions. The increased operation would also increase vehicle trips associated with truck deliveries and worker commute trips. This would also generate additional GHG emissions. The level of additional GHG generated by the project is currently unknown, and it is therefore also unknown whether the potential increase in GHG emissions would be considered consistent with AB 32, SB 32, and CARB's Scoping Plan. Further analysis is required. This impact would be **potentially significant**, and this issue will be evaluated further in the EIR.

1.9 HAZARDS AND HAZARDOUS MATERIALS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hazards and Hazardous Materials. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.9.1 Environmental Setting

The Diamond Pet Food Processing facility is not listed on the California Department of Toxic Substances Control (DTSC) EnviroStor Database as having previous hazardous materials spills. In the surrounding area, two locations are

listed as having or previously having hazardous materials: Evergreen Environmental Services and Nestle Company. Evergreen Environmental Services, located approximately 1.1 miles from the project site was a hazardous waste facility that was closed in 2002 (DTSC 2017). Nestle Company, located approximately one mile from the project site, had a hazardous materials evaluation completed in 1995; site screening was completed and the site was referred to the Central Valley Regional Water Quality Control Board (RWQCB) for oversight of soil and groundwater contamination (DTSC 2017).

The Diamond Pet Food Processing Facility currently uses and stores various hazardous materials onsite and maintains and implements a robust emergency response and evacuation plan.

To address the potential for accidents and spills of hazardous materials, the City has entered into an agreement with the Ripon Consolidated Fire District to participate in the Joint County Hazardous Materials Response team. The Ripon Consolidated Fire District maintains adequate numbers of personnel trained to meet the minimum requirements to maintain membership on the team per team policy (City of Ripon 2006a:4-9).

1.9.2 Discussion

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than significant. Construction activities would involve the use of hazardous materials, such as fuels, lubricants, paints, solvents, gasoline, asphalt, and oil. The use and storage of these materials could potentially expose and adversely affect workers, the public, or the environment as a result of improper handling or use, accident, environmentally unsound disposal methods, or fire, explosion, or other emergencies, resulting in adverse health effects. All allowable uses would be subject to compliance with federal, state, and local hazardous materials regulations, and would be monitored by the State (e.g., Cal/OSHA and DTSC), County, and Diamond. Therefore, it is anticipated that the routine use of these materials handled in accordance with these laws and regulations would not create any impacts to the public or the environment. The Diamond Pet Food Processing Facility currently uses and stores various hazardous materials onsite, and maintains and implements a robust emergency response and evacuation plan. With project operation, the proposed fourth production line would not change the types of hazardous materials stored and handled onsite, but would require an increase of approximately 20 percent in the amount of these materials that would be used. Nonetheless, because all hazardous materials would continue to be used and stored in compliance with federal, state, and local hazardous materials regulations, this impact would be **less than significant**.

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

Less than significant. As described in (a) above, construction and operation of the project would involve the continued use of hazardous materials onsite. While the types of hazardous materials used and stored onsite would not change, project operation would require an approximately 20-percent increase in use in the amount of these materials. However, use of these materials would continue to be handled in accordance with applicable laws and regulations and, through compliance with existing regulations, would not create any reasonably foreseeable upset and/or accident conditions on the public or the environment. Further, Diamond Pet Food Processing Facility maintains and implements a robust emergency response and evacuation plan. Therefore, this impact would be **less than significant**.

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

No impact. There are no existing or proposed schools located within 0.25 mile of the project. The closest school to the project site is Ripon Elementary School, which is located approximately 1.1 miles northwest of the project site. Therefore, **no impact** would occur.

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Less than significant. As described above, under the Environmental Setting, the Diamond Pet Foods Processing Facility is not listed on DTSC's EnviroStor Database as having previous hazardous materials spills. Two locations are listed as having or previously having hazardous materials; however, one site has since been closed and the other site has been referred to the Central Valley RWQCB for oversight (DTSC 2017). Thus, known hazardous materials sites would not be affected during implementation of the project. This impact would be **less than significant**.

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

No impact. The project would not be located within an airport land use plan or within two miles of a public airport or public use airport. The closest airport is the Modesto City-County Airport located 10 miles from the project site. Therefore, the project would not result in a safety hazard for people residing or working in the project area. **No impact** would occur.

- f) **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

No impact. The project site would not be within the vicinity of a private airstrip. Therefore, the project would not result in a safety hazard for people residing or working in the project area. **No impact** would occur.

- g) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

No impact. The City of Ripon does not have an adopted emergency response plan or emergency evacuation plan; however, Diamond Pet Food Processing Facility maintains and implements a robust emergency response and evacuation plan for the facility. The project would result in **no impact**.

- 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?**

No impact. The project would be located within an existing building. No wildlands are located on or adjacent to the project site. Therefore, the project would have **no impact** related to wildland fire risk.

1.10 HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Hydrology and Water Quality.				
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 which would result in substantial on- or offsite erosion or siltation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 which would result in on- or offsite flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Result in inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.10.1 Environmental Setting

The City of Ripon operates its own potable water system using groundwater from two primary aquifers. The city is located in California's Central Valley at the northern end of the San Joaquin Valley (City of Ripon 2006a). Most of the water used in the valley is groundwater. The *City of Ripon General Plan* (2006a) found that "overdraft is not typically a problem in the southern portion of the [groundwater] basin, where Ripon is located."

The City uses four different systems for handling stormwater runoff. Stormwater drainage in the older industrial part of the City west of SR 99 flows into the industrial sewage lines. Another portion is pumped into South San Joaquin Irrigation District lines or canals. The largest portion of the drainage flows by gravity through seven outfalls directly into the Stanislaus River. The commercial area north of SR 99 near Jack Tone Road is collected and taken to a stormwater detention pond. The water can be pumped south into a City gravity storm drainage line in Jack Tone Road that drains into the Stanislaus River. (City of Ripon 2006a:2-73.)

With regards to flooding, the *City of Ripon General Plan* (2006a) lays out where the 100-year floodplain is located along the Stanislaus River. The project site is not located within this floodplain. The city is located approximately 75 miles inland putting it at a low risk for any potential tsunami or seiche waves.

1.10.2 Discussion

a) Violate any water quality standards or waste discharge requirements?

Less than significant. The existing Diamond Pet Foods Processing Facility is subject to Wastewater Discharge Requirements from the Regional Water Quality Control Board that prohibit discharging waste to surface waters, discharging hazardous materials, application of residual solids to land areas, discharging domestic wastewater to the industrial system, discharging water classified as 'designated', treatment system bypass, discharging in a different location, and the discharge of toxic substances. Project construction activities involves installation of equipment that would be assembled offsite and would not involve ground disturbance. Therefore, no stormwater-quality-related permits or control measures would be required for construction. Installation of proposed equipment would not violate water quality standards. Project operation is similarly not expected to violate any water quality standards or waste discharge requirements. As noted above, the Diamond Pet Foods Processing Facility is already subject to Wastewater Discharge Requirements that would remain in effect during project operation. Therefore, this impact would be **less than significant**.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be 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)?

Less than significant. The existing onsite groundwater well provides water to the existing Diamond Pet Foods Processing Facility. Existing groundwater use at the facility is 10,500 gallons per day (gpd). The groundwater is currently treated onsite by reverse osmosis. The project would require an increase of 3,500 gpd in groundwater withdrawal to supply the boiler and the reverse osmosis conditioning cylinders, which is an increase of approximately 33 percent based on existing usage. However, no interference with groundwater recharge would occur because no additional impervious areas would be added. Therefore, a **less-than-significant** impact would occur.

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 which would result in substantial on- or offsite erosion or siltation?

No impact. The project would not change the existing drainage patterns of the site or area, and would not result in substantial on- or off-site erosion or siltation. There would be **no impact**.

- 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 which would result in on- or offsite flooding?**

No impact. The project would not alter any streams or rivers, or substantially increase the rate or amount of surface runoff. **No impact** would occur.

- e) **Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

Less than significant. The project would not add impervious surface areas to the project site, and the amount of stormwater runoff is expected to be similar to existing conditions. The four stormwater drainage systems laid out by the *City of Ripon General Plan (2006a)* flow by gravity through seven discharge points into the Stanislaus River. This helps to prevent any overflow. The project would not increase stormwater runoff and would not contribute to an exceedance of the City's stormwater system capacity.

As noted under a) above, because installation of the equipment involves no ground disturbance, no stormwater-quality-related permits or control measures would be required for construction. Installation of proposed equipment would not violate water quality standards or otherwise result in substantial additional sources of polluted runoff. As noted above, the Diamond Pet Foods Processing Facility is already subject to Wastewater Discharge Requirements that would remain in effect during project operation. As a result, this impact would be **less than significant**.

- f) **Otherwise substantially degrade water quality?**

Less than significant. As described above, under a) and e) project construction would require no ground disturbance, and would not substantially degrade water quality. Diamond is compliant with their current water discharge requirements designed to help prevent degradation of water quality. The project would result in a **less-than-significant** impact.

- 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?**

No impact. The project would not include the construction of housing. Further, the existing facility is not located within the 100-year floodplain. **No impact** would occur.

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

No impact. The project includes installation of equipment within an existing building. The existing facility is not located within the 100-year floodplain. Therefore, the installation of the new equipment would not impede or redirect flood flows. **No impact** would occur.

- 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?**

No impact. The project would be constructed at an existing facility and would not be located close to a levee or dam. Therefore, the project would not create any additional risk of flooding. **No impact** would occur.

- j) **Result in inundation by seiche, tsunami, or mudflow?**

No impact. Inundation of the project by seiche, tsunami, or mudflow has a low potential of occurring due to the project location in an inland (approximately 75 miles from the coast) area and the limited number and size of open water bodies nearby. Ripon is located in the Valley and is relatively flat reducing the risk of inundation by mudflow. **No impact** would occur.

1.11 LAND USE AND PLANNING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Land Use and Planning. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.11.1 Environmental Setting

The *City of Ripon General Plan* (2006a) designates the project site as Heavy Industrial. The Heavy Industrial land use designation applies to manufacturing, processing, assembling, research, wholesale and storage uses, trucking terminals, railroad and freight stations, public and quasi-public uses, and similar and compatible uses.

The City of Ripon zoning map (2006b) identifies the project site zoning as M2 (Heavy Industrial) and RC (Resource Conservation). The northern portion of the project site containing the buildings, parking areas, and driveways is zoned Heavy Industrial, while the southern portion of the project site containing the evaporation ponds and other undeveloped areas is zoned Resource Conservation. The Heavy Industrial district is intended to provide for the continuation and development of heavy manufacturing industries in locations where the use will be compatible with and not adversely impact adjacent land uses. The purposes of the Resource Conservation district are to conserve and protect the natural resources along the Stanislaus River within the City's boundaries, provide maximum public access to River resources, achieve a visually pleasing and compatible relationship between urban development and the natural environment, and provide appropriate standards and criteria for reviewing proposals for recreation or other development.

1.11.2 Discussion

a) Physically divide an established community?

No impact. The project would involve the addition of a forth production line at the existing Diamond Pet Foods Processing Facility. The project site is surrounded by industrial land uses to the north, SR 99 to the east, the Stanislaus River to the south, and undeveloped land to the west. Oak Grove Park is located to the southwest and residential areas are located further to the north, on either side of SR 99. No existing communities would be physically divided by the project. Therefore, **no impact** would occur.

- 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, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

No impact. The project site is designated Heavy Industrial by the *City of Ripon General Plan (2006a)* and is zoned Heavy Industrial and Resource Conservation (City of Ripon 2006b). The project would be consistent with the existing land use designations and zoning and all applicable policies, including those related to environmental protection. Therefore, **no impact** would occur.

- c) **Conflict with any applicable habitat conservation plan or natural community conservation plan?**

No impact. As described in Section 1.4, "Biological Resources," the project site lies within the boundaries of the SJMSCP, on land designated as Category A/No Pay Zone. This category of land is considered urban land already converted from open space. The project would not conflict with provisions of the SJMSCP, nor would it change the current designation of the project site. **No impact** would occur.

1.12 MINERAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Mineral Resources. Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.12.1 Environmental Setting

The *San Joaquin County General Plan* (1992) indicates that the project area does not contain any state or locally designated mineral resources. While no mineral resource sites are specifically identified in the *City of Ripon General Plan* (2006a), Policy D3 directs that "projects in the vicinity of the Stanislaus River should be referred to the California Department of Conservation for comment with regard to mineral resources in conjunction with project CEQA reviews."

1.12.2 Discussion

- 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 impact. Because the project site is currently developed with an operating industrial use and because the project site does not contain any state or locally designated mineral resources, the project would not 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. Therefore, **no impact** would occur.

- b) **Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

No impact. There are no locally important mineral resource recovery sites delineated on a local general plan, specific plan, or other land use plan that include the project site. Therefore, **no impact** would occur.

1.13 NOISE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII.Noise. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.13.1 Environmental Setting

Noise levels are typically discussed as A-weighted decibel (dBA), a sound level scale that includes the frequencies of sound to which the human ear is most sensitive. Decibels are a unit of measurement indicating the relative amplitude or intensity of a sound. Noise can be described in a number of ways. Typically, community noise levels are described as 24-hour noise levels that add penalties for the noise-sensitive times of the day. These include the community equivalent noise level (CNEL) and the day-night (L_{dn}) noise level. Other noise descriptors are used to describe short-term noise events such as the average noise level (L_{eq}) over a given period of time or the instantaneous maximum noise level (L_{max}).

The intensity of a sound and the subjective noisiness or loudness is related as is the intensity of a sound and a sensitive receptor's distance to that sound. Noise from construction activities and stationary sources is considered a "point source" of noise. Sound from this type of source radiates uniformly outward in a spherical pattern. The rate at which noise typically dissipates from a point source is 6 to 7.5 dBA for each doubling of the distance, depending on the ground absorption, atmospheric conditions, and other shielding factors. Traffic noise appears to be from a line rather than a point as the vehicles are moving and the noise spreads cylindrically rather than spherically. The rate at

which traffic noise generally dissipates is 3 to 4.5 dBA for each doubling of the distance, depending on other shielding factors.

EXISTING NOISE ENVIRONMENT

Noise in the City of Ripon is primarily from vehicular traffic and railroad operations, with some noise from aircraft operations. Within the City, the major sources of existing noise are the traffic along SR 99 and the train operations on Union Pacific Railroad. Roadway noise on other major routes also contribute to the community noise levels. Noise more than 65 day-night average level (L_{dn}) along most local streets and roads is within street rights-of-way (City of Ripon 2006a:4-11.)

Existing noise sources at the Diamond Pet Foods Processing Facility include pumps, compressors, fans, air dryers, standby generators, loading docks, and vehicle traffic, which is typical of a food processing plant.

Noise-sensitive land uses include Oak Grove Park, which is located approximately 0.5 mile southwest of the project site, and residential areas located approximately 0.3 mile to the north, on both sides of SR 99. The closest school to the project site is Ripon Elementary School, which is located approximately 1.1 miles northwest of the project site.

CITY OF RIPON MUNICIPAL CODE

The maximum allowable noise standards for the City of Ripon are shown in Table 1.13-1.

Table 1.13-1 Maximum Allowable Exterior Noise Levels

Receiving Land Use Category	Time Period	Maximum Exterior Noise Level (dBA)
Single and limited multiple family	10 p.m. to 7 a.m.	50
	7 a.m. to 10 p.m.	60
Multiple family, public institutional and neighborhood commercial	10 p.m. to 7 a.m.	55
	7 a.m. to 10 p.m.	60
Medium and heavy commercial	10 p.m. to 7 a.m.	60
	7 a.m. to 10 p.m.	65
Light Industrial	Anytime	70
Heavy Industrial	Anytime	75

Source: Chapter 16.156, Performance Standards, of the City of Ripon Municipal Code

1.13.2 Discussion

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

The following discussion addresses items a), c), and d).

Short-Term Construction Source Noise

Less than significant. Construction noise typically occurs intermittently and changes during construction phases (e.g., demolition/land clearing, grading and excavation, building construction). Typical noise levels for individual pieces of construction equipment range from approximately 80 to 85 dBA at 50 feet (U.S. Department of Transportation, Federal Highway Administration 2006). Project construction would generate noise and temporarily increase noise levels on the project site. Construction activities would involve the use of typical construction equipment, such as a crane, forklifts, welding machines, generators, and hand tools. Potential increased noise from construction would be temporary and would cease once the project is complete (approximately 10 months). Construction would occur inside the existing building, which would substantially reduce the potential for substantial increase in exterior noise levels. As proposed, all exterior construction activities (primarily equipment movement and staging) would take place between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday and (if needed) between 10:00 a.m. and 6:00 p.m. on Sunday.

Depending on the activities performed and equipment usage requirements, combined average-hourly noise levels at construction sites typically range from approximately 65 to 89 dBA L_{eq} at 50 feet (U.S. Environmental Protection Agency 1971). Assuming a maximum construction noise level of 89 dBA L_{eq} and an average attenuation rate of 6 dBA per doubling of distance from the source, noise levels at the nearest sensitive receptors—residential areas located approximately 0.3 mile to the north on both sides of SR 99—would not exceed 60 dBA L_{eq} , which is the City's maximum exterior noise level for residential land uses during the day (7 a.m. to 10 p.m.). Therefore, short-term construction noise would not result in the exposure of persons to or generation of noise levels in excess of applicable standards. This impact would be **less than significant**.

Long-Term Operational Noise

Less than significant. Existing noise associated with current operation of the Diamond Pet Foods Processing Facility includes pumps, compressors, fans, air dryers, standby generators, loading docks, and vehicle traffic, which is typical of a food processing plant. Operation of the proposed fourth production line would require eight additional employees and, therefore, would generate additional employee vehicle trips. With the addition of the fourth production line, the number of both truck and rail deliveries would increase, resulting in increased noise from truck and rail traffic. However, when considering increases in noise, it takes a doubling of the noise source to result in a perceptible (i.e., 3 dB) increase in noise. Eight additional employees would not result in a doubling in traffic on any associated roadways and, therefore, would not result in an audible increase in traffic noise.

Regarding new stationary noise sources, the proposed additional production line would operate in a similar fashion to the existing three production lines and would be expected to generate the same types and levels of noise as the existing equipment. Similar to the discussion above for traffic noise, a doubling of the noise source would be required to result in an audible increase in noise. The addition of one production line, and associated noise sources, to the existing three production lines would not result in a doubling of the noise sources or an audible increase in noise. Further, the production line and associated equipment would be completely enclosed within the facility walls, similar to current operations. The additional production line would not result in an audible increase in traffic or stationary noise over existing conditions. Therefore, the project's long-term operations would not result in the exposure of people to additional long-term operational noise levels, and additional noise would not exceed the applicable City noise standards. This impact would be **less than significant**.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less than significant. Project construction may result in varying degrees of temporary groundborne vibration and noise, depending on the specific construction equipment used and activities involved. It is expected that the highest levels of groundborne vibration and noise levels associated with the project would be generated by trucks and railcars used to deliver materials to and from the project site, both during construction and long-term project operation. As described in items a), c), and d), above, the existing Diamond Pet Foods Processing Facility is located in an industrial area with noise and vibration levels typical of industrial land uses. While the project would increase the number of trucks and railcars entering and exiting the project site, this is an existing noise and vibration source.

Further, the project site is located sufficiently distant from the nearest sensitive receptors (0.3 mile away, with SR 99 separating the residential and industrial land uses), such that any increased noise and vibration levels from project construction and operation would not be discernable from existing noise and vibration levels. Thus, the project would not result in the exposure of sensitive receptors to excessive groundborne noise or vibration levels. Therefore, this impact would be **less than significant**.

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

No impact. The project would not be located within an airport land use plan or within two miles of a public airport or public use airport. The closest airport is the Modesto City-County Airport located 10 miles from the project site. Therefore, the project would not expose people residing or working in the project area to excessive noise levels associated with airports. **No impact** would occur.

- f) **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

No impact. This project site would not be within the vicinity of a private airstrip. Therefore, the project would expose people residing or working in the project area to excessive noise levels associated with private airstrips. **No impact** would occur.

1.14 POPULATION AND HOUSING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. Population and Housing. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing homes, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.14.1 Environmental Setting

The City of Ripon's population in 2010 was approximately 14,297 (U.S. Census Bureau 2010). California Department of Finance (2018) estimates that the 2018 population of Ripon is 15,847. No houses are located on or adjacent to the project site, which is surrounded by industrial land. The nearest residences are located approximately 0.3 mile north of the project site on both sides of SR 99.

1.14.2 Discussion

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

Less than significant. The project would require up to eight new employees to operate the expanded Diamond Pet Foods Processing Facility. Project construction would occur over a 10-month period for installation of the Line Four processing equipment and would require 15 construction workers per day. It is assumed that new employees and temporary construction workers would be local residents and would not induce growth in the project area, either directly or indirectly. Because the increase in employees would be minimal compared to the available labor pool, the project would have a **less-than-significant** impact on population growth.

- b) Displace substantial numbers of existing homes, necessitating the construction of replacement housing elsewhere?

No impact. The project would be located at the existing Diamond Pet Foods Processing Facility. No existing homes would be removed or displaced by the project's construction or operational activities. Therefore, **no impact** would occur.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No impact. As described in item b) above, the project would be located at the existing Diamond Pet Foods Processing Facility, which is in an industrial area. The project would not displace people or require the construction of replacement housing. Therefore, **no impact** would occur.

1.15 PUBLIC SERVICES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Public Services. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.15.1 Environmental Setting

The Ripon Consolidated Fire District covers an area of approximately 55 square miles, of which approximately 3.5 square miles is within the city limits. The Ripon Consolidated Fire District has three stations and 11 paramedic/EMT firefighters, as well as a fire chief, fire inspector, and administrative staff (Ripon Consolidated Fire District 2017). The nearest fire station to the project site is located at 142 S. Stockton Avenue, approximately 0.5 mile from the project site.

The Ripon Police Department is located at 259 N. Wilma Avenue, approximately 1.3 miles from the project site. The City's police force includes approximately 23 sworn police officers and two community service officers (Ripon Police Department 2017).

The closest school to the project site is Ripon Elementary School, which is located approximately 1.1 miles northwest of the project site. Oak Grove Park is the nearest recreational facility and is approximately 0.5 mile southwest of the project site.

1.15.2 Discussion

- a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 public services:

Fire protection, police protection, schools, parks, and other public facilities?

Less than significant. The proposed Line Four would be located inside an existing facility that is currently provided applicable public services and would not increase the demand for these services to serve the facility. As stated in Section 1.14, "Population and Housing," the project would require up to eight new employees to operate the expanded Diamond Pet Foods Processing Facility. Project construction would occur over a 10-month period for installation of the Line Four processing equipment and would require 15 construction workers per day. It is assumed that these workers would be local residents who would not increase the demand for public services nor generate the need for new or physically altered governmental facilities. Therefore, the project would have a **less-than-significant** impact related to public services.

1.16 RECREATION

ENVIRONMENTAL ISSUES		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI.	Recreation. Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.16.1 Environmental Setting

No recreational facilities or activities are located on or adjacent to the project site. Oak Grove Park is the nearest recreational facility and is approximately 0.5 mile southwest of the project site.

1.16.2 Discussion

- 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?

Less than significant. As stated in Section 1.14, "Population and Housing," the project would require up to eight new employees to operate the expanded Diamond Pet Foods Processing Facility. It is assumed that these workers would be local residents who would not increase the use of existing parks or other recreational facilities such that substantial physical deterioration would occur or be accelerated. Therefore, this impact would be **less than significant**.

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

No impact. As described in item a) above, there would be minimal new employment opportunities and no new residential land uses that would increase demand for recreational facilities to the extent that new or expanded recreational facilities would be required. Therefore, **no impact** would occur.

1.17 TRANSPORTATION/TRAFFIC

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Transportation/Traffic. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.17.1 Environmental Setting

Regional access to the project site is provided by SR 99, which extends in a north-south direction through San Joaquin County and contains six lanes in the City of Ripon. Main Street and South Stockton Road provide direct access to the project site. The roads are paved leading to the facility, which is located in a heavy industrial area. Jack Tone Road, located approximately one mile from the project site, is the city's main connection to the freeway (City of Ripon 2006a).

According to the City's General Plan (City of Ripon 2006a), Ripon has little in the way of traffic congestion. Most streets have plenty of capacity, and peak hours are not a serious issue. The heaviest amount of congestion is at SR 99

especially during peak commute periods; the State Route 99/Jack Tone Road interchange; and Colony and Santos intersections where heavy truck traffic leads to delays.

The Union Pacific Railroad runs parallel to SR 99. The main route through the San Joaquin Valley runs directly through the City of Ripon (City of Ripon 2006a). Most of the development around the railroad is commercial or industrial. According to the *City of Ripon General Plan* (2006a), roughly 16 to 18 trains operate per day. Each train consists of about three locomotives, 80 cars, and travels at speeds up to 60 miles per hour.

The Diamond Pet Foods Processing Facility generates traffic related to staff commuting to and from work, deliveries of raw materials to the facility, and the shipping of product from the facility. Deliveries to the facility are made by truck and rail; shipments from the facility are made by truck. Raw material deliveries to the facility currently require 114 trucks and 19 railcars per week. Product deliveries from the facility require 190 trucks per week. Delivery locomotive to the facility requires 19 locomotives per week.

1.17.2 Discussion

- a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

Potentially significant. Construction and operation of the fourth production line would generate additional traffic associated with construction workers, additional Diamond employees, and delivery trucks. Additional evaluation is needed to determine if the project could conflict with an applicable plan, ordinance, or policy related to transportation system performance. Therefore, this impact would be **potentially significant**, and this issue will be analyzed further in the EIR.

- b) **Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

Potentially significant. See discussion under a) above. Additional evaluation is needed to determine potential conflicts with an applicable congestion management program. Therefore, this impact would be **potentially significant**, and this issue will be analyzed further in the EIR.

- 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?**

No impact. The closest airport to the project site is the Modesto City-County Airport, located ten miles from the project site. The project does not propose any uses that could have an effect on air traffic patterns. There would not be an increase in existing building height to interfere with any air traffic. Therefore, **no impact** would occur.

- d) **Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

No impact. The project would be located at an existing facility and would not require construction of new roads or design features. Construction and delivery traffic would use existing roads and driveways to access the site. **No impact** would occur.

e) Result in inadequate emergency access?

No impact. Construction-related equipment and vehicles would park at the project site and would not block roadways or result in inadequate emergency access. Emergency access would be maintained during project construction and operation. **No impact** would occur.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No impact. Project construction and operation would not result in the removal of, or need for, alternative transportation facilities such as bus turnouts or bicycle racks. The project would be located in an industrial area and it is expected that the eight new employees would travel to the project site primarily in personal vehicles, consistent with existing employee travel behavior. Therefore, the project would not generate need for alternative transportation facilities and would not conflict with adopted policies, plans, or programs supporting alternative transportation. **No impact** would occur.

1.18 TRIBAL CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. Tribal Cultural Resources. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.18.1 Environmental Setting

Assembly Bill (AB) 52, signed by Governor Edmund G. Brown, Jr., in September 2014, established a new class of resources under CEQA: "tribal cultural resources" (TCRs). AB 52, as provided in PRC Sections 21080.3.1, 21080.3.2, and 21082.3, requires that lead agencies undertaking CEQA review must, upon written request of a California Native American Tribe, begin consultation once the lead agency determines that the application for the project is complete, prior to the issuance of a Notice of Preparation (NOP) of an environmental impact report (EIR) or notice of intent to adopt a negative declaration or mitigated negative declaration.

AB 52 applies to those projects for which a lead agency had issued a NOP of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration on or after July 1, 2015. Therefore, the requirements of AB 52 apply and the City of Ripon has initiated consultation with Tribes that have requested consultation. The City is not currently aware of any TCRs that exist in the vicinity of the project.

1.18.2 Discussion

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

No impact. It is possible that consultation with tribes pursuant to AB 52 could identify TCRs in the project vicinity. However, the project does not include ground disturbance and involves installation of equipment inside an existing facility. Although TCRs may be identified, such resources would not be substantially affected by the project. **No impact** would occur.

- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

No impact. See discussion under a) above. Although TCRs may be identified during the AB 52 consultation process, the project does not include ground-disturbing activities, and equipment would be located inside an existing structure. **No impact** would occur.

1.19 UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL ISSUES		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX.	Utilities and Service Systems. Would the project:				
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.19.1 Environmental Setting

Existing water demands at the Diamond Pet Foods Processing Facility are met by Diamond's onsite groundwater well. Existing groundwater use at the facility is 10,500 gpd. The groundwater is currently treated onsite by reverse osmosis.

Wastewater at the facility is produced from the wash-down of the reverse osmosis cylinders and from the peaker power plant east of the facility. The wastewater is treated onsite by Diamond's clarifier and evaporation ponds, all of which are permitted by the regional water quality control board (RWQCB).

The Central Valley RWQCB (2012) dictated Waste Discharge Requirements for the Diamond Pet Foods Processing Facility when the facility opened in 2013. The Central Valley RWQCB laid out what Diamond would be using their water for, including how many gallons would be used compared to the paper mill that previously operated on the project site. The existing Diamond Pet Foods Processing Facility generates an average of 9,000 gpd of wastewater while the maximum capacity of the system is 12,000 gpd. The groundwater for dilution average for the existing facility

is 365,760 gpd. The total influent of water for the existing facility is 701,100 gpd and the maximum flow rate is 956,130 gpd.

Solid waste generated by the project would be disposed of at Foothill Sanitary Landfill (in Linden, CA) or recycled at an appropriate facility. Based on the current permit, Foothill Sanitary Landfill is projected to be in operation until 2082; average daily volume at the landfill is 566 tons (San Joaquin County 2017).

1.19.2 Discussion

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

Less than significant. Wastewater at the facility is produced from the wash-down of the reverse osmosis cylinders and from the peaker power plant east of the facility. As noted above, the existing facility generates an average of 9,000 gpd of wastewater while the maximum capacity of the system is 12,000 gpd. The project would result in an incremental increase in wastewater generation amounting to approximately 1,600 gpd, which is an increase of approximately 13 percent based on the maximum capacity of the system. There would be no increase in wastewater from the peaker plant. Similar to existing operating conditions, the project's wastewater would be treated onsite by Diamond's clarifier and evaporation ponds. The project would not exceed wastewater treatment requirements of the Central Valley RWQCB. Therefore, this impact would be **less than significant**.

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?

No impact. The existing Diamond facility uses and treats onsite groundwater for potable purposes. As discussed in Section 1.10, "Hydrology and Water Quality," the project would result in a minor increase in water use, which would be provided by available onsite groundwater. Further, as discussed under a) above, the Diamond facility treats wastewater onsite and the incremental increase in wastewater would not require upgrades to existing treatment facilities. Therefore, **no impact** would occur.

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

No impact. The project site contains stormwater drainage and erosion features that drain runoff from incidental rainfall. Surface runoff from the Diamond facility currently drains into two existing, onsite retention basins. The project site is relatively flat and a large portion of the 157-acre property is composed of impervious surfaces. The project includes installation of the fourth production line inside the existing facility. No increase in stormwater rate or volume would result. Therefore, **no impact** would occur.

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

Less than significant. Existing water demands at the Diamond Pet Foods Processing Facility are met by Diamond's onsite groundwater well. Existing groundwater use at the facility is 10,500 gpd. The groundwater is currently treated onsite by reverse osmosis. The project would require 3,500 gpd in groundwater withdrawal to supply the boiler and the reverse osmosis conditioning cylinders, which is an increase of approximately 33 percent based on existing usage; however, no new or expanded entitlements would be needed. This impact would be **less than significant**.

- 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?**

Less than significant. As discussed in item a), above, the project would result in an incremental increase in wastewater generation amounting to approximately 1,600 gpd, which is an increase of approximately 13 percent based on the maximum capacity of the system. The project would not exceed wastewater treatment requirements of the Central Valley RWQCB, nor would it exceed the capacity of the onsite wastewater treatment system. Therefore, this impact would be **less than significant**.

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

Less than significant. Construction activities would generate small amounts of waste that may require off-site disposal. Non-hazardous waste generated during construction would include common household trash, cardboard, wood pallets, copper wire, scrap metal and wood wire spools, and packaging materials for equipment and parts. All solid waste generated during construction would be collected and disposed or recycled by the contractor at Foothill Sanitary Landfill (in Linden, CA), and any hazardous waste would be disposed of off-site in accordance with all applicable laws pertaining to the handling and disposal of hazardous waste.

Operation of the project would generate solid waste through the processing of pet food products, and would incrementally increase the facility's current generation of solid waste (with the addition of the fourth production line). Waste generated during project operation would be collected and disposed of or recycled in accordance with state and federal laws.

It is not anticipated that the amount of solid waste generated by the project would exceed the capacity of Foothill Sanitary Landfill, which is projected to be in operation until 2082 based on the current permit; average daily volume at the landfill is 566 tons (San Joaquin County 2017). Therefore, this impact would be **less than significant**.

- g) **Comply with federal, state, and local statutes and regulations related to solid waste?**

Less than significant. Disposal of the solid waste generated by the project at the Foothill Sanitary Landfill (in Linden, CA) or at an appropriate recycling facility would comply with federal, state, and local statutes and regulations. Therefore, this impact would be **less than significant**.

1.20 MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. Mandatory Findings of Significance.				
a) Does the project have the potential to substantially 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 an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Authority: Public Resources Code Sections 21083, 21083.5.

Reference: Government Code Sections 65088.4.

Public Resources Code Sections 21080, 21083.5, 21095; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

1.20.1 Discussion

- a) Does the project have the potential to substantially 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 an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

No impact. As described above in Section 1.4, "Biological Resources," the project site is currently developed with an existing industrial use. The project includes installation of equipment, which does not require ground-disturbing activities. In addition, the equipment would be installed in an existing building. **No impact** to wildlife species and populations would occur.

- 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.)

Potentially Significant. As discussed in various sections of this Initial Study, the project could result in potentially significant impacts related to air quality/odors, energy use, GHG emissions, and traffic. Depending on the level of project impacts, it is possible that project impacts could contribute to cumulative impacts associated with other projects. This impact would be **potentially significant** and will be analyzed further in the EIR.

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

Potentially Significant. As discussed in various sections of this Initial Study, the project could result in **potentially significant** impacts related to air quality/odors and GHG emissions, which could result in direct or indirect impacts to human beings. These issues will be analyzed further in the EIR.

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Scoping Comments

Central Valley Regional Water Quality Control Board

5 December 2018

Ken Zuidervaart
City of Ripon
259 North Wilma Avenue
Ripon, CA 95366

CERTIFIED MAIL
7018 1830 0001 0062 3480

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, DIAMOND PET FOODS PROJECT, SCH# 2018112039, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse's 14 November 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environment Impact Report* for the Diamond Pet Foods Project, located in San Joaquin County.

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

I. Regulatory Setting

Basin Plan

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

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

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

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

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

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

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

(SWPPP).

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

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

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

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

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

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

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

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

Industrial Storm Water General Permit

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

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

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

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

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

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

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

Clean Water Act Section 401 Permit – Water Quality Certification

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

Waste Discharge Requirements – Discharges to Waters of the State

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

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

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

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

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

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

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

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

Regulatory Compliance for Commercially Irrigated Agriculture

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

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Limited Threat General NPDES Permit

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

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

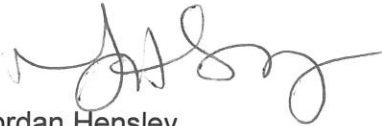
NPDES Permit

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

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

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

A handwritten signature in black ink, appearing to read 'J. Hensley', with a stylized flourish at the end.

Jordan Hensley
Environmental Scientist

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

NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department
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West Sacramento, CA 95691
Phone (916) 373-3710
Email: nahc@nahc.ca.gov
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December 3, 2018

Ken Zuidervaart
City of Ripon
259 N. Wilma Avenue
Ripon, CA 95366

RE: SCH# 2018112039 Diamond Pet Foods Project, San Joaquin County

Dear Mr. Zuidervaart:

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

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

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

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

AB 52

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

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

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

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

SB 18

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

Some of SB 18's provisions include:

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

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

NAHC Recommendations for Cultural Resources Assessments

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

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

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

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

Sincerely,



for
Sharaya Souza
Staff Services Analyst

cc: State Clearinghouse



SAN JOAQUIN COUNCIL OF GOVERNMENTS

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San Joaquin County Airport Land Use Commission/Congestion Management Agency

December 18, 2018

Ken Zuidervaat
Department of Planning and Community Development
259 North Wilma
Ripon, CA 95366

Robert Rickman

CHAIR

Doug Kuehne

VICE CHAIR

Andrew T. Chesley

EXECUTIVE DIRECTOR

Member Agencies

CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF SAN
JOAQUIN

Re: NOP of a DEIR for the Proposed Diamond Pet Foods Project (Deadline: 12/18/2018)

Dear Ken Zuidervaat,

The San Joaquin Council of Governments (SJCog), acting as the Airport Land Use Commission (ALUC) and Congestion Management Agency (CMA), has reviewed a Notice of Preparation referral for a DEIR of the Proposed Diamond Pet Foods Project. The applicant proposes to add a fourth production line to its existing facility in the City of Ripon. The expansion would be contained almost entirely within the existing physical structure of the existing production plant located at 942 South Stockton Avenue, Ripon, CA 95366.

CONGESTION MANAGEMENT AGENCY'S REVIEW

SJCog adopted the 2018 Update to the Regional Congestion Management Program (RCMP) (<http://www.sjcog.org/rcmp>) on April 26, 2018. Chapter 6 of the RCMP describes the updated Land Use Analysis Program, including Tier 1 and Tier 2 review/analysis requirements, analysis methods, impact significance criteria, and mitigation.

This project does not meet the Tier 2 threshold; thus, no additional environmental documentation is requested at this time.

AIRPORT LAND USE COMMISSION'S REVIEW

This project is not located within any airport influence area; thus, an ALUC review is not required.

SJCog would still like to provide standards and project design conditions that comply with the Airport Land Use Compatibility Plan (<https://www.sjcog.org/ALUC>) as a reference guide. *Note: Jurisdictions determine if the following standards and conditions apply to this project.*

1. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:

- a. Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs).
 - b. Sources of dust, steam, or smoke which may impair pilot visibility.
 - c. Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.
 - d. Occupied structures must be soundproofed to reduce interior noise to 45 decibel(dB) according to State guidelines.
 - e. Within the airport's influence area, ALUC review is required for any proposed object taller than 100 feet above ground level (AGL).
2. Regardless of location within San Joaquin County, ALUC review is required in addition to Federal Aviation Administration (FAA) notification in accordance with Code of Federal Regulations, Part 77, (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>) for any proposal for construction or alteration under the following conditions:
- a. If requested by the FAA.
 - b. Any construction or alteration that is more than 200 ft. AGL at its site.
 - c. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:
 - i. 100 to 1 for a horizontal distance of 20,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 ft.
 - ii. 50 to 1 for a horizontal distance of 10,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway no more than 3,200 ft.
 - iii. 25 to 1 for a horizontal distance of 5,000 ft. of the nearest take off and landing area of a public use heliport
 - d. Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
 - e. Any construction or alteration located on a public use airport or heliport regardless of height or location.

Thank you again for the opportunity to comment. Please contact CMA and ALUC staff Joel G. Campos (209-235-1090 or campos@sjcog.org) if you have any questions or comments.

Sincerely,



Joel G. Campos



San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT



DEC 11 2018

Ken Zuidervaart
City of Ripon
Planning Department
259 N. Wilma Avenue
Ripon, CA 95366

Project: Notice of Preparation of a Draft Environmental Impact Report for the Proposed Diamond Pet Foods Project

District CEQA Reference No: 20181277

Dear Mr. Zuidervaart:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Diamond Pet Foods Project. The proposed project consists of adding a fourth production line to the existing Diamond Pet Foods facility (Project) located at 942 S. Stockton Avenue in Ripon, CA. The District offers the following comments:

Emissions Analysis

- 1) At the federal level for the National Ambient Air Quality Standards (NAAQS), the District is currently designated as extreme nonattainment for the 8-hour ozone standards; nonattainment for the PM2.5 standards; and attainment for the 1-Hour ozone, PM10 and CO standards. At the state level, the District is currently designated as nonattainment for the 8-hour ozone, PM10, and PM2.5 California Ambient Air Quality Standards (CAAQS). The District recommends that the Air Quality section of the Environmental Impact Report (EIR) include a discussion of the following impacts:
 - a) **Criteria Pollutants:** Project related criteria pollutant emissions should be identified and quantified. The discussion should include existing and post-project emissions.
 - i) **Construction Emissions:** Construction emissions are short-term emissions and should be evaluated separately from operational emissions. For reference, the District's annual criteria thresholds of significance for construction are: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx),

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10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).

- *Recommended Mitigation Measure if needed:* To reduce impacts from construction related exhaust emissions, the District recommends feasible mitigation for the project to utilize off-road construction fleets that can achieve fleet average emissions equal to or cleaner than the Tier III emission standards, as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations. This can be achieved through any combination of uncontrolled engines and engines complying with Tier III and above engine standards.
- ii) **Operational Emissions:** Permitted (stationary sources) and non-permitted (mobile sources) sources should be analyzed separately. For reference, the annual criteria thresholds of significance for operation of permitted and non-permitted sources each are: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).
- *Recommended Mitigation Measure if needed:* Project related impacts on air quality can be reduced through incorporation of design elements, for example, that increase energy efficiency, reduce vehicle miles traveled, and reduce construction exhaust related emissions.
- iii) **Recommended Model:** Project related criteria pollutant emissions from construction and operation non-permitted (limited to equipment not subject to District permits) should be identified and quantified. Emissions analysis should be performed using CalEEMod (**California Emission Estimator Model**), which uses the most recent approved version of relevant Air Resources Board (ARB) emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.
- b) **Nuisance Odors:** The Project should be evaluated to determine the likelihood that the Project would result in nuisance odors. Nuisance orders are subjective, thus the District has not established thresholds of significance for nuisance odors. Nuisance odors may be assessed qualitatively taking into consideration of Project design elements and proximity to off-site receptors that potentially would be exposed objectionable odors.

- c) **Health Risk Screening/Assessment:** A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TAC's) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAC's are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) (<https://www.arb.ca.gov/toxics/healthval/healthval.htm>) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. Industry specific TACs generated must also be identified and quantified.

The District recommends the Project be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAC emissions.

- i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using CAPCOA's updated methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed. The prioritization calculator can be found at:
http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS.
- ii) The District recommends a refined HRA for projects that result in a prioritization score of 10 or greater. It is recommended that the Project proponent contact the District to review the proposed modeling protocol. The Project would be considered to have a significant health risk if the HRA demonstrates that the Project related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices.

Please provide the following information electronically to the District for review:

- HRA AERMOD model files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodology.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: hramodeler@valleyair.org; or

- The District can be contacted at (559) 230-6000 for assistance; or
- Visiting the District's website (Modeling Guidance) at http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm

- d) **Ambient Air Quality Analysis:** An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the ambient air quality standards. The District recommends that an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

If an AAQA is performed, the analysis should include emissions from both Project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis. Specific information for assessing significance, including screening tools and modeling guidance is available online at the District's website www.valleyair.org/ceqa.

- 2) In addition to the discussions on potential impacts identified above, the District recommends the EIR also include the following discussions:

- a) A discussion of the methodology, model assumptions, inputs and results used in characterizing the Project's impact on air quality. To comply with CEQA requirements for full disclosure, the District recommends that the modeling outputs be provided as appendices to the EIR. The District further recommends that the District be provided with an electronic copy of all input and output files for all modeling.
- b) A discussion of the components and phases of the Project and the associated emission projections, including ongoing emissions from each previous phase.
- c) A discussion of Project design elements and mitigation measures, including characterization of the effectiveness of each mitigation measure incorporated into the Project.
- d) A discussion of whether the Project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment. More information on the District's attainment status can be found online by visiting the District's website at: <http://valleyair.org/aqinfo/attainment.htm>.

District Rules and Regulations

- 3) The proposed Project may be subject to District rules and regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).
- 4) This Project will be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require District permits. The applicant has submitted an Authority to Construct (ATC) permit application (Project# N-1172974) for this Project and is currently going through the permitting process. For further information or assistance, the Project proponent may contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.
- 5) As stated above, the Project will be subject to District Rule 2010 and Rule 2201. Per Section 4.4.3 of District Rule 9510 (Indirect Source Review), any project whose primary functions are subject to District Rule 2010 and Rule 2201 is exempted from Rule 9510. Therefore, the District concludes that the proposed Project is not subject to District Rule 9510.
- 6) The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (209) 557-6446. Current District rules can be found online at the District's website at: www.valleyair.org/rules/1ruleslist.htm.

The District recommends that a copy of the District's comments be provided to the Project proponent. If you have any questions or require further information, please call Sharla Yang at (559) 230-5934.

Sincerely,

Arnaud Marjollet
Director of Permit Services



Brian Clements
Program Manager

AM: sy