



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH



KEN ALEX  
DIRECTOR

August 2, 2018

John B. Anderson  
City of Riverbank  
6706 3rd Street, South Hall  
Riverbank, CA 95367

Subject: Crossroads West Specific Plan  
SCH#: 2017032062

Dear John B. Anderson:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 1, 2018, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

CITY OF RIVERBANK  
AUG 06 2018  
DEVELOPMENT SERVICES

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2017032062  
**Project Title** Crossroads West Specific Plan  
**Lead Agency** Riverbank, City of

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**Type** EIR Draft EIR  
**Description** Project includes up to 1,872 LDR units, up to 192 MDR units, up to 388 HDR units, up to 550 sq. ft. of Mixed Use 1 uses, and up to 27,000 sq. ft. of MU 2 uses. The project includes approx. 42 acres of park, open space, and Regional Sports Park uses. The project would require a General Plan Amendment to change use designations to Specific Plan for the entire site. The project would require annexation and rezoning of the entire project site to Specific Plan (SP).

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**Lead Agency Contact**

**Name** John B. Anderson  
**Agency** City of Riverbank  
**Phone** 209-863-7128 **Fax**  
**email**  
**Address** 6706 3rd Street, South Hall  
**City** Riverbank **State** CA **Zip** 95367

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**Project Location**

**County** Stanislaus  
**City** Riverbank  
**Region**  
**Lat / Long**  
**Cross Streets** Claribel Road/Oakdale Road  
**Parcel No.**  
**Township** 2S **Range** 9E **Section** 27, 34 **Base** MDMB

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**Proximity to:**

**Highways**  
**Airports**  
**Railways** BNSF Railway  
**Waterways** Stanislaus River  
**Schools** Stockard ES, Beyer HS  
**Land Use** GP:Ag. (county), and LDR, MDR, HDR, MU, C, CC, P (City); Zoning (Co.): General Ag (A-2-40)

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**Project Issues** Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual

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**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 4; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 10; Office of Emergency Services, California; Department of Housing and Community Development; Regional Water Quality Control Bd., Region 5 (Sacramento); Air Resources Board, Transportation Projects; Delta Protection Commission; Delta Stewardship Council; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

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**Date Received** 06/18/2018 **Start of Review** 06/18/2018 **End of Review** 08/01/2018

**DEPARTMENT OF TRANSPORTATION**  
OFFICE OF THE DISTRICT 10 DIRECTOR  
P.O. BOX 2048, STOCKTON, CA 95201  
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*Making Conservation  
a California Way of Life.*

July 27, 2018

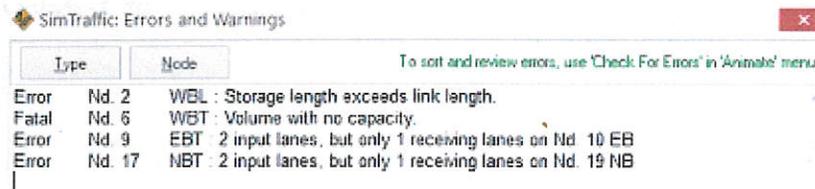
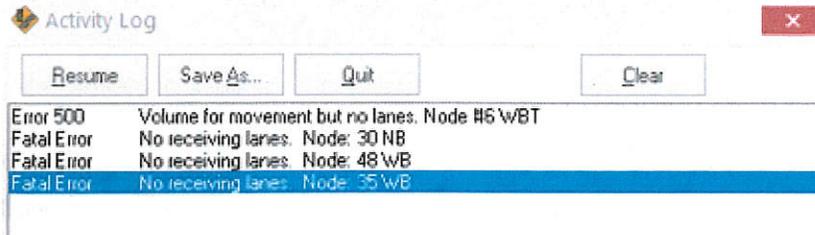
**10-STA-108-PM Various  
Crossroads West Specific Plan  
DEIR and TIS  
SCH #2017032062**

John B. Anderson  
City of Riverbank  
6706 3<sup>rd</sup> Street, South Hall  
Riverbank, CA 95367

Dear Mr. Anderson:

The California Department of Transportation appreciates the opportunity to have reviewed the Draft Environmental Impact Report and Traffic Impact Study for the Crossroads West Specific Plan. The Specific Plan area is located on 380 acres of land bounded by Oakdale Road to the east, Claribel Road to the south, the MID Main Canal and the Riverbank city limits on the north, and by property lines that are approximately 0.5 miles west of Oakdale Road. The plan would include approximately 2453 residential units at completion as well as mixed use, parks, open space, and Regional Sports Park uses. The Department has the following comments:

- The Department does not agree with Impact and Mitigation 3.13-1 (Impact and Mitigation E-1 in the TIS). The proposed project will degrade Intersection 1 (SR 108/Coffee Rd) from an average delay of 40.2 seconds to an average delay of 477.1 seconds. This is a significant impact caused by this proposed development and impact fees alone are not sufficient mitigation. The intersection must be improved.
- Under Existing Conditions, the TIS found that a traffic signal at Intersection 1 is warranted. For the Signal Warrants Study, it appears that only Warrant 3 Peak Hour was used. To approve a traffic signal, all nine warrants listed in the California Manual of Traffic Control Devices (CA MUTCD) must be used.
- Please provide full Sim Traffic files. It was observed that your Synchro Files which were delivered cannot be run in SimTraffic. See the screen shot of the errors displayed below.



- The Department recommends a Complete Streets approach to planning transportation in this development.
  - Facilities such as sidewalks, crosswalks, and bike lanes should be included to provide access between residences and nearby parks, schools, and commercial areas.
  - Secure bicycle storage facilities, such as bicycle racks, should also be included at parks, schools, and stores.
  - The Department also recommends bus stops near the development to serve residents.
- An Encroachment Permit will be required for work (if any) done within the Department's right of way. This work is subject to the California Environmental Quality Act. Therefore, environmental studies may be required as part of the encroachment permits application. A qualified professional must conduct any such studies undertaken to satisfy the Department's environmental review responsibilities. Ground disturbing activities to the site prior to completion and/or approval of required environmental documents may affect the Department's ability to issue a permit for the project. Furthermore, if engineering plans or drawings will be part of your permit application, they should be prepared in standard units.

Mr. John B. Anderson  
July 27, 2018  
Page 3

Please contact Nicholas Fung at (209) 948-7190 or by e-mail sent to [nicholas.fung@dot.ca.gov](mailto:nicholas.fung@dot.ca.gov) or myself at (209) 941-1921 or by email sent to [tom.dumas@dot.ca.gov](mailto:tom.dumas@dot.ca.gov) if you have any further questions.

Sincerely,



FOR

TOM DUMAS, CHIEF  
Office of Metropolitan Planning

## **OTHER PUBLIC COMMENTS**

Annabel D. Gammon

7025 N. Park Ridge Court, Riverbank, CA 95367

Via mail: handcarried : John B. Anderson, Project Planner of Riverbank

Development Services Department

6707 3<sup>rd</sup> Street, Riverbank, CA 95367

Via email: [john@jbandersonplanning.com](mailto:john@jbandersonplanning.com)

RE: Draft Environmental Impact Report

Crossroads West Specific Plan ( SCH: 2017032062)

Dear Mr. Anderson,

Thank you for the opportunity to provide comments regarding the subject, Draft EIR, Crossroads West Specific Plan.

The City of Riverbank proposes to annex the approximately 380 acre Plan area of which 226.38 is designated prime farm land. The current uses in the planned area is predominately agricultural operations.

Build out of Crossroads West Specific Plan will impact the environment from beginning to end and it would be advisable to consider some measures for mitigation. For starters, the footprint is enormous and should be adjusted down.

Policy Cons-3.1 The new Sustainable Agricultural Strategy ("SAS) approach indicates that mitigation for projects that have significant impact on the conversion of Important Farmland will be provided, yet defers the determination of significance and formulation of feasible mitigation. One of the purposes of CEQA is to prevent significant, avoidable damage to the environment by requiring changes in projects through the use of feasible alternative or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment. The SAS policy does not include an enforceable performance standard to ensure that mitigation actually occurs.

Also, I would like to know whether there were other stakeholders or citizens that were included in the Committee that discussed the Sustainable Agricultural Strategy resulting in the City of Riverbank's Resolution No. 2016-022 dated February 2016. Was the committee comprised of members of the Riverbank Council only?

The City clearly has the authority to require measures that address agricultural land impacts under its general police powers as well as under CEQA. Cities and counties may impose exactions under the general police power granted in Article X1, Section 7 of the California Constitution. The police power is the right of a local government to protect the public health, safety and welfare of its residents.

The Crossroads West Specific Plan is driven by economic growth as its priority. It does not protect the public health, safety and welfare of its residents. It appears that traffic congestion, air quality deterioration, noise levels below the acceptable level of service: basically the quality of life of citizens and stakeholders will deteriorate. The build out is very ambitious and the priority irresponsible by those who will determine the way we live.

The environmentally superior alternative of the "Offsite Location Alternative" needs some discussion other than what is shown on Table 5.0-1.

My suggestions on the project are:

1. More time for more discussion and comment before the Final EIR.
2. Compose a plan to Build out in Phases.
3. Implement Triggers of Mitigation. ( City of Riverbank is still using the Programmatic EIR when the General Plan Update was certified a decade ago, claiming that it is still "current").
4. Determine what agency should be the body to implement the requirements of mitigation.
5. Tighten the mitigation measures.
6. More time for public and agency input. I do not think this project is ready to go to the Final EIR phase. There are many questions still not answered and mitigation measures unclear and general.

I appreciate the opportunity to submit my comments regarding the City of Riverbank's DEIR for Crossroads West Specific Plan.

If you have any questions, please feel free to contact me at 209 869 2374 or by email at: [annabel.gammon@gmail.com](mailto:annabel.gammon@gmail.com)

Sincerely,

Annabel Gammon



July 23, 2018

**TO:** JOHN B. ANDERSON, CITY OF RIVERBANK CONTRACT PLANNER

**FROM:** AMBER MINAMI, STANISLAUS COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES

**SUBJECT:** **CITY OF RIVERBANK – NOTICE OF AVAILABILITY – CROSSROADS WEST SPECIFIC PLAN – DRAFT ENVIRONMENTAL IMPACT REPORT**

The Stanislaus County Hazardous Materials Division has reviewed the information available on the subject project. The Department provides the following conditions of approval to be implemented:

The applicant shall determine, to the satisfaction of the Department of Environmental Resources (DER), that a site containing (or formerly containing) residences or farm buildings, or structures, has been fully investigated (via Phase I study, and if necessary, Phase II study) prior to the issuance of a grading permit. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.

August 2, 2018

## Comments-Crossroads West Draft Specific Plan and EIR

I received the draft specific plan and EIR above on a DVD as requested. It did not contain the Appendixes file. I received this on another disc. late Wednesday August 1. The Appendix C- Cultural Resources is blank and labeled "confidential". The Draft Specific Plan Appendix B Mitigation Monitoring and Reporting Program (MMRP) is blank. Chapter 9 Project Financing Plan is blank. These are required. This draft should be recirculated with the portions included for public review. The document lists only John Anderson name, a city address and a phone number to send in comments.

General Plan

Specific Plan

EIR

Agriculture Where are the approx. 390 acres that are permanently protected based on the 1:1 ratio located? Where is the "Plan for Agricultural Preservation"?

Air Quality Where are the studies and mitigation for the effect on the air quality in the other areas of the city,

Land Use Where is the buffer between Riverbank and Modesto?

Public Services Police-The ratio for officers is 0.77, the city specifies 0.85 minimum. How much does the developer pay and how much will the taxpayers pay. Fire-Who is paying for the fire station construction? The trucks and equipment? What is the cost. Who will pay for the additional impact on Jacob Meyers Park.

Transportation The EIR does not look at the impact to 108/Atchison downtown or to First Street and the bridge. It does not look at the impact to Patterson at the Santa Fe tracks. Why? What is the CFD 2016-1 development?

Utilities Sewer- Impacts show potential 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. Who pays?

To account for the additional wastewater flows in the Project area after the construction of the proposed Project, additions to the existing wastewater infrastructure will be needed. Also sewer lifts. Who pays? Water-The proposed Project would require extension of offsite water conveyance infrastructure to the Plan Area for potable water and irrigation water. Who pays?

Alternative Site The site locate adjacent to the ammo plant would have more problems. The EIR shows it equal. Where are the studies that show this? This was not mentioned before. How can

you approve an alternative site without any studies or EIR?

This is a huge project with huge impacts to the city. The public should have been given the entire draft and EIR to comment on.

Evelyn Halbert



AUG 01 2018

**BEST BEST & KRIEGER** DEVELOPMENT SERVICES  
 ATTORNEYS AT LAW

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**Christopher J. Diaz**  
 (925) 977-3309  
 christopher.diaz@bbklaw.com

July 30, 2018

**VIA E-MAIL AND OVERNIGHT DELIVERY**
 John B. Anderson, Project Planner  
 City of Riverbank, Development Services Department  
 6707 3rd Street, South Hall  
 Riverbank, CA 95367  
 john@jbandersonplanning.com

Re: Comments On Crossroads West Specific Plan Draft EIR

Dear Mr. Anderson:

The Stanislaus Consolidated Fire Protection District (Fire District) is in receipt of the Draft Environmental Impact Report (Draft EIR) for the Crossroads West Specific Plan (Project) in the City of Riverbank (City). The Fire District values the opportunity to comment on the Draft EIR to ensure that the Fire District continues to meet the service delivery needs of the Riverbank community. To that end, the Fire District Board of Directors established an ad hoc committee to work with the City during this Project and to provide and oversee a detailed and thorough review of all Project-related documents, a commitment which required a significant expenditure of staff and counsel time. As part of that review, our legal counsel, Christopher Diaz, submitted a detailed April 21, 2017 comment letter to the City in response to its Notice of Preparation of the EIR, a letter which identified those topics for which the Fire District believes that analysis is required to ensure that the EIR adequately ascertains, discloses, and feasibly mitigates the potential environmental impacts of the Project (NOP Comment Letter).

Unfortunately, review of the Draft EIR shows that the City did not address the majority of the issues raised in the NOP Comment Letter, resulting in a Draft EIR that does not yet adequately ascertain, disclose, and feasibly mitigate all potential environmental impacts of the Project. Accordingly, and consistent with its commitment to ensure that the Fire District continues to meet the service delivery needs of the Riverbank community, and in compliance with State CEQA Guidelines section 15086(1) and 15087, the Fire District hereby submits the following comments on the Draft EIR:

- While Chapter 3.10, the Land Use, Population and Housing Chapter of the Draft EIR, includes a threshold to consider whether the Project would “conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance)



**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

July 30, 2018  
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adopted for the purpose of avoiding or mitigating an environmental effect,” the Draft EIR’s analysis of this threshold fails to address any of the City’s multiple General Plan policies that were the City adopted for the purpose of avoiding or mitigating the environmental effects of fire. (Draft EIR, pp. 3.10-8 – 3.10-13.) Specifically:

- Despite the Fire District’s request in its NOP Comment Letter, the Draft EIR does not reference or address City General Plan Policy PUBLIC-7.1, which requires that the EIR must confirm that the Project will have adequate fire flow pressure in relation to structure size, design, requirements for construction, and/or built-in fire protection systems. This must be address in the Final EIR. Absent confirmation of adequate fire flow pressure, the EIR must require all feasible mitigation necessary to reduce such an impact to a less than significant level.
- Despite the Fire District’s request in its NOP Comment Letter, the Draft EIR does not reference or address City General Plan Policy PUBLIC-7.2, which requires that the EIR confirm that that the Project infrastructure can ensure a minimum fire flow pressure of 1,500 GPM (sustainable for at least two hours) for residential use and a minimum fire flow pressure of 3,600 GPM (sustainable for longer periods) for larger residences and other building types, depending on the particular use and structure characteristics. This must be address in the Final EIR. Absent confirmation that the Project can ensure the required minimum fire flow pressure, the EIR must require all feasible mitigation necessary to reduce such an impact to a less than significant level.
- Despite the Fire District’s request in its NOP Comment Letter, Chapter 3.10 of the Draft EIR does not reference or address City General Plan Policy PUBLIC-7.3, which requires that that the EIR must confirm that the Project will include a location for a new fire station to ensure the appropriate level of service (including adequate response time per Policy PUBLIC-7.5), community compatibility, and efficiency. The Draft EIR does state that “a fire station site” would “be located near the corner of Crawford and Oakdale Road” and, while the site is marked on Figure 2.0-8, the *Conceptual Land Use Plan*, the size of the site is never disclosed. (Draft EIR, p. 2.0-6.) The Fire District preliminarily estimates that a minimum 1.25-acre site may be needed to meet the District’s needs. Similar projects we have evaluated have provided a site capable of encompassing 20 parking stalls, 4,000 square feet of administrative office space, and a 6,000 square foot fire station. The Fire District believes a further assessment by the City regarding the necessary lot size to accommodate the functions of the proposed fire station is required. Absent the Project’s provision of an adequately sized site for a new fire station, the EIR must require all feasible mitigation necessary to reduce such an impact to a less than significant level.



**BEST BEST & KRIEGER**  
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July 30, 2018  
Page 3

- Chapter 3.12, Public Services and Recreation does reference City General Plan Policy PUBLIC-7.3, but states that “it is unclear at this time when the station [at the corner of Crawford and Oakdale Road] will be constructed. (Draft EIR, p. 3.12-17.) However, absent the Project’s provision of an adequately-sized site for a new fire station, and a commitment to timely construct it, the EIR must require all feasible mitigation necessary to reduce such an impact with regard to the Project’s inconsistency with General Plan Policy PUBLIC 7-3 to a less than significant level. It is not sufficient to simply to observe that the lack of certainty as to the timing of the construction of the future fire station would result in a significant and unavoidable impact with regard to the impacts of development of the fire station; the City cannot approve a project that is expressly inconsistent with a General Plan Policy, and the EIR must disclose the impacts related to this conflict and impose all feasible mitigation to avoid or mitigate the environmental effects of fires.
- Despite the Fire District’s request in its NOP Comment Letter, Chapter 3.10 of the Draft EIR does not reference or address City General Plan Policy PUBLIC-7.5, which requires that the EIR should include the results of a response survey to verify that the proposed location of the new fire station will meet response times within the established limits. Per Policy PUBLIC-7.5, the EIR should include a traffic analysis supported by substantial evidence that includes a determination as to whether the controlled ingress and egress at the proposed fire station location will assist in meeting the response times stated in Policy PUBLIC-7.5. Also, per Policy PUBLIC-7.5, the EIR must confirm that the emergency response system is capable of achieving the following standards in 95% of all cases: first fire emergency response unit within six minutes of dispatch; full alarm assignment within 10 minutes of dispatch; and second alarm assignment within 15 minutes of dispatch. Absent this, the EIR must require all feasible mitigation necessary to ensure that, with operation of the Project, adequate response times can be met.
- Chapter 3.12, Public Services and Recreation does reference City General Plan Policy PUBLIC-7.5, but references only an Insurance Services Office (ISO) Public Projection Classification Program survey 2014. Not only is this survey outdated, it does not include any analysis of response times in the Project area, meaning that is irrelevant to analysis of the Project’s compliance with Policy PUBLIC-7.5. At the very least the EIR must employ the data provided in the *Standards of Response Time Coverage Study for the Stanislaus Regional Fire Agency Partners*, which includes an analysis of response times in the City. (A hard copy of this analysis is included as an enclosure with this comment letter.) While this survey too is from 2014, and an updating of its analysis is the next step required by the City to ensure full



**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

July 30, 2018  
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disclosure in the EIR, this Study can assist with the City meeting its obligations under Policy PUBLIC -7.5 to verify that the proposed location of the new fire station will meet response times within the established limits. Critically, it is not sufficient to simply to observe that the lack of certainty as to the timing of the construction of the future fire station would result in a significant and unavoidable impact with regard to the impacts of development of the fire station; the City cannot approve a project that is expressly inconsistent with a General Plan Policy, and the EIR must disclose the impacts related to this conflict and impose all feasible mitigation to avoid or mitigate the environmental effects of fires.

- Despite the Fire District's request in its NOP Comment Letter, Chapter 3.10 of the Draft EIR does not reference or address City General Plan Policy PUBLIC 7.4, which requires that the EIR include substantial evidence reflecting coordination with fire protection providers, including through reciprocity arrangements, to ensure equipment, staffing, and facilities for emergency medical services, urban search and rescue, hazardous materials emergency response, and other relevant needs. Absent this, the EIR must require all feasible mitigation necessary to reduce the impact of insufficient staffing to a less than significant level.
  - Chapter 3.12, Public Services and Recreation does reference City General Plan Policy PUBLIC-7.4, but, does not contain any evaluation whether the City will comply with this Policy in order to avoid inconsistency with its General Plan and to avoid or mitigation the environmental impacts of fire related to failure to comply with this Policy. (Draft EIR, pp. 3.12-7-3.12-8.)
- Despite the Fire District's request in its NOP Comment Letter, the EIR does not include an assessment of current and proposed capital fee structures needed to effectively support the construction of a new fire station and equipment needs for the Project area. Instead, all the Draft EIR contains is a non-binding statement that "the City of Riverbank and the SCFPD will work cooperatively to ensure new development pays its fair share for facilities associated with new growth" and the observation that the imposition of Fire Mitigation Fees provide the financial tools necessary to guarantee capacity will be available for the future." (Draft EIR, p. 3.12-18.) Instead, at the very least, to ensure all the adoption of all feasible mitigation, the EIR must include a mitigation measure comparable to MM 3.12-1 for Police Services, a measure already included in the Draft EIR, to require that, prior to the City recording a "Final Map" for each Project within the Plan Area, the owner of the project/map shall either annex the mapped property into a Community Facilities District ("CFD"), or create a new CFD for the mapped property, which will include funding for operational services with the Stanislaus Consolidated Fire Protection District.



**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

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It is essential that these comments are adequately addressed in order to ensure that the level of fire protection services being provided by the Fire District to already-established areas of the community are not compromised by the Project. The Fire District's existing ratepayers must not be asked to make a choice between seeing their fire service lessened to accommodate the Project or to foot the bill for the fire service demands of the Project.

As a Responsible Agency for this Project, if the Fire District concludes that the Final EIR is inadequate for its purposes, under CEQA Guidelines section 15050 and 15096, it must challenge the adequacy of the EIR in court. Accordingly, we appreciate your consideration of the Fire District's comments on the Draft EIR, and look forward to the City's preparation of a Final EIR, or of a recirculated Draft EIR, that ensures the environmental review of the Project is adequate for the Fire District's purposes, and adequately ascertains, discloses, and feasibly mitigates all potential environmental impacts of the Project.

Sincerely,

A handwritten signature in blue ink that reads "Christopher J. Diaz" with "for Chris Diaz" written to the right.

Christopher J. Diaz  
For BEST BEST & KRIEGER LLP

Encl.: Standards of Response Time Coverage Study for  
the Stanislaus Regional Fire Agency Partners

cc: Stanislaus Consolidated Fire Protection District Board of Directors

August 2, 2018

John B. Anderson  
City of Riverbank  
6707 3<sup>rd</sup> St.  
Riverbank, CA 95367

**SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CROSSROADS  
WEST SPECIFIC PLAN PROJECT**

Dear Mr. Anderson:

Thank you for the opportunity to review the Notice of Availability of the Draft Environmental Impact Report (DEIR) for the Crossroads West Specific Plan (CWSP). As Lead Agency, the City of Riverbank is responsible for considering the effects, both individual and collective, of all activities involved in the project (Public Resources Code §21000 et seq). LAFCO, as a Responsible Agency, will utilize the CEQA documents prepared by the City in reviewing any future annexation within the updated Specific Plan area.

LAFCO staff previously commented on the Notice of Preparation for the DEIR (April 21, 2017) and identified applicable LAFCO policies and requirements in anticipation of an annexation application. LAFCO considers numerous factors when reviewing annexations, including: orderly growth, impacts to agricultural lands, impacts to special districts, and availability of services.

The following provides additional comments following review of the DEIR and Specific Plan for the project:

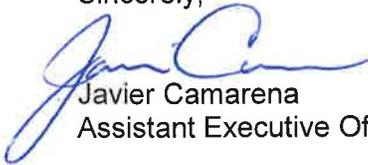
- **Timing of Annexation:** The Project Description (Section 2.0 of the DEIR) states that “project buildout would be implemented in phases, based on future market conditions over an estimated 19-year period... The phasing plan identified in Chapter 9 of the CWSP will ensure timely completion of public facilities and improvements that coincide with development.” LAFCO’s policies (as correctly noted later in the DEIR) require that annexation proposals demonstrate that development is imminent for all or a substantial portion of the proposal area. A 19-year growth period is not considered imminent (relative to LAFCO’s other policies for planned growth areas); however, phasing of the project may more appropriately demonstrate that growth is imminent for a smaller portion of the annexation area. The referenced phasing plan in Chapter 9 of the CWSP was not included in the documents made available for our review but will be needed in order to assist the Commission in making its determinations.
- **Agricultural Resources:** One of LAFCO’s main charges, as set forth by the Legislature, is to protect and promote agriculture. As described in the DEIR, the Commission has adopted an Agricultural Preservation Policy that requires applicants to prepare a “Plan for Agricultural Preservation” for annexation proposals that will impact agricultural lands. According to the DEIR, the proposed project will result in a permanent conversion and loss of 347.39 acres of Important Farmland within Stanislaus County. The proposed Mitigation Measure 3.2-1, would require securing permanent protection of offsite farmland based on a 1:1 ratio to the

amount of gross farmland converted as a result of the project, consistent with the requirements of the City's Sustainable Agricultural Strategy. LAFCO Staff encourages that the City retain this mitigation measure as part of its adoption of the final EIR.

- **Plan for Providing Services:** Upon application for annexation, the City must prepare a Plan for Providing Services, consistent with Government Code §56653. The Plan must include detailed evidence of current and future service levels, sufficient sewer capacity, sufficient quantities and quality of water, police and fire services, and financing mechanisms for these services. Updated information relative to the Stanislaus Consolidated Fire Protection District and mitigation fees will be needed upon application to LAFCO. Likewise, the availability of the Financing Plan in the CWSP would be helpful to determine that appropriate financing mechanisms will be in place to support public services in the proposed area.

If you have any questions regarding these comments, please contact our office at (209) 525-7660.

Sincerely,



Javier Camarena  
Assistant Executive Officer

July 19, 2018

City Of Riverbank – Development Services Department  
6707 3rd St  
Riverbank, CA 95367-2305

**RE: *Environmental Impact Report – Crossroads West Specific Plan***  
***Location: Oakdale Rd., Claribel Rd., & MID's Main Canal***

Thank you for allowing the District to comment on this referral. Following are the recommendations from our Electrical, Irrigation and Domestic Water Divisions:

### **Irrigation**

- Modesto Irrigation District (MID) operates an expansive system of canals, ditches, and pipelines which provide irrigation service to lands within its irrigation service area. The City of Riverbank's (City) Crossroads West Specific Plan (Crossroads) area lies within MID's irrigation service area. Planned urban development within MID's irrigation service area typically requires the upgrade and/or relocation of existing MID infrastructure to accommodate planned development.
- In general, MID won't allow for piecemeal facility relocation projects of its existing irrigation infrastructure and recommends pre-consultation with MID Civil Engineering staff during preliminary planning. The City's Crossroads West Specific Plan update must provide a regional approach to the proposed modifications and/or relocations of MID's existing infrastructure.
- While there may be additional project specific conditions, the below noted conditions of approval may apply to specific projects within the proposed Crossroads expansion. It should be noted that any and all project-specific conditions of approval are subject to change by MID.
  - Specific Plan Page 23 Item 1 – The proposed Class I Bike Trail must remain outside of MID's 100' Main Canal right-of-way.
  - Specific Plan Page 25 Item 3 – A License Agreement shall be required for the proposed vehicle and pedestrian crossing of MID's Lateral No. 6. A bridge must be constructed for both crossings of MID's Lateral No. 6. The proposed Trail along the north side of MID Lateral No. 6 must remain outside of MID's 130' right-of-way.
  - Specific Plan Page 34 Figure 5 – The existing MID crossing located at the MID Main Canal shall not be incorporated for use in the Specific Plan.

- Specific Plan Page 71 section 7.2.2 *Proposed Water System* – A License Agreement shall be required for the proposed water system that lies within MID's Lateral No. 6.
- Specific Plan Page 74 section 7.3.3 *Proposed Sanitary Sewer System* – A License Agreement shall be required for the proposed sanitary sewer system that lies within MID's Lateral No. 6.
- Specific Plan Page 76 Figure 15 – The proposed sanitary sewer pipeline and lift station along the south side of MID's Lateral No. 6 must remain outside of MID's 130' right-of-way.
- Specific Plan Page 79 paragraph 4 – Future stormwater discharge into MID's Lateral No. 6 is limited in capacity. Therefore, modification of the existing Crossroads MID Discharge Agreement will need to be discussed with MID Civil Engineering Department staff. Approval of modifications to the existing Agreement will be at the discretion of the MID Board of Directors.
- Specific Plan Page 104 section 8.4.5 *Wall and Fencing* – A six-foot masonry wall, or MID pre-approved equivalent, is required adjacent to the MID Main Canal right-of-way and the MID Lateral No. 6 right-of-way.
- Should the project impact or otherwise alter existing improvement district infrastructure, the facilities must be upgraded, replaced, and/or relocated as required by MID.
- Should an improvement district pipeline require an upgrade, replacement, and/or relocation, MID requires a dedicated fifteen (15) foot irrigation easement located parallel and adjacent to the proposed PUE if located along a roadway.
- Should the proposed project impact or otherwise alter the existing private infrastructure, MID recommends the developer consult with those who are served by the existing private infrastructure. The Developer should provide private irrigation easements for the benefit of those served by the existing private infrastructure to ensure that existing downstream users can have access to irrigation water and can continue to irrigate.
- No new stormwater discharges will be permitted into MID's irrigation infrastructure unless a Stormwater Discharge Agreement has been approved by the MID Board of Directors.
- Stormwater infrastructure must be designed to meet required holding times during storm events and must meet water quality requirements set forth by MID.
- Due to limited capacity in MID's Main Canal and Lateral No. 6, MID requires all stormwater runoff north of the proposed Crawford Road be diverted to MID's Main Canal downstream of the Hardy Weir. All stormwater runoff south of the proposed Crawford Road must be diverted into MID's Lateral No. 6.
- Relocation of MID irrigation infrastructure to the benefit of the development must be coordinated and approved by MID. All costs associated with design, approval and analysis of relocations shall be at the Developer's expense.
- License Agreements are required for any existing encroachments or proposed improvements within the current or future MID easement/right-of-way.
- No public access, other than pedestrian and vehicle crossings, will be permitted within MID Lateral right-of-way. Access control gates shall be installed at all proposed MID Lateral crossings.
- MID will require a Facility Modification Agreement before any work can be done on MID irrigation infrastructure.

- The Developer must provide drainage for stormwater runoff that may accumulate between the MID Lateral and the MID-required six foot tall solid masonry wall.
- MID will require the Developer to submit to MID's Civil Engineering Department the proposed plans, MID's *Application for Land Development Project Review* form, and the respective fees as noted on the Application.
- All work that may affect irrigation facilities must occur during the non-irrigation season (typically November 1 to March 1). Irrigation service must not be interrupted.

### **Domestic Water**

- No Comments at this time.

### **Environmental**

- No Comments at this time.

### **Electrical**

- The attached maps show the approximate location of the District's existing electrical facilities within the project area.
- In conjunction with related site improvement requirements, existing overhead and underground electric facilities within or adjacent to the proposed improvements shall be protected, relocated, or removed as required by the District's Electric Engineering Department. Any relocation or installation of electric facilities shall conform to the District's Electric Service Rules. Appropriate easements for electric facilities shall be granted as required. Additional easements may be required with future development of this property.
- Costs for relocation of the District's existing electrical facilities at the request of others will be borne by the requesting party. Estimates for relocating or installing MID electric facilities will be supplied upon request.
- High voltage is present within and adjacent to the project area. These include 69,000 volts transmission, 12,000 volts primary and secondary underground and overhead facilities. Use extreme caution when operating heavy equipment, using a crane, ladders, scaffolding or hand held tools or any other type of equipment near the existing MID electric lines and cables. Assume all overhead and underground electric facilities are energized.
- The District's Electric Engineering Department is concerned about construction dirt/dust falling on MID electric facilities at the Claribel Substation during the construction phase of this project. The MID high voltage electric facilities require protection from dirt/dust. Do not dig new utility trenches, grade, level or dig building foundations without effective construction dust control measures in place. Windblown dirt/dust on electric facilities at the MID Claribel Substation and may cause a power outage.
- The contractor shall verify actual depth and location of all underground utilities prior to start of construction. Notify "Underground Service Alert" (USA) (Toll Free 800-227-2600) before trenching, grading, excavating, drilling, pipe pushing, tree planting, post-hole digging, etc. USA will notify all utilities to mark the location of any underground facilities.

- Please contact Modesto Irrigation District at (209) 526-7337 or (888) 335-1643 and ask for the Electrical Engineering Design Group if you have any questions or concerns.

The Modesto Irrigation District reserves its future rights to utilize its property, including its canal and electrical easements and rights-of-way, in a manner it deems necessary for the installation and maintenance of electric, irrigation, agricultural and urban drainage, domestic water and telecommunication facilities. These needs, which have not yet been determined, may consist of poles, crossarms, wires, cables, braces, insulators, transformers, service lines, open channels, pipelines, control structures and any necessary appurtenances, as may, in District's opinion, be necessary or desirable.

If you have any questions, please contact me at 526-7447.

Sincerely,



Lien Campbell  
Risk & Property Analyst

Copy: File



**City of Modesto**  
**Community and Economic**  
**Development Department/Planning Division**  
*1010 Tenth Street, Third Floor*  
*Modesto, CA 95354*

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August 2, 2018

John B. Anderson  
Project Planner  
City of Riverbank, Development Services Dept.  
6707 3<sup>rd</sup> Street  
Riverbank CA 95367

RE: Crossroads West specific plan Draft EIR (DEIR)

Dear Mr. Anderson:

Thank you for the opportunity to review the Crossroads West specific plan Draft EIR (DEIR). The Crossroads West specific plan project ("Project") site is located adjacent to the City of Modesto (City) General Plan / Sphere-of-Influence boundary along Claribel Road. As reflected in the DEIR, the proposed Project will significantly impact City and regional transportation system(s). City staff would appreciate the opportunity to have a constructive dialogue with the City of Riverbank towards resolving transportation related issues raised by the proposed project.

Sincerely,

Patrick Kelly, AICP  
Planning Manager

c. Joe Lopez, City Manager



# SYLVAN UNION SCHOOL DISTRICT

605 SYLVAN AVENUE ✦ MODESTO, CA 95350 ✦ (209) 574-5000 ✦ FAX: (209) 524-2672

[www.sylvan.k12.ca.us](http://www.sylvan.k12.ca.us)

July 30, 2018

**DEBRA M. HENDRICKS**  
Superintendent  
[dhendricks@sylvan.k12.ca.us](mailto:dhendricks@sylvan.k12.ca.us)

John B. Anderson, Project Planner  
City of Riverbank, Development Services Department  
6707 3<sup>rd</sup> Street  
Riverbank, CA 95367

## BOARD OF TRUSTEES

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**JENNIFER MIYAKAWA**  
Member

**CHRISTINE HARVEY**  
Member

Re: Response to Notice of Draft Environmental Impact Report

Dear Mr. Anderson:

Thank you for the Notice of Availability of the Crossroads West Specific Plan Draft Environmental Impact Report.

As identified in the report, the Sylvan Union School District will serve the Crossroads West area for grades TK-8<sup>th</sup> grade. There are potentially significant impacts to the Sylvan Union School District.

Pages 2.0-7 & 8 provides the average expected densities, and at full build out it is expected we will need to provide services to an additional 524 new elementary students and 327 new middle school students.

	Units	Rate	Elementary		Units	Rate	Middle
Low Density Residential	1,521	0.28	426		1,521	0.15	228
Medium Density Residential	144	0.28	40		144	0.15	22
High Density Residential	310	0.083	26		310	0.111	34
Mixed Use	388	0.083	32		388	0.111	43
<b>Total Units</b>	<b>2,363</b>						
<b>Total Potential Students</b>			<b>524</b>				<b>327</b>

For comparison purposes, the existing Crossroads East Specific Plan identified an average of 2,294 household units when it was planned. We are currently collecting taxes on 1,847 units. The existing units have generated approximately 850 elementary students, and approximately 525 middle school students, all located in Riverbank.

The district currently serves 499 middle school students with Riverbank addresses and bus the students to Ustach Middle School in Modesto. When combining the current middle school students (499) with the expected 327 new students illustrates the need to build both a middle school and an elementary school. **A middle school will be the district's first priority with 20 acres required to build a middle school.**

Throughout the Draft EIR there are numerous references to potential school sites, correctly identifying the required acreage. Figure 2.0-8 Conceptual Land Use Plan

**Our Mission:**

*To provide a dynamic, broad-based education that prepares each child to be a contributing member of society.*

identifies a school site that is centrally located, and is a preferred location as previously communicated in our letter of April 11, 2017 (attached). However, the second school site is not centrally located and is contrary to the plans assertions that schools will be planned to accommodate the concept of a “neighborhood school” (walking distance).

The City of Riverbank General Plan Goal for the Air Quality Element AIR 1.4 states schools shall be located, designed, and the surrounding area planned to ensure that students can safely and conveniently walk or bicycle to school from their homes.” In addition, Public Services and Facilities Element Public 9-1 through 9-5 specify guidelines to ensure “school sites are designed to allow easy pedestrian and bicycle access from surrounding neighborhoods.”

Page 3.12-20 indicates that new students generated by the Crossroads West Specific Plan will attend Crossroads Elementary School and Elizabeth Ustach Middle School. This will not be possible because both schools are currently exceeding capacity. The district will need to develop a bussing plan to accommodate new students generated to existing schools throughout the entire district until a new school can be built. This will be a burden for both the district and families. Instead early planning for financing and building new schools to stay ahead of new growth is necessary.

Page 3.12-21 references the need to address environmental concerns related to current and past agricultural operations, specifically referencing Mitigation Measure 3.8-1. If mitigation measures are necessary to accommodate centrally located schools as specified by the City of Riverbank’s General Plan, the district respectfully requests that all mitigation efforts are planned and agreed to prior to annexation of the property into the City of Riverbank.

In summary:

1. We agree with the placement of a new school near Crawford Road as identified on Figure 2.0-8. Twenty (20) acres will be required to build a middle school at this location.
2. We disagree with the placement of a second school located near Morrill Road identified on Figure 2.0-8. Ten (10) acres will be needed. (See April 11, 2017 correspondence and attached school site preferences).
3. The placement of the schools should be centrally located to support the concept of a neighborhood school within walking distance from home to school.
4. Establish suitable and safe school bus stops, and paths of travel for students that may walk and bicycle to school.
5. Establish safe crossing routes for students that will cross Oakdale Road to attend a centrally located middle school.
6. Work cooperatively with both the Sylvan Union School District and Modesto City High School District to develop a funding plan to build schools and to ensure mutually acceptable solutions to expected impacts including mitigation of all environmental concerns.
7. Mitigation of all environmental concerns related to current and past agricultural operations.

Thank you for the opportunity to provide comments to the Draft EIR. Please contact me or Yvonne Perez, Assistant Superintendent of Business Services with any questions.

Sincerely,

  
Debra Hendricks, Superintendent

Copies to: Sylvan Union School District Board of Trustees



## **SYLVAN UNION SCHOOL DISTRICT**

605 SYLVAN AVENUE ✦ MODESTO, CA 95350 ✦ (209) 574-5000 ✦ FAX: (209) 524-2672

[www.sylvan.k12.ca.us](http://www.sylvan.k12.ca.us)

April 11, 2017

**DEBRA M. HENDRICKS**  
Superintendent  
[dhendricks@sylvan.k12.ca.us](mailto:dhendricks@sylvan.k12.ca.us)

City of Riverbank  
Attn: John B. Anderson, Planner  
6707 3<sup>rd</sup> Street South Hall  
Riverbank, CA 95367

### **BOARD OF TRUSTEES**

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Board President

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Member

**GEORGE RAWE**  
Member

**JENNIFER MIYAKAWA**  
Member

Re: Notice of Preparation of an Environmental Impact Report for the  
Crossroads West Specific Plan

Dear Mr. Anderson:

Sylvan Union School District staff has reviewed the information provided for the above referenced project. The following concerns are submitted:

1. Placement of the school. The placement of an elementary and a middle school should be centrally located to support the concept of a neighborhood school within walking distance from home to school.
2. The district provided a map of 3 different preferred areas within the specific plan for schools per your request on April 21, 2016, but the school designation in this document does not reflect the requested change.
3. 30 acres of land are needed to build one elementary school (10 acres) and one middle school (20 acres). (See attached map)
4. Schools must not be planned in areas that require environmental remediation.
5. The project may yield housing units beyond the district's busing policy of 1 mile for elementary students and 2 miles for middle school students. Therefore, please insure that provisions are provided to establish suitable (safe) school bus stops for the area.
6. Based on the Land Use Designation and units per acre provided on page 3 and 4 of the report, and based on student yield factor from our Developer Fee Justification Study, the projected number of students projected is:
  - Elementary 668 students (TK-5<sup>th</sup> Grade)
  - Middle School 369 additional Riverbank Students (Grades 6, 7, 8)
  - Currently there are 483 middle school students residing in Riverbank, projecting a total middle school enrollment of 852 students.

Thank you for the opportunity to provide input. If you have any questions or comments, please contact Yvonne Perez, Assistant Superintendent of Business Services at (209) 574-5000 ext 233.

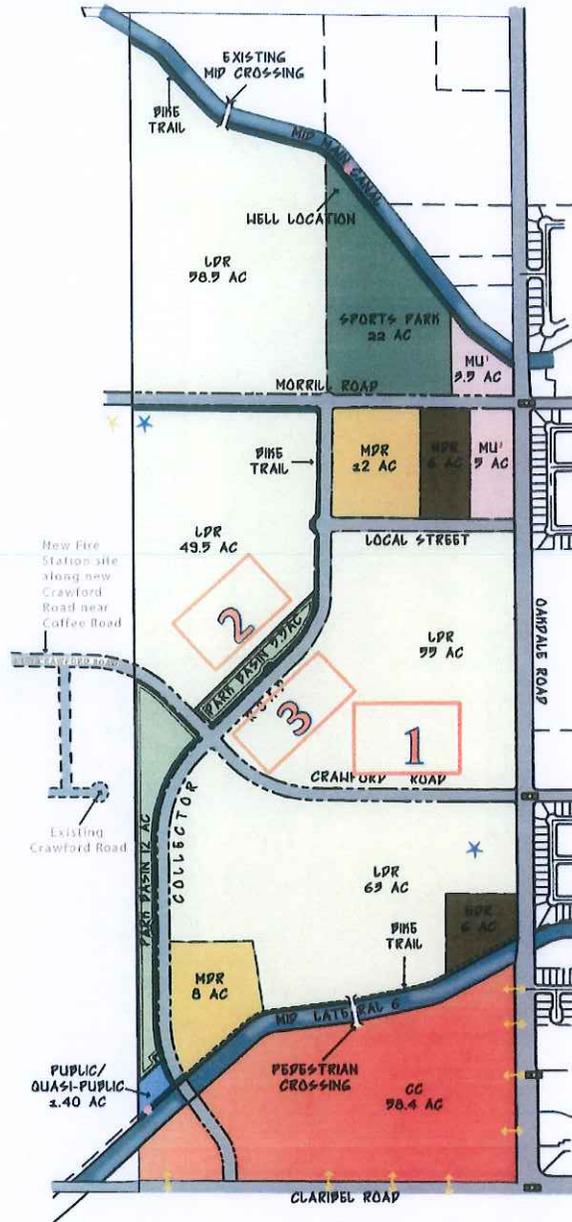
Sincerely,

Debra Hendricks, Superintendent

Copies to: Sylvan Union School District Board of Trustees

*Our Mission:*

*To provide a dynamic, broad-based education that prepares each child to be a contributing member of society.*



### LAND USE DATA

- LOW-DENSITY RESIDENTIAL (LDR) - 0-8 DU/Acre<sup>1</sup>
- MEDIUM DENSITY RESIDENTIAL (MDR) - 8-16 DU/Acre
- HIGH DENSITY RESIDENTIAL (HDR) - 16+ DU/Acre
- REGIONAL SPORTS PARK (P)
- MIXED USE<sup>1</sup> (MU)
- MIXED USE<sup>2</sup> (MU)
- COMMUNITY COMMERCIAL (CC)
- K-5 School (S)
- PUBLIC/QUASI-PUBLIC (PQ)
- PARK/BASIN (P)
- ARTERIALS, COLLECTORS AND LOCAL STREETS

Acres	DU's	Average DU/Acre	S.F.
226	1,356	6	-
20	240	12	-
12	300	25	-
22	-	-	-
3.5	80	23	-
5	50	10	25,000
58.4	174	-	500,000
12	-	-	-
1.4	-	-	-
17.5	-	-	-
24.6	-	-	-
<b>390.4<sup>1</sup></b>	<b>2,200</b>		<b>525,000</b>

### LEGEND/NOTES

- ACCESS POINTS FOR COMMERCIAL
- EXISTING TRAFFIC SIGNALS
- K-5 SCHOOL<sup>3</sup> (S)
- ACTIVE ADULT<sup>2</sup>
- FUTURE MIDDLE SCHOOL EXPANSION
- BIKE TRAIL
- STORM DISCHARGE

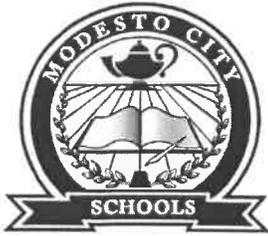


#### NOTES:

- <sup>1</sup> Total acreage does not include the existing Right-of-Ways for the MD Main Canal, Oakdale Road, MID Lateral 6, or Claribel Road
- <sup>2</sup> Active Adult is allowed anywhere within the LDR zoning designation
- <sup>3</sup> The School location is a placeholder within the LDR zone.

Figure 4 – Proposed Crossroads West Land Use Map





August 2, 2018

John B. Anderson  
Contract Planner  
City of Riverbank  
6707 3rd Street, South Hall  
Riverbank, CA 95367

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Craig Rydquist  
Deputy Superintendent  
Chief Human Resources Official

Virginia Johnson  
Associate Superintendent  
Educational Services

Re: Response to Draft Environmental Impact Report, Crossroads West Specific Plan

Dear Mr. Anderson,

Thank you for the Notice of Availability of the Crossroads West Specific Plan Draft Environmental Impact Report (DEIR) to Modesto City Schools.

As identified in the report, Modesto City Schools (high school district grades 9-12) and Sylvan Union School District (elementary district K-8) will serve the Crossroads West area.

Both Modesto City Schools and Sylvan Union School District will have potentially significant impacts from the Specific Plan Area due to increased demand for public services, K-12 school capacities.

We have just a couple of comments on the DEIR:

- Page 3.12-21, last paragraph – The first sentence references “a fire station” and should be replaced with “school facilities”.
- Because the high school students might need to be bussed to a high school site, suitable and safe school bus stops will need to be established, as well as, paths of travel to the bus stops.
- We requested that the developer work cooperatively with both the Modesto City High School District and Sylvan Union School District to develop a funding plan to build schools/capacity and to ensure mutually acceptable solutions to expected impacts including mitigation of all environmental concerns.

Modesto City Schools and Sylvan Union School District plan to continue to work together with you and the proponents of Crossroads West for mutually acceptable solutions to these expected impacts.



Modesto City Schools  
426 Locust Street  
Modesto California  
95351  
209.574.1500  
www.mcs4kids.com

Thank you for the opportunity to comment. Please do not hesitate to contact me with any questions or concerns.

Sincerely,



Duane A. Wolterstorff  
Senior Director, Business Services  
Modesto City Schools  
426 Locust Street  
Modesto, CA 95351  
209.492.5002

c: Dr. Sara Noguchi, Superintendent, Modesto City Schools  
Tim Zearly, Associate Superintendent, Business Services, Modesto  
City Schools  
Debra Hendricks, Superintendent, Sylvan Union School District  
Yvonne Perez, Assistant Superintendent, Sylvan Union School  
District