

**CITY OF LATHROP
NOTICE OF PREPARATION
OF AN ENVIRONMENTAL IMPACT REPORT
AND NOTICE OF PUBLIC SCOPING MEETING
FOR THE
LATHROP CONSOLIDATED TREATMENT FACILITY
SURFACE WATER DISCHARGE PROJECT**

Date: November 14, 2019

To: Responsible Agencies, Trustee Agencies, and Interested Persons

Re: Notice of Preparation of a Draft Environmental Impact Report for the Lathrop Consolidated Treatment Facility Surface Water Discharge Project

Lead Agency: City of Lathrop

Contact: Glenn Gebhardt, City Engineer
390 Towne Centre Drive
Lathrop, CA 95330
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Comment Period: November 18, 2019 to December 17, 2019

In accordance with the provisions of the California Environmental Quality Act (CEQA), the City of Lathrop (City) has determined that the proposed Lathrop Consolidated Treatment Facility (CTF) Surface Water Discharge Project will require preparation of an Environmental Impact Report (EIR). The purpose of this Notice of Preparation (NOP) is to provide sufficient information describing the proposed project and the potential environmental effects to enable meaningful input related to the scope and content of information to be included in the EIR.

This NOP initiates the CEQA scoping process. The City will be the lead agency for preparation of the EIR. The State Water Resources Control Board may also use this EIR for issuance of State Revolving Funds (SRF) under an EPA-funded grant program. If the City seeks SRF funding, this EIR will also be prepared under the requirements for SRF funding, which means the EIR will also be used by federal agencies for their permitting process and will cover many of the issues needed to meet the requirements of the National Environmental Policy Act (NEPA).

Documents related to the EIR will be available for review on the City's website at <https://www.ci.lathrop.ca.us/com-dev/page/public-review-documents>.

PUBLIC REVIEW PERIOD

This NOP is being circulated for public review and comment for a period of 30 days beginning November 18, 2019. The City will hold a public scoping meeting to inform interested parties about the proposed project and to provide agencies and the public with an opportunity to provide comments on the scope and content of the EIR. The public scoping meeting will be held at Lathrop City Hall as follows:

Scoping Meeting:
Wednesday, December 4, 2019
2:00 p.m. to 3:00 p.m.
Lathrop City Hall, Council Chambers
390 Towne Centre Drive
Lathrop, CA 95330

Copies of the full Notice of Preparation may be reviewed online and in person at the following locations:

- ▲ Stockton-San Joaquin County Public Library–Lathrop Branch Library, 450 Spartan Way, Lathrop, CA 95330, during library hours;
- ▲ Lathrop City Hall, Front Counter in the Lobby; 390 Towne Centre Drive, Lathrop, CA 95330 between 8:00 a.m. and 6:00 p.m. Monday through Thursday or 8:00 a.m. and 5:00 p.m. on Friday; or
- ▲ Online at: <https://www.ci.lathrop.ca.us/com-dev/page/public-review-documents>.

Your views and comments on how the project may affect the environment are welcomed. Please contact Mr. Gebhardt if you have any questions about the environmental review process for the Lathrop CTF Surface Water Discharge Project.

PROVIDING COMMENTS ON THIS NOTICE OF PREPARATION

Written and/or email comments on the NOP should be provided at the earliest possible date, but must be received by no later than 5:00 p.m. on Tuesday, December 17, 2019. Please send all comments on the NOP to:

City of Lathrop
Attn: Glenn Gebhardt, City Engineer
390 Towne Centre Drive
Lathrop, CA 95330
Email: website_pwk@ci.lathrop.ca.us

If you are from an agency that will need to consider the EIR when deciding whether to issue permits or other approvals for the project, please provide the name of a contact person. Comments provided by email should include the name and mailing address (e-mail or physical) of the commenter in the body of the email.

Focus of Input

The City relies on responsible and trustee agencies to provide information relevant to the analysis of resources falling within its jurisdiction. The City encourages input for the proposed EIR, with a focus on the following topics:

Scope of Environmental Analysis. Guidance on the scope of analysis for this EIR, including identification of specific issues that will require closer study due to the location, scale, and character of the Lathrop CTF Surface Water Discharge Project;

Mitigation Measures. Ideas for feasible mitigation that could potentially be imposed by the City to avoid, eliminate, or reduce potentially significant or significant impacts;

Alternatives. Suggestions for alternatives to the Lathrop CTF Surface Water Discharge Project that could potentially reduce or avoid potentially significant or significant impacts; and

Interested Parties. Identification of public agencies, public and private groups, and individuals that the City should notice regarding this Lathrop CTF Surface Water Discharge Project and the accompanying EIR.

PROJECT LOCATION

Lathrop is located within the Interstate 5 (I-5) corridor, within an approximately 50-minute drive (or less) of the cities of Tracy, Manteca, Stockton, Lodi, Modesto, Livermore, and Pleasanton (Figure 1). Lathrop has an estimated population of approximately 23,000¹ and is considered one of northern California's fastest growing master planned communities.

Elements of the project would be constructed: (1) at the City's existing CTF, located on 54 acres of City-owned land at 18800 Christopher Way, Lathrop, CA; (2) along the right bank or bottom of the San Joaquin River approximately 0.6 mile downstream of the I-5 overcrossing; and (3) along roadways in Lathrop between the CTF and the San Joaquin River, potentially including, Tesla Drive, Harlan Road, Manthey Road, Sadler Oak, and Inland Passage Way.

BACKGROUND AND NEED

Wastewater from the City is treated at two separate facilities, the City of Manteca (Manteca) Water Quality Control Facility (WQCF) and the City's CTF. Treated wastewater effluent from the Manteca WQCF is primarily disposed of via discharge to the San Joaquin River at river mile 57. Treated wastewater effluent from the CTF is currently stored in ponds and used for urban and agricultural irrigation.

Currently, the City has 10 storage ponds, one percolation pond and approximately 297 acres of urban and agricultural irrigation area for storage and use of treated effluent. However, all this land is designated under the City General Plan for some form of urban development and keeping this land for effluent storage and disposal precludes the ability of the City to fulfill its General Plan land use vision. Therefore, the City is seeking to discharge treated effluent to the San Joaquin River. The CTF produces treated effluent that meets the requirements for disinfected tertiary recycled water in accordance with Title 22 of the California Code of Regulations, and the City plans to use CTF recycled water for landscape irrigation as the City is developed. The majority of CTF effluent would be discharged to the San Joaquin River during the winter, non-irrigation period (when river flow is relatively high) and less would be discharged in the irrigation season, during which CTF recycled water would be used for landscape irrigation. This would allow land designated under the General Plan for urban uses to be developed as such.

PROJECT DESCRIPTION

The proposed project would repurpose approximately 1.1 miles of existing recycled water pipeline or construct approximately 1.7 miles of new effluent pipeline within City rights-of-way, and install a new river side-bank or bottom-diffuser outfall to discharge excess tertiary-treated, disinfected, and dechlorinated effluent from the CTF to the San Joaquin River during periods when demand for recycled water is low or zero. The City would continue to send East Lathrop wastewater to the Manteca WQCF for treatment and disposal. Construction of the proposed project is expected to begin in Spring 2021 and be completed within approximately 24 to 30 months.

¹ U.S. Census Bureau. 2019. Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2018. Released by the U.S. Census Bureau, Population Division, May 2019. Available: <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF>. Accessed November 4, 2019.



Source: Prepared by Ascent Environmental in 2019

Figure 1 Project Location and Vicinity

RESPONSIBLE AGENCIES

For the purposes of CEQA, the term “Responsible Agency” includes all public agencies (other than federal agencies) other than the Lead Agency that have discretionary approval power over the project (CEQA Guidelines Section 15381). Discretionary approval power may include such actions as issuance of a permit, authorization, or easement needed to complete some aspect of the proposed project. Responsible agencies may include, but are not limited to, the following:

- ▲ California Department of Transportation (Caltrans) – Encroachment permit for placement of encroachments within, under, or over the State highway rights-of-way
- ▲ California State Water Resources Control Board (SWRCB) – Potential approval of Clean Water State Revolving Fund loan
- ▲ California Department of Fish and Wildlife (CDFW) – Section 1602 Streambed Alteration Agreement; California Endangered Species Act incidental take permit authorizations
- ▲ Central Valley Flood Protection Board – Encroachment permit for work in the floodway
- ▲ Central Valley Regional Water Quality Control Board (CVRWQCB) – Clean Water Act Section 401 water quality certification; and Clean Water Act Section 402 National Pollutant Discharge Elimination System permit
- ▲ Reclamation District (RD) 17 – District Permit Agreement for construction and maintenance of facilities affecting the RD 17 levee system
- ▲ San Joaquin Valley Air Pollution Control District (SJVAPCD) – Authority to Construct/Permit to Operate
- ▲ Union Pacific Railroad (UPRR) – Encroachment permit for placement of encroachments within, under, or over the UPRR rights-of-way

In addition, the following federal agencies may use this EIR for consideration of permits and approvals:

- ▲ National Marine Fisheries Service (NMFS) – Endangered Species Act (ESA) Section 7 consultation; Magnuson-Stevens Fisheries Conservation Management Act Section 305(b) consultation
- ▲ U.S. Army Corps of Engineers (USACE) – Clean Water Act Section 404 permit for discharge of fill to Waters of the U.S.; Rivers and Harbors Act Section 10 Permit for construction in navigable waterways; and 33 USC Section 408 authorization or categorical permission for alteration of a Federal Project levee
- ▲ U.S. Fish and Wildlife Service (USFWS) – Endangered Species Act (ESA) Section 7 consultation

POTENTIAL ENVIRONMENTAL EFFECTS

The City has determined that the proposed Project may have a significant effect on the environmental, and therefore, an EIR should be prepared. As required by CEQA, the EIR will describe existing conditions and evaluate the potential environmental effects of the proposed project and a reasonable range of alternatives, including the no-project alternative. It will address direct, indirect, and cumulative effects. The EIR will also discuss potential growth-inducing impacts and summarize significant and unavoidable environmental effects. The EIR will identify feasible mitigation measures, if available, to reduce potentially significant impacts. The EIR will focus on the potentially significant environmental impacts of the project. At this time, the City has identified a potential for environmental effects in the areas identified below.

Air Quality. The analysis will address short-term construction-related and long-term operations-related increases in criteria air pollutants and precursors (e.g., reactive organic gases [ROG], oxides of nitrogen [NOX], respirable particulate matter [PM10], and fine particulate matter [PM2.5]). The analysis will also assess the potential for construction- and operations-related toxic air contaminants (TACs) to result in levels of health risk exposure at off-site sensitive receptors. This analysis will focus on diesel particulate emitted by heavy equipment during project construction, and any additional trucks serving the project during

operations. The potential for off-site receptors to be exposed to odors from pump stations will also be evaluated.

Biological Resources. The analysis will evaluate potential direct and indirect impacts on biological resources, including riparian habitat, special-status fish, and other terrestrial and aquatic resources, that could result from implementation of the proposed project. The analysis will include modeling of effluent discharge into the San Joaquin River, and the effect of discharge on river temperature and water quality.

Cultural Resources and Tribal Cultural Resources. A record search will be conducted at the Central California Information Center and pedestrian surveys of areas proposed for ground disturbance will be conducted by a qualified archaeologist. Any tribal or other cultural resources that are known or have the potential to occur on the project site will be assessed, and the potential impacts that may occur to known and unanticipated resources because of project implementation will be evaluated. The EIR will also document the results of required consultation and any agreements on mitigation measures for California Tribal Cultural Resources.

Energy. The levels of electricity, natural gas, propane, gasoline, and diesel consumed in the construction and operation of the project will be estimated, and whether the project would result in the wasteful use of energy will be determined.

Paleontological Resources. The analysis will assess the potential for unique paleontological resources to occur on the project site, and the potential for project-related construction or operations to impact these resources.

Greenhouse Gases and Climate Change. The analysis will evaluate the project's consistency with California's GHG reduction goals and related regulations and policies, and will determine whether project-generated GHG emissions would be a cumulatively considerable contribution to the global impact of climate change.

Hazards and Hazardous Materials. The analysis will address the potential for project-related construction and operations to create a significant hazard to the public or the environment through use of hazardous materials, or cause reasonably foreseeable upset and accident conditions involving the release of hazardous materials.

Hydrology and Water Quality. The analysis will describe the existing drainage and water quality conditions of the site, provide a description of the applicable regulatory environment, and evaluate the project's hydrology and water quality impacts including: short-term construction-related effects; permanent stormwater changes; impacts to surface water quality; impacts to groundwater quality and quantity; and cumulative on- and off-site impacts. The analysis will also evaluate any effects on flows in the San Joaquin River, including from installation of any in-river facilities. The analysis will also evaluate the potential effects on beneficial uses of the San Joaquin River, including for drinking water, associated with discharge of treated effluent.

Noise and Vibration. The analysis will include information on the location of existing sensitive receptors, ambient noise levels, and natural factors that relate to the attenuation thereof. Noise and vibration impacts that would be anticipated to occur with construction and operational activities associated with the proposed project will be assessed.

Transportation. The analysis will not affect any long-term traffic as it would not add substantial trips on roadways surrounding the CTF. The analysis will qualitatively address vehicle miles traveled associated with construction activities.

Utilities and Service Systems. The EIR will discuss the potential need for electric utility improvements/extensions at/near the project site as a result of project implementation based on review of project plans. No other utilities would be affected by the project and the EIR will not include analysis of any other utility issues.

Growth-Inducement. The project would remove the need to dedicate farmland used for sprayfields, and would allow planned and approved urban development on those lands. The EIR will evaluate the effects of the removal of this barrier to growth, including whether it would facilitate unplanned growth and its effects.

ISSUES TO BE SCOPED OUT OF THE ANALYSIS IN THE EIR

The City anticipates that the following environmental issues would result in less-than-significant or no impacts and will not be discussed in the EIR for the reasons discussed below.

Aesthetics. All project facilities, except minor infrastructure such as pump stations, would be constructed below ground. Pump stations would be located in areas that are already planned for development. The effluent discharge location is already the site of a stormwater discharge pipe. Therefore, no significant effects to visual resources would be expected and this issue will not be discussed in the EIR.

Agriculture and Forestry Resources. No important farmland, Williamson Act contract lands, forest land, or timberland exists on the Project site. Therefore, the project would not directly remove agriculture or forestry resources, and this issue will not be discussed in the EIR. The project would remove an existing impediment to planned growth because the surface water discharge would provide an alternative method of disposal of treated effluent that would otherwise require application to agricultural land. Consequently, the project may result in the indirect conversion of agricultural land to nonagricultural use. However, this land is designated in the Lathrop General Plan for urban development, and this impact was previously addressed in the River Islands at Lathrop Project Subsequent EIR², which is incorporated herein by reference. That EIR was certified and the City of Lathrop accepted the impacts to agricultural resources in its approval of the subject project.

Geology and Soils. The proposed project would be designed and constructed to meet California Building Code requirements to avoid potentially significant impacts related to seismic events and soil stability. Also, the Project would not involve the construction or use of septic tanks or alternative wastewater disposal systems. Therefore, issues related to geology and soils will not be discussed in the EIR.

Landslides. Based on the topography (relatively flat) of the project area, there would be no impact related to landslides. Therefore, this impact will not be discussed in the EIR.

Land Use. Project implementation would not affect any land use designations and would not physically divide a community. In fact, the project would remove physical barriers (storage ponds and sprayfield areas) to a cohesive community. Therefore, this issue will not be discussed in the EIR.

Mineral Resources. The Project site is not used for mineral extraction, nor is it designated as an important mineral recovery site. Therefore, the project would not have the potential to impact mineral resources, and this issue will not be discussed in the EIR.

Population and Housing. The Project would not contribute to unplanned growth and would not displace existing people or housing. Therefore, the project would have no impact on population and housing, and this issue will not be discussed in the EIR.

Public Services. The Project would not cause the need for or result in the addition of new government facilities or physically alter existing government facilities such that service ratios, response times, or other performance objectives for fire protection, police protection, schools, parks or other public facilities would be impacted. Therefore, this issue will not be discussed in the EIR.

Recreation. The Project would not contribute to unplanned growth and would not include new housing that would increase the use of existing recreational facilities or demand for new recreational facilities that would

² City of Lathrop. 2003. *River Islands at Lathrop Project Subsequent EIR*. State Clearinghouse No. 1993112027. Lathrop, CA. Prepared by Ascent Environmental, Inc., Sacramento, CA.

adversely affect the environment. Therefore, the project would have no impact on recreation, and this issue will not be discussed in the EIR.

Wildfire. The Project site is not located in or near a state responsibility area or lands classified as a very high fire hazard severity zone. Therefore, there would be no impact related to wildfire, and this issue will not be discussed in the EIR.