



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Conduct Public Hearing to Consider the Certification of the Final Mitigated Negative Declaration for the Surface Water Treatment Facility

MEETING DATE: July 21, 2010

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Conduct a public hearing to consider and certify the Final Mitigated Negative Declaration for the Surface Water Treatment Facility.

BACKGROUND INFORMATION: On May 6, 2010, the City, as the lead agency, published a Notice of Availability (NOA) announcing that the draft Mitigated Negative Declaration (MND) for the Surface Water Treatment Facility was available to the public for review. The draft Initial Study/Mitigated Negative Declaration was submitted to the State Clearinghouse, distributed to local agencies, sent to interested persons, posted with the County Clerk's office, mailed to all property owners of record within a 300-foot radius of the project site, posted on the site and published in the Lodi News Sentinel. The required 30-day review period for this project commenced on Thursday, May 6, 2010 and ended on Monday, June 7, 2010. During the public review period, three comments were received on the proposed Mitigated Negative Declaration. At the conclusion of the public review period, all written comments were responded to and incorporated in the Final MND.

On July 14, 2010, the Site Plan and Architecture Review Committee (SPARC) conducted a public hearing to review the site plan and architecture of the proposed Surface Water Treatment Facility. Following its review and discussion, the SPARC voted 5-0 to approve the plans.

ANALYSIS: HDR Consulting Group prepared a Draft Initial Study/Mitigated Negative Declaration on behalf of the City. The Draft Initial Study/Mitigated Negative Declaration identified the areas where the proposed facility could have a potential effect on the environment. Mitigation measures were recommended to reduce all impacts to levels of less-than-significant. After the 30-day public review period ended, the City received comments from the San Joaquin Valley Air Pollution Control District, San Joaquin County Council of Governments and California Regional Water Quality Control Board, Central Valley Region.

The San Joaquin Valley Air Pollution Control District notified the City the project may be subject to the District's rules and the City must submit an Air Impact Assessment and pay any applicable offsite mitigation fees before the first building permit is issued. The San Joaquin County Council of Governments (SJCOG, Inc.) notified the City that the project site is in conflict with the county wide adopted Habitat Conservation Plan and a mitigation measure is required to address loss of open space. Finally, the comment received from California Regional Water Quality Control Board, Central Valley Region notified the City the project would be subject to its approval if the project discharges

APPROVED: _____

Konradt Bartlam, Interim City Manager

dredge or fill material to waters of the United States. The proposed treatment plant will not discharge any dredge or fill material to the waters of the United States. All the mitigation measures and requirements of the responding agencies have been added into the proposed Mitigation Monitoring and Reporting Program.

Staff recommends the City Council certify the Mitigated Negative Declaration as an adequate environmental document for the Surface Water Treatment Facility.

FISCAL IMPACT: Not Applicable

FUNDING AVAILABLE: Not Applicable



Konrad Bartlam

Community Development Director

KB/IB/kjc

Attachment:

Surface Water Treatment Facility Final Initial Study/Mitigated Negative Declaration
Mitigation Monitoring and Reporting Program



City of Lodi

Surface Water Treatment Facility

Final Initial Study / Mitigated Negative Declaration

June 2010



ONE COMPANY
Many Solutions®

Final Initial Study / Mitigated Negative Declaration

City of Lodi

Surface Water Treatment Facility

State Clearinghouse # 2010052016

June 2010



2365 Iron Point Road, Suite 300
Folsom, CA 95630

MITIGATED NEGATIVE DECLARATION

PROJECT: City of Lodi Surface Water Treatment Plant

LEAD AGENCY: City of Lodi

PROJECT DESCRIPTION: The City of Lodi (City) is proposing to construct the City of Lodi Surface Water Treatment Facility (SWTF or Proposed Project), which would be located on four acres between the Union Pacific Railroad spur line and Lodi Lake near the intersection of Turner Road and Lower Sacramento Road. The SWTF would include a raw water pump station near the Woodbridge Irrigation District (WID) Main Canal that would pump water from the WID intake structure on the Mokelumne River. The intake is fitted with a 36-inch pipe to a 30-inch raw water pipeline to the SWTF. From the SWTF, a treated water pipeline will deliver water to the City's existing water distribution system. The design capacity of the SWTF will be 8 million gallons per day (mgd) with the ability to produce 10 mgd. The SWTF is designed as a membrane treatment plant. The City's water system is currently supplied by 27 groundwater wells that will have chlorination facilities added to each well. The treated surface water supply will account for about 30 percent of the total water supply delivery; groundwater will make up the remainder of the delivery.

The Draft Initial Study/Mitigated Negative Declaration (IS/MND) was submitted to the State Clearinghouse (SCH # 2010052016) on May 6, 2010 for a 30-day public review period ending on June 7, 2010. During the public review period, the Draft IS/MND was available for review at the City of Lodi Community Development Department at 221 West Pine Street, Lodi, CA; the City of Lodi Public Works Department at 221 West Pine Street, Lodi, CA; and at the Lodi Public Library, 201 West Locust Street, Lodi, CA. The Draft IS/MND was also available on the City's website, http://www.lodi.gov/com_dev/EIRs.html.

FINDINGS: An initial study (IS) has been prepared to assess the SWTF's potential effects on the environment and the significance of those effects. Using the results of the IS, the SWTF would not have any significant effects on the environment once mitigation measures are implemented. This conclusion is supported by the following proposed findings:

- ◆ The SWTF would result in no impacts to agriculture and forest resources, land use and planning, mineral resources, public services, and recreation.
- ◆ The SWTF would result in less-than-significant impacts to greenhouse gas emissions, population and housing, and utilities and service systems.
- ◆ Mitigation would be implemented to reduce potentially significant impacts to less than significant for aesthetics (potential impacts related to visual character/quality of the site and light/glare), air quality (potential impacts related to short-term construction emissions), biological resources (potential impacts to Swainson's hawk and other raptors and migratory birds; and local policies/ordinances protecting trees), cultural resources (potential to disturb or damage undiscovered subsurface cultural or paleontological resources or human remains during construction), geology and soils (potential soil erosion during construction), hazards and hazardous materials (potential spills of hazardous substances during construction), hydrology and water quality (potential soil erosion and spills of hazardous substances during construction), noise (impacts during construction and operation), and transportation (potential conflicts with traffic in the Project area during construction).

- ◆ Although there are no known cultural resources that might be disturbed, mitigation is included to address the potential for discovering archaeological, paleontological, and/or human remains during the construction.
- ◆ The SWTF would not 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, reduce the number or restrict the range of a special-status species, or eliminate important examples of California history or prehistory.
- ◆ The SWTF would not achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- ◆ The SWTF would not have environmental effects that are individually limited but cumulatively considerable.
- ◆ No substantial evidence exists that the SWTF would have a significant negative or adverse effect on the environment.
- ◆ The SWTF incorporates all applicable mitigation measures, as listed below and described in the IS.

The following mitigation measures will be implemented as part of the SWTF to avoid or minimize potential environmental impacts. Implementation of these mitigation measures would reduce the potential environmental impacts of the SWTF to less than significant.

- ◆ Mitigation Measure AE-1: Reduce Visual Impacts.
- ◆ Mitigation Measure AE-2: Minimize Substantial Light or Glare.
- ◆ Mitigation Measure AIR-1: Minimize PM10 Impacts.
- ◆ Mitigation Measure BIO-1a: Replace Swainson's Hawk Foraging Habitat.
- ◆ Mitigation Measure BIO-1b: Avoid Disturbance of Nesting Swainson's Hawks.
- ◆ Mitigation Measure BIO-1c: Avoid Disturbance of Nesting Birds.
- ◆ Mitigation Measure BIO-2: Replace or Transplant Trees Removed.
- ◆ Mitigation Measure CUL-1: Stop Work if Archaeological Materials or Paleontological Are Discovered During Construction.
- ◆ Mitigation Measure CUL-2. Stop Work if Human Remains Are Discovered.
- ◆ Mitigation Measure HAZ-1: Handling and Storage of Hazardous Materials.
- ◆ Mitigation Measure HAZ-2: Compliance with Design Codes and Regulations.
- ◆ Mitigation Measure HAZ-3: Enforce Contractual Obligations.
- ◆ Mitigation Measure HYDRO-1: Prepare and Implement a SWPPP and Construction BMPs.

- ◆ Mitigation Measure NOISE-1: Minimize Noise During Construction.
- ◆ Mitigation Measure NOISE-2: Minimize Noise During Operation.
- ◆ Mitigation Measure TR-1: Prepare Traffic Control Plan.
- ◆ Mitigation Measure TR-2: Haul Route Maintenance.

A copy of the Final IS/MND follows this MND.

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Acronyms

AF	acre-feet
AFY	acre-feet per year
CEQA	California Environmental Quality Act
City	City of Lodi
hp	horsepower
IS/MND	Initial Study/Mitigated Negative Declaration
mgd	million gallons per day
NOA	Notice of Availability
PRC	Public Resources Code
RWPS	raw water pump station
SWTF	Surface Water Treatment Facility
WID	Woodbridge Irrigation District

Chapter 1 - Introduction

1.1 Purpose of the Final Initial Study

This document has been prepared to accompany the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the City of Lodi Surface Water Treatment Facility (SWTF). The Draft IS/MND identified the environmental impacts associated with the construction and operation of the SWTF and recommended mitigation measures to reduce impacts. The statutes and guidelines of the California Environmental Quality Act (CEQA) require the Lead Agency to consult with public agencies having jurisdiction over a proposed project and to provide public and other interested parties with an opportunity to comment on a Draft IS/MND. This document responds to environmental issues raised in the comments on the Draft IS/MND.

1.2 Environmental Review Process

The Draft IS/MND for the SWTF was submitted to the State Clearinghouse (SCH # 2010052016) on May 6, 2010 for a 30-day public and agency review and comment, which ended on June 7, 2010. The Draft IS/MND was prepared on behalf of the City in accordance with the requirements of the California Environmental Quality Act (CEQA) Statutes (Public Resources Code [PRC] Sections 21000 et seq.) and the CEQA Guidelines (Title 14, Section 15000 et seq. of the California Code of Regulations). The City of Lodi is the lead agency for CEQA compliance.

In accordance with the CEQA Statutes (PRC Section 21092) and Section 15072 of the CEQA Guidelines, public notice of the Draft IS/MND was provided by the City of Lodi through publication of an announcement in the Lodi Sentinel on May 20, 2010. In accordance with Section 15105(b) of the CEQA Guidelines, the City provided a 30-day public review period for the Draft IS/MND, ending on June 7, 2010.

The public notice published in the Lodi Sentinel included details on how to obtain copies of the Draft IS/MND, and how to provide comments on the document for the Draft IS/MND. Additional notification methods were also used, including: mailing copies of the Draft IS/MND to various agencies and individuals; posting the Notice of Availability (NOA) at the Project site; and mailing the NOA to property owners of record within a 300-foot radius of the Project site. The NOA included information on how to obtain copies of the Draft IS/MND and how to provide comments on the document.

The City received three comment letters on the Draft IS/MND during the 30-day public and agency comment period. These three comment letters are addressed in Chapter 3 of this document. This Final IS/MND has been prepared to respond to the comments received by the City that address environmental issues related to the Draft IS/MND, in accordance with the CEQA Guidelines.

This document consists of the following chapters:

- ◆ Chapter 1 – Introduction. Chapter 1 describes the purpose of this Final IS/MND, provides an overview of the public review process, summarizes the Project, and provides the anticipated Project timeline.
- ◆ Chapter 2 – Written Comments and Responses. This chapter reproduces the comment letters received by the City of Lodi on the Draft IS/MND and provides responses to those comments.

- ◆ Chapter 3 - Staff-Initiated Text Changes to Draft IS. This chapter lists modifications to the Draft IS initiated by staff. These modifications do not change any of the impact conclusions stated in the Draft IS.
- ◆ Chapter 4 - List of Preparers. This Chapter lists the individuals who contributed to the preparation of this Final IS/MND.

No modifications to the Draft IS/MND were made in response to the comments received. Therefore, the impact conclusions and mitigation measures stated in the Draft IS/MND remain the same.

This document and the Draft IS/MND together constitute the Final IS/MND for the SWTF. The Draft IS/MND is hereby incorporated into this document by reference.

1.3 Project Summary

The City currently utilizes groundwater as its sole water supply source. As part of a regional effort to stabilize the groundwater basin, the City plans to reduce its groundwater pumping. To achieve this goal, the City contracted with Woodbridge Irrigation District (WID) in May 2003 to purchase 6,000 acre-feet per year (AFY) of WID's pre-1914 Mokelumne River water entitlement for a period of 40 years.

Under the 2003 Agreement, the diversion of WID water from the Mokelumne River is permitted from March 1 through October 15. In April 2009, WID and East Bay Municipal Utilities District (EBMUD) signed a supplementary agreement allowing the City to utilize the water year-round. From March 1 through October 15, the City will receive 5,000 acre-feet (AF); and from October 16 through the end of February, the City will receive 1,000 AF.

The WID purchase is intended to supplement the City's groundwater supply to meet current water demands and to reduce the City's dependence on the groundwater aquifer, which is in an overdraft condition (17,140 AFY pumped in 2008 vs. 15,000 AFY safe yield). Groundwater conditions in the Eastern San Joaquin Groundwater Subbasin are threatened primarily by groundwater withdrawals to the east and south of the City, which has resulted in saline water intrusion from the west. For these reasons, the City proposes to build the SWTF.

The SWTF is proposed as part of a conjunctive use program that would integrate surface water and groundwater management. The surface water component would be the WID water that would be delivered to the SWTF for treatment and distribution to the City. The groundwater component would be well water that is currently pumped for distribution to the City. With the implementation of the SWTF, the City would pump less groundwater and the groundwater levels would be allowed to recover by in-lieu (natural) recharge.

The treated surface water supply would account for about one-third of the total delivery into the water distribution system, on average, but would potentially range under current demand conditions from 18 to nearly 100 percent of the total delivery depending on day-to-day water demands. The remainder of the water supply would be groundwater, supplied by the City's 27 existing wells and one planned well, which would be improved to meet regulatory requirements.

1.3.1 Project Objectives

The SWTF was developed to meet the following objectives:

- ◆ To protect and restore groundwater resources
- ◆ To provide adequate water supply to accommodate long-term growth

The primary purpose of the SWTF is to provide a secure, reliable supplemental supply of water for the City that will meet current and future needs, while protecting groundwater and reducing dependence on groundwater.

1.3.2 Project Location

The City proposes to construct the SWTF on four acres of city-owned property between the Union Pacific Railroad spur line and Lodi Lake near the intersection of Turner Road and Lower Sacramento Road. The raw water pump station (RWPS) would be built on the west side of Lower Sacramento Road across from the WID intake and fish screen, and south of the WID canal on property currently owned by WID.

Only the portion of the raw water pipeline located on the city-owned property is part of the Proposed Project. A 3,200-foot long transmission pipeline from the SWTF would connect to the existing distribution system water mains at four points along Mills Avenue, ending at Elm Street.

1.3.3 Project Facilities

The RWPS would be constructed with four 30-inch pump cans designed for 75-horsepower (hp) vertical turbine pumps. Three 50-hp pumps would be installed in the oversized cans with a capacity of 5.7 million gallons per day (mgd) each. The RWPS would deliver 2.0 to 11.5 mgd of untreated water to the SWTF.

The 36-inch gravity line from the WID fish screen to the RWPS and the 30-inch discharge pressure line from the RWPS to the SWTF were previously constructed as part of the planned widening and reconstruction of Lower Sacramento Road by the County. As such, the construction of this portion of the raw water pipeline was covered under previous CEQA documentation.

The SWTF would have an Operations Building that would house the membranes, laboratory, and administration and operations offices. A Chemical Building would house a workshop, membrane feed pumps, autostrainers, chemical storage and feed systems, and a future dewatering system. Space would be provided on the site to allow for expanding the Operations and Chemical buildings to accommodate plant expansion to 20 mgd. A third building would contain the high service pumps and electrical room. Other components of the SWTF would include a reverse filtration waste tank, plate settler for reverse filtration water, sedimentation basin, high service pump station, soda ash silo, and a three-million-gallon storage tank.

An access road to the SWTF would extend northwest from the intersection of Turner Road and North Mills Avenue in the southeast corner of the City's property. The road would be 24-feet wide with four-foot wide shoulders. The intersection of Turner Road and North Mills Avenue would require signal modifications to accommodate a four-leg intersection.

The finished water pipeline would be placed along the south side of the SWTF, parallel to the railroad tracks. The 3,200-foot-long, 36 inch transmission main would exit the SWTF and follow an access road to

the intersection of Turner Road and North Mills Avenue, where it would tunnel under the railroad tracks and continue south along North Mills Avenue to Elm Street.

The City's water system is currently supplied by groundwater from 27 well pump stations and a grid water main system. To ensure compliance with state and federal regulations, modifications to the existing groundwater distribution system would include: (1) chlorination of each groundwater supply to provide a minimum of 0.5 milligram per liter of residual chlorine at the entry point into the distribution system; and (2) continuous monitoring of the chlorine residual at each distribution system entry point.

1.4 Timeline for Project Implementation

The Lodi City Council is expected to make a decision on certifying the MND and approving the SWTF at its meeting on July 21, 2010. Assuming that the SWTF is approved, construction of the SWTF is anticipated to start in January 2011. Construction is expected to occur over an 18-month period. Therefore, the SWTF is projected to come online in the summer of 2012.

Chapter 2 - Written Comments and Responses

The City received three comment letters on the Draft IS/MND during the public and agency comment period. The following table lists the commenters and the dates of the letters. Each letter and individual comment has been assigned a letter/number designation for cross-referencing.

Also included at the end of this chapter is a letter from the State Clearinghouse. The letter acknowledges that the City of Lodi has complied with the State Clearinghouse draft environmental document review requirements, and indicates that no state agencies submitted comments through the State Clearinghouse by the close of the comment period on June 7, 2010. All comment letters received are addressed in this Final IS/MND.

List of Commenters/Letters			
Designation	Commenter	Date of Letter	Comment Numbers
A	San Joaquin Valley Air Pollution Control District	June 1, 2010	A-1, A-2, A-3, A-4
B	San Joaquin Council of Governments (SJCOG Inc.)	June 4, 2010	B-1, B-2, B-3, B-4
C	California Regional Water Quality Control Board, Central Valley Region	June 7, 2010	C-1, C-2

Comment Letter A



May 28, 2010

RECEIVED

JUN 01 2010

Konradt Bartlam
Community Development Director
City of Lodi
PO Box 3006
Lodi, CA 95241

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Project: Draft Initial Study / Mitigated Negative Declaration – Surface Water Treatment Facility (SWTF)

District CEQA Reference No: 20100340

Dear Mr. Bartlam:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of the construction and operation of the City of Lodi's surface water treatment facility (SWTF), located east of the northwest corner of Turner Road and Lower Sacramento Road, in Lodi, CA. The Draft IS/MND states the project's objectives are "to protect and restore groundwater resources" and "to provide adequate water supply to accommodate long-term growth." The District offers the following comments:

1. Based on information provided to the District, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.
2. Based on information provided to the District, the proposed project may equal or exceed 9,000 square feet of other. Therefore, the District concludes that the proposed project may be subject to District Rule 9510 (Indirect Source Review).

A-1

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the

A-2

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

www.valleyair.org www.healthyliving.com

Printed on recycled paper.

District CEQA Reference No. 20100340

last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

A-2
cont.

- 3. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), 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). The above list of rules is neither exhaustive nor exclusive.

A-3

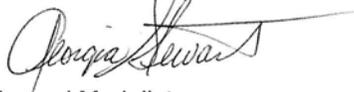
To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the City of Lodi should contact the District's Small Business Assistance Office at (209) 557-6446. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

A-4

If you have any questions or require further information, please call Georgia Stewart, at (559) 230-5937.

Sincerely,

David Warner
Director of Permit Services

for 
 Georgia Stewart
 Arnaud Marjollet
 Permit Services Manager

DW: gs

Cc: File

**Responses to Comment Letter A from
San Joaquin Valley Air Pollution Control District**

Response to Comment A-1:

This comment is noted.

Response to Comment A-2:

This comment is noted. The Proposed Project will exceed 9,000 square feet, and therefore, may be subject to District Rule 9510 (Indirect Source Review), which fulfills emission reduction commitments in the PM₁₀ and Ozone Attainment Plans. The mitigated baseline for projects is below 2 tons per year NO_x and below 2 tons per year of PM₁₀.

As described on pages 4-8 through 4-10 of the IS/MND, various controls will be used to mitigate Project construction and operation emissions.

If Rule 9510 is applicable to the SWTF, an Air Impact Assessment will be submitted to the District no later than applying for final discretionary approval, and to pay any applicable offsite mitigation fees before issuance of the first building permit.

Response to Comment A-3:

This comment is noted. As described on pages 4-8 and 4-9 of the IS/MND, various controls will be used to mitigate fugitive PM₁₀ emissions.

The SWTF will not renovate, partially demolish, or remove any existing buildings.

Response to Comment A-4:

This comment is noted.

Comment Letter B

RECEIVED

JUN 04 2010

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI



S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

**SJMSCP RESPONSE TO LOCAL JURISDICTION (RTL)
ADVISORY AGENCY NOTICE TO SJCOG, Inc.**

To: City of Lodi Community Development Director
From: Anne-Marie Poggio, Regional Habitat Planner, SJCOG, Inc.
Date: June 2, 2010
Local Jurisdiction Project Title: City of Lodi Surface Water Treatment Facility
Local Jurisdiction Project Number: N/A

Total Acres to be converted from Open Space Use: Undetermined
Habitat Types to be Disturbed: Multi-Purpose and Natural Habitat Land
Species Impact Findings: Findings to be determined by SJMSCP biologist.

SJCOG, Inc. has reviewed the City of Lodi Surface Water Treatment Facility Draft IS/ Mit Neg Dec. This project will include a raw water pump station near the Woodbridge Irrigation District (WID) Canal that would pump water from the District intake structure on the Mokelumne River to the new facility in a 30 inch raw water pipeline. The project will be located on the west side of Lower Sacramento Road across from the WID intake and Fish screen and south of the WID canal on property currently owned by WID.

The City of Lodi is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

B-1

It should be noted that two important federal agencies (U.S. Army Corps of Engineers and the California Regional Water Quality Control Board) have not issued permits to the SJCOG and so payment of the fee to use the SJMSCP will not modify requirements that could be imposed by these two agencies. Potential waters of the United States [pursuant to Section 404 Clean Water Act] are believed to occur on the project site. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

B-2

2 | SJCOG, Inc.

This Project is subject to the SJMSCP. Per requirements of the SJMSCP, this project must seek coverage due to required Army Corp permitting and Section 7 consultation. This project is subject to a case-by-case review. This can be a 90 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjco.org> After this project is approved by the Habitat Technical Advisory Committee and the SJCOG Inc. Board, the following process must occur to participate in the SJMSCP:

B-3

- Schedule a SJMSCP Biologist to perform a pre-construction survey **prior to any ground disturbance**
- Sign and Return Incidental Take Minimization Measures to SJMSCP staff (given to project applicant after pre-construction survey is completed)
- Pay appropriate fee based on SJMSCP findings. **Fees shall be paid in the amount in effect at the time of issuance of Building Permit**
- Receive your Certificate of Payment and release the required permit

If you have any questions, please call (209) 235-0600.



S J C O G , I n c .

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department,
Other:

FROM: Anne-Marie Poggio, Regional Habitat Planner, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) Implement Incidental Take Minimization Measures (ITMMs) PRIOR to site disturbance. Do not authorize site disturbance **until receipt of a signed Agreement to Incidental Take Minimization Measures (ITMMs) AND verification that all applicable ITMMs have been implemented.**
- 2) Pay SJMSCP fees. **Fees shall be paid in the amount in effect at the time of issuance of Building Permit (see also Appendix). Do not issue a Use Permit until receipt of a Certificate of Payment or Verification of Payment to the Local Jurisdiction (e.g., Receipt) AND verification that all applicable ITMMs have been implemented prior to ground disturbance.**

B-4

Project Title: City of Lodi Surface Water Treatment Facility Draft IS/ Mit Neg Dec

Landowner: _____

Applicant: _____

Assessor Parcel #: Undetermined

T _____, R _____, Section(s): _____

Local Jurisdiction Contact: City of Lodi Community Development Director

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.

Responses to Comment Letter B from SJCOG Inc.**Response to Comment B-1:**

This comment is noted. The City plans to participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The City is in the process of preparing the SJMSCP review form. The City will ensure that the appropriate Incidental Take and Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.

Response to Comment B-2:

This comment is noted. As stated on pages 4-13 and 4-14 of the IS/MND, there are no waters of the United States on the Project site. Qualified wetland specialists visited the Project site on August 2, 2007, and February 12, 2010, to identify waters of the United States and the state. As stated on page 4-14, "no wetlands or other waters of the U.S. occur on the SWTF site, access road, or associated facilities." Therefore, permits will not be required from the U.S. Army Corps of Engineers (Section 404) or the Central Valley Regional Water Quality Control Board. In addition, there were no waters of the state.

Response to Comment B-3:

This comment is noted. The City will seek coverage under the SJMSCP. However, because there will be no impacts to wetlands or other waters of the United States, the SWTF will not require a Clean Water Act (CWA) Section 404 permit from the U.S. Army Corps of Engineers. Therefore, Endangered Species Act Section 7 consultation will not be required.

Response to Comment B-4:

This comment is noted. The City will implement Incidental Take Minimization Measures disturbance and pay SJMSCP fees prior to ground disturbance.



Linda S. Adams
Secretary for
Environmental
Protection

**California Regional Water Quality Control Board
Central Valley Region**

Katherine Hart, Chair

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114
Phone (916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>



Arnold
Schwarzenegger
Governor

Comment Letter C

7 June 2010

Konrad T. Bartlam
City of Lodi
221 West Pine Street
Lodi, CA 95240

**COMMENTS ON DRAFT MITIGATED NEGATIVE DECLARATION, CITY OF LODI
SURFACE WATER TREATMENT FACILITY, SAN JOAQUIN COUNTY, SCH#2010052016**

The California Environmental Quality Act (CEQA) provides an opportunity for the Regional Water Boards to exercise their authority to require minimization and mitigation of impacts to the waters of the state. Based on the provided project description, project activities may impact waters of the United States or waters of the state.

The discharge of dredge or fill material to waters of the United States is subject to Section 401 of the CWA and the California Water Code (CWC). Section 401 requires that a Water Quality Certification be obtained from the State before the Army Corps of Engineers may issue a Section 404 permit. C-1

Any person discharging dredge or fill materials to waters of the state must file a report of waste discharge pursuant to Sections 13376 and 13260 of the CWC. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at: C-2

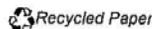
http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/wqc_application.pdf

If you have any questions regarding storm water or 401 Water Quality Certification, please contact me at (916) 464-4736 or dradulescu@waterboards.ca.gov.

Dan Radulescu, P.E.
Lead of the 401 & Municipal Storm Water Unit

cc: State Clearinghouse
HDR, 2365 Iron Point Road, Suite 300, Folsom, CA 95630

California Environmental Protection Agency



**Responses to Comment Letter C from
Central Valley Regional Water Quality Control Board**

Response to Comment C-1:

This comment is noted. The Proposed Project will not discharge any dredge or fill material to waters of the United States. Therefore, the Proposed Project will not require a Clean Water Act (CWA) Section 404 permit from the U.S. Army Corps of Engineers, and in turn, will not require a CWA Section 401 Water Quality Certification from the Regional Water Quality Control Board.

Response to Comment C-2:

This comment is noted. The Proposed Project will not discharge any dredge or fill material to waters of the state. Therefore, the Proposed Project will not be required to file a report of waste discharge pursuant to Sections 13376 and 13260 of the California Water Code. There are no waters of the state on the Project site.



ARNOLD SCHWARZENEGGER
GOVERNOR

June 8, 2010

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



RECEIVED
JUN 11 2010
CITY MANAGER'S OFFICE

Konrad T. Bartlam
City of Lodi
P.O. Box 3006
221 West Pine Street
Lodi, CA 95240

Subject: City of Lodi Surface Water Treatment Facility
SCH#: 2010052016

Dear Konrad T. Bartlam:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on June 7, 2010, and no state agencies submitted comments by that date. 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 call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,


Scott Morgan
Acting Director, State Clearinghouse

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2010052016
Project Title City of Lodi Surface Water Treatment Facility
Lead Agency Lodi, City of

Type MND Mitigated Negative Declaration
Description The Surface Water Treatment Facility (SWTF) will include a raw water pump station near the Woodbridge Irrigation District (WID) Canal that would pump water from the WID intake structure on the Mokelumne River that is fitted with a 36 inch pipe, so a 30 inch raw water pipeline to the SWTF. From the SWTF, a treated water pipeline will deliver water to the City of Lodi's existing water distribution system. The design capacity of the SWTF will be 8 mgd with the ability to produce 10 mgd. The SWTF is designed as a membrane treatment plant. The City's water system is currently supplied by 27 groundwater wells that will have chlorination facilities added to each well. The treated surface water supply will account for about 1/3 of the total water supply delivery; groundwater will make up the remainder of the delivery.

Lead Agency Contact

Name Konrad T. Bartlam
Agency City of Lodi
Phone (209) 333-6711 **Fax**
email
Address P.O. Box 3006
 221 West Pine Street
City Lodi **State** CA **Zip** 95240

Project Location

County San Joaquin
City Lodi
Region
Lat / Long 38° 12' 7" N / 121° 32' 2" W
Cross Streets North Mills Ave and Turner Rd
Parcel No. 015-230-15
Township 4N **Range** 6E **Section** 34 **Base** MDB&M

Proximity to:

Highways 99, 12
Airports Lodi Airpark
Railways UPRR
Waterways Mokelumne River
Schools
Land Use GP: Open Space

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 10; CA Department of Public Health; State Water Resources Control Board, Division of Financial Assistance; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission

Note: Blanks in data fields result from insufficient information provided by lead agency.

**Document Details Report
State Clearinghouse Data Base**

Date Received 05/06/2010 **Start of Review** 05/06/2010 **End of Review** 06/07/2010

Note: Blanks in data fields result from insufficient information provided by lead agency.

Chapter 3 - Staff-Initiated Text Changes to Draft IS

The following corrections have been made to the Draft IS text. This staff-initiated text changes update information presented in the Draft IS. These changes do not alter any of the analysis or conclusions presented in the Draft IS. Text deletions are shown with ~~strike through~~, and additions are shown with double underline. No modifications to the Draft IS were made in response to the agency comments received.

2.2.5 Access Road

The SWTF would share an access road with future park land. The City plans on designing and constructing the access road to serve both areas. The volume of traffic visiting the SWTF is expected to be minor. Most visitors are expected to arrive by automobile; however, a few large trucks would arrive for deliveries, construction, and maintenance.

The access road to the SWTF would extend northwest from the intersection of Turner Road and North Mills Avenue in the southeast corner of the City's property (Figure 2-6). The road would be 24-foot wide with four-foot wide shoulders. The intersection of Turner Road and North Mills Avenue would require signal modifications to accommodate a four-leg intersection.

For the westbound traffic on Turner Road, an existing raised traffic island in the intersection would be removed to accommodate the northbound through movement from North Mills Avenue. A new traffic signal post would be installed on the existing raised median east of the intersection with new traffic signal heads for both eastbound and westbound left turn movements. In addition, an existing 25-foot signal mast-arm with a street light and signal heads for the northbound, westbound through, and eastbound left turn movement. It would also have a "No Right Turn" sign that would operate with the railroad crossing signal to prevent vehicles from turning right on a red light when a train is approaching. The existing high voltage power pole would remain. For the northbound direction on North Mills Avenue, an existing left turn lane would change to a through/left lane. The existing raised traffic island on North Mills Avenue would be reshaped and the existing traffic signal post on the island would be relocated. The 40-foot mast on the traffic signal post would be removed and replaced with a street light. The existing signal post on the right turn median would receive a new southbound signal head for southbound traffic.

For eastbound traffic on Turner Road, a left turn pocket would be added at the intersection to allow movement to the access road. An existing raised median and street light on West Turner Road would be relocated adjacent the new left turn lane. A new 50-foot traffic signal mast would be located on the southwest corner to replace the 40-foot mast arm removed from the island on North Mills Avenue. The crosswalk on the west quadrant would be moved west to maintain 40-foot spacing in front of the new 50-foot mast.

An existing signal controller located at the southwest corner would be modified for the new eastbound left turn and the southbound movements. All new traffic signal heads would be light-emitting diodes (LED) to reduce energy use.

Currently, the traffic signals also function as the railroad crossing control signals. The City met with the California Public Utilities Commission (CPUC) and UPRR to determine if any changes to the crossing controls would be needed with the intersection improvements. Due to the low number of incidents at the intersection, the CPUC decided to allow the existing crossing controls to remain. American Disabilities

Act (ADA), signage, and striping improvements would be included in the proposed improvements. A preliminary design will be submitted to UPRR for review during the 60 percent design review. This will then be followed by submitting a General Order 88B (application for railroad crossing) to the CPUC.

New crosswalk, curb ramps, and traffic signal poles with traffic and pedestrian signal heads would be added for the north leg of the intersection. The access road would be constructed along the lake, which would necessitate the removal of mature trees and an earthen embankment. The access road would be routed from Turner Road, between the existing concrete pedestrian/bicycle path that runs along the lake and the stormwater pump station to the SWTF's entrance gate. A second wooden power pole located in the berm would have to be reinstalled when the berm is removed. A few street lights and park benches along the path would be moved away from the access road to the lake side of the path. The lights at the park and the SWTF would be integrated along with the road and the pathway.

Figure 2-7 shows the existing view from Turner Road looking towards the lake. Figure 2-8 shows a conceptual image of the same view after the SWTF is built after the removal of 12 oak trees (three valley oaks and nine interior live oaks) along the proposed access road. Figure 2-9 shows a conceptual image of the SWTF as viewed from Turner Road after the removal of ~~four~~ 19 oak trees (~~one~~ six valley oak and ~~three~~ 13 interior live oaks) and one black locust tree from the SWTF site during construction.

2.3.6 Architectural, Landscaping, and Security

During the architectural phase, several specialized crews would apply finishes, tile and flooring, windows, paint, and wall fixtures.

Decorative fencing or a wrought iron style fence would be constructed where the SWTF is exposed to the park or otherwise visible from the street. On the side facing the railroad track, one-inch chain-link fencing, eight feet in height topped with three strands of barbed wire would be placed.

The SWTF would have three vehicular gates: the main entrance, delivery entrance, and a utility entrance. Motorized gates would be provided at both the main and delivery entrances. The main entrance would be located in the parking lot adjacent to the Operations Building. The delivery entrance would be located on the other side of the storage tank from the Operations Building and out of view. The utility gate would provide access for service or maintenance on the north side of the Operations Building. It would be a manual gate since its use would be infrequent and it would be normally locked. Manual gates would be provided at the parking lot in front of the administration offices to prevent park guests from using the SWTF's parking during weekends or after hours.

Landscaping within the facility would be kept to the perimeter to screen the SWTF and to minimize maintenance. Evergreen trees would be placed along the fence line facing the future park. ~~Sixteen~~ Nineteen oak trees and one black locust trees would be removed in the construction of the SWTF and the access road. The trees removed would be mitigated with oak trees planted in the future park and at other city parks.

4.0 CEQA INITIAL STUDY CHECKLIST

Biological Resources

DISCUSSION

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

Less Than Significant with Mitigation Incorporated. The future SWTF site and access road contain several trees, which would be removed during construction. The City’s policy contained in the recently adopted General Plan (Implementing Policy P-P13) requires a two-for-one replacement or transplantation for trees removed. In addition, the City regulates the removal of trees that are defined as “heritage trees.” There are no trees at the RWPS site.

The number and species of trees that could potentially be removed during construction is shown in Table 4-2 and Figure 4-1. Compliance with the following mitigation measure will reduce the potential impacts to trees to less than significant.

Table 4-2. Trees Within the SWTF Site and Access Road

Tag #	Tree Type	DBH (in.)	Height (ft.)	Dripline (ft.)	Vigor	Remove	Comments
101	Valley oak	30	40	30	F	Remove	Pruned heavily for power lines
102	Interior live oak	30	40	30	F-G	Remove	
103	Interior live oak	15	30	15	G	Remove	
104	Interior live oak	16,8,4	35	20	F-G	Remove	Some dieback
105	Interior live oak	18,9	30	20	F-P	Remove	Shaded, dieback
106	Interior live oak	13,14	20	20	F-P	Remove	Shaded, leans, dieback
107	Valley oak	33	60	25	F-G	Remove	Weak crotch 25 feet up from trunk
108	Interior live oak	7	15	7	G		
109	Interior live oak	32	45	25	G	Remove	
110	Valley oak	32	40	20	F	Remove	Pruned heavily for power lines
111	Valley oak	18	35	20	G		
112	Interior live oak	21,19	40	20	F-P		One trunk decayed
113	Interior live oak	32	45	25	F		Weak crotch at co-dominant stems
114*	Valley oak	32	50	25	G		
115*	Valley oak	17	20	20	F-P		Shaded, leans
116*	Interior live oak	32,19	50	25	F-G		Decay at site of past stem removal
117	Interior live oak	17,15	40	20	F	Remove	Leans, dieback
118	Interior live oak	14,12	20	20	F	Remove	Leans, dieback
119	Interior live oak	29	45	25	P	Remove	Decay at base, nearly dead
120	Interior live oak	7,6	20	10	G	Remove	
121	Black locust	12,7,6,7,5	25	10	G	Remove	
122	Valley oak	19	60	20	G	Remove	
123	Interior live oak	16	35	15	G	Remove	
124	Interior live oak	11,11,10,7,20,13,11	35	20	G	Remove	
125*	Valley oak	29	40	20	F	<u>Remove</u>	Weak crotch at co-dominant stems
126*	Interior live oak	7	15	10	G	<u>Remove</u>	

Table 4-2. continued

Tag #	Tree Type	DBH (in.)	Height (ft.)	Dripline (ft.)	Vigor	Remove	Comments
127*	Valley oak	18	35	15	G	<u>Remove</u>	
128*	Valley oak	16	30	10	G		
129*	Valley oak	11,17	30	15	G		
Key: * <u>Dripline overhangs SWTF site or access road</u> DBH = diameter breast height (multiple trunks) F = fair P = poor G - good							

- ◆ Mitigation Measure BIO-2: Replace or Transplant Trees Removed. Pursuant to the City of Lodi General Plan, where tree removal is required, the City shall replace or transplant the removed tree. If replacement occurs, a two-for-one ratio and a minimum size of 15-gallon container trees will be used.

Chapter 4 - List of Preparers

The Draft IS/MND and Final IS/MND for the City of Lodi Surface Water Treatment Plant were prepared by HDR Engineering Inc. in cooperation with the City of Lodi. The following individuals contributed to this Final IS/MND:

City of Lodi (Lead Agency)

Wally Sandelin, Project Manager

HDR Engineering, Inc.

Michele Stern, Project Manager

Debra Hoek, Document Production



City of Lodi

Surface Water Treatment Facility
Final Initial Study /
Mitigated Negative Declaration

HDR

MITIGATION MONITORING AND REPORTING PROGRAM

CITY OF LODI

SURFACE WATER TREATMENT FACILITY

State Clearinghouse # 2010052016

June 2010



2365 Iron Point Road, Suite 300
Folsom, CA 95630

MITIGATION MONITORING AND REPORTING PROGRAM

1.0 Introduction

Section 21081.6(a)(1) of the California Environmental Quality Act (CEQA) of the Public Resources Code, requires public agencies, as part of the certification of a Mitigated Negative Declaration (MND), to prepare and approve a reporting or monitoring program. This program should be structured to ensure that changes to the project that the lead agency has adopted to mitigate or avoid significant environmental impacts are carried out during project implementation.

The Mitigation Monitoring and Reporting Program (MMRP) is intended to be used by City of Lodi (City) staff, responsible and participating agencies, and mitigation monitoring personnel during implementation of the project. The intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures. The MMRP consists of a compliance checklist that identifies the adopted mitigation measures, the timing of implementation of the measures, the monitoring frequency of the measures, the entity responsible for their implementation and monitoring, and the performance criteria used to evaluate implementation of the mitigation measures. The mitigation measures presented in the following table are incorporated into the proposed project.

Mitigation Monitoring and Reporting Program for the City of Lodi Surface Water Treatment Facility

Mitigation Measure	Initiation of Mitigation	Monitoring Frequency	Responsibility for Verification of Compliance	Performance Criteria	Date Compliance Completed
Aesthetics					
<p>Mitigation Measure AE-1: Reduce Visual Impacts. The design of the Proposed Project, including the choice of color and materials, shall reduce the visual impacts of the raw water pump station and the surface water treatment facility. Bright and reflective materials shall be avoided.</p>	During preparation and review of design specifications and construction contract to ensure inclusion	Throughout design and construction.	City, design engineer, and primary construction contractor	Monitoring during design and construction	
<p>Mitigation Measure AE-2: Minimize Substantial Light and Glare. Outdoor light sources shall be properly shielded and installed to prevent light trespass on adjacent properties. Any flood or spot lamps installed will be aimed no higher than 45 degrees above straight down (half-way between straight down and straight to the side) when the source is visible from any off-site residential property, public roadway, or Lodi Lake Park.</p>	During preparation and review of design specifications and construction contract to ensure inclusion	Throughout design and construction	City, design engineer, and primary construction contractor	Monitoring during design, construction, and operation	
Air Quality					
<p>Mitigation Measure AIR-1. Minimize PM₁₀ Impacts. With implementation of Regulation VIII control measures for PM₁₀, PM₁₀ impacts from construction would be less than significant.</p> <ul style="list-style-type: none"> All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover. 	Before beginning any construction or ground-disturbing activities, and throughout construction period	Throughout construction period	City and primary construction contractor	SJVAPCD measures are implemented such that pollutant emissions are minimized	

Mitigation Monitoring and Reporting Program for the City of Lodi Surface Water Treatment Facility

Mitigation Measure	Initiation of Mitigation	Monitoring Frequency	Responsibility for Verification of Compliance	Performance Criteria	Date Compliance Completed
<ul style="list-style-type: none"> • All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant. • All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking. • With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition. • When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. • All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.) • Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant. • Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday. 					

Mitigation Monitoring and Reporting Program for the City of Lodi Surface Water Treatment Facility

Mitigation Measure	Initiation of Mitigation	Monitoring Frequency	Responsibility for Verification of Compliance	Performance Criteria	Date Compliance Completed
<ul style="list-style-type: none"> Any site with 150 or more vehicle trips per day shall prevent carryout and trackout. Construction equipment, on-road heavy-duty trucks, and construction-worker vehicles would also generate criteria air pollutant emissions. Emissions from construction-worker commute trips would be minor compared to emissions from heavy-duty trucks. Criteria pollutant concentrations of reactive organic gases (ROG) and nitrogen oxides (NO_x) from these emissions sources would incrementally add to regional atmospheric loading of ozone precursors during the construction period. The Guide for Assessing and Mitigating Air Quality Impacts (GAMAQ) recognizes that construction equipment emits ozone precursors and indicates that very large construction projects may exceed the annual thresholds for ROG and NO_x emissions. In which case, San Joaquin Valley Air Pollution Control District (SJVAPCD) will recommend quantification methods for these projects on a case-by-case basis. 					
Biological Resources					
<p>Mitigation Measure BIO-1a: Replace Swainson’s Hawk Foraging Habitat.</p> <p>The City anticipates that the project would be approved for participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for all facilities (raw water pump station (RWPS) site, surface water treatment facility (SWTF) site and pipelines). Compliance with the SJMSCP would provide for impact avoidance measures (e.g., pre-construction surveys during appropriate seasons</p>	Before beginning any construction or ground-disturbing activities	Throughout construction period	City and primary construction contractor	Surveys and monitoring are conducted in accordance with SJMSCP and CDFG requirements	

Mitigation Monitoring and Reporting Program for the City of Lodi Surface Water Treatment Facility

Mitigation Measure	Initiation of Mitigation	Monitoring Frequency	Responsibility for Verification of Compliance	Performance Criteria	Date Compliance Completed
<p>for identification, construction set-backs, restriction on construction timing) and mitigation for loss of foraging habitat for Swainson's hawk. Avoidance measures would include, but are not limited to, the species-specific measures presented below, which are summarized from the SJMSCP. Incidental take minimization measures for the hawk can be found in Section 5.2.4 of the SJMSCP.</p>					
<p>Mitigation Measure BIO-1b: Avoid Disturbance of Nesting Swainson's Hawks. In order to encourage the retention of known or potential Swainson's hawk nest trees (i.e., trees that hawks are known to have nested in within the past three years or trees, such as large oaks, which the hawks prefer for nesting), for any nest tree that becomes occupied during construction activities, all construction activities shall remain a distance of two times the dripline of the tree, measured from the nest. Alternatively, nest trees may be removed between September 1 and February 15, when the nests are unoccupied.</p>	<p>Before beginning any construction or ground-disturbing activities</p>	<p>Throughout construction period</p>	<p>City and primary construction contractor</p>	<p>Surveys and monitoring are conducted in accordance with SJMSCP and CDFG requirements</p>	
<p>Mitigation Measure BIO-1c: Avoid Disturbance of Nesting Birds (except Swainson's Hawk). If construction activities (i.e., ground clearing and grading, including tree removal of trees or shrubs) are scheduled to occur during the non-breeding season (September 1 through January 31), no mitigation is required. If construction activities are scheduled to occur during the breeding season (February 1 through August 31), the following measures are required to avoid potential adverse effects to nesting resident and migratory birds:</p>	<p>Before beginning any construction or ground-disturbing activities</p>	<p>Throughout construction period</p>	<p>City and primary construction contractor</p>	<p>Surveys and monitoring are conducted in accordance with SJMSCP and CDFG requirements</p>	

Mitigation Monitoring and Reporting Program for the City of Lodi Surface Water Treatment Facility

Mitigation Measure	Initiation of Mitigation	Monitoring Frequency	Responsibility for Verification of Compliance	Performance Criteria	Date Compliance Completed
<ul style="list-style-type: none"> • A qualified wildlife biologist will conduct preconstruction surveys of all potential nesting habitats within 500 feet of Project activities where access is available. • If active nests are found during preconstruction surveys, a no-disturbance buffer acceptable in size to the CDFG will be created around active nests during the breeding season or until it is determined that all young have fledged. Bird nests initiated during construction are presumed to be unaffected and no buffer is necessary. However, the “take” of any individuals will be prohibited. • If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction period, no further mitigation is required. Trees and shrubs within the construction footprint that have been determined to be unoccupied by nesting birds or that are located outside the no-disturbance buffer for active nests may be removed. 					
<p>Mitigation Measure BIO-2: Replace or Transplant Trees Removed.</p> <p>Pursuant to the City of Lodi General Plan, where tree removal is required, the City shall replace or transplant the removed tree. If replacement occurs, a two-for-one ratio and a minimum size of 15-gallon container trees will be used.</p>	<p>Before beginning any construction or ground-disturbing activities</p>	<p>Throughout construction period</p>	<p>City and primary construction contractor</p>	<p>In accordance with City requirements</p>	

Mitigation Monitoring and Reporting Program for the City of Lodi Surface Water Treatment Facility

Mitigation Measure	Initiation of Mitigation	Monitoring Frequency	Responsibility for Verification of Compliance	Performance Criteria	Date Compliance Completed
Cultural Resources					
<p>Mitigation Measure CUL-1: Stop Work if Archaeological Materials are Discovered during Construction.</p> <p>If archaeological materials (such as chipped or ground stone, historic debris, building foundations, or non-human bone) are inadvertently discovered during ground-disturbing activities, the construction contractor will stop work in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and develop appropriate treatment measures. Treatment measures will be made in consultation with the City and other parties as appropriate. Treatment measures typically include development of avoidance strategies or mitigation of impacts through data recovery programs such as excavation or detailed documentation.</p> <p>If cultural resources are discovered during construction activities, the construction contractor and lead contractor compliance inspector will verify that work is halted until appropriate treatment measures are implemented. Implementation of this mitigation measure may be sufficient to reduce impacts on archaeological sites to less than significant.</p>	<p>If archaeological materials or cultural resources are discovered during ground-disturbing activities</p>	<p>Throughout construction period</p>	<p>City and primary construction contractor</p>	<p>Finds of undocumented archaeological materials or cultural resources are reported and protected until evaluated by an archaeologist</p>	
<p>Mitigation Measure CUL-2: Stop Work if Human Remains are Discovered.</p> <p>If human remains of Native American origin are discovered during ground-disturbing activities, it is necessary for the City to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native</p>	<p>If human remains are discovered during ground-disturbing activities</p>	<p>Throughout construction period</p>	<p>City and primary construction contractor</p>	<p>Finds of potential human remains are reported and protected until evaluated by appropriate individuals</p>	

Mitigation Monitoring and Reporting Program for the City of Lodi Surface Water Treatment Facility

Mitigation Measure	Initiation of Mitigation	Monitoring Frequency	Responsibility for Verification of Compliance	Performance Criteria	Date Compliance Completed
<p>American Heritage Commission (NAHC) (Public Resources Code [PRC] 5097). If human remains are discovered or recognized in any location other than a dedicated cemetery, the City will not allow further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <ol style="list-style-type: none"> 1. The San Joaquin County coroner has been informed and has determined that no investigation of the cause of death is required; and 2. If the remains are of Native American origin: <ul style="list-style-type: none"> • The descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC 5097.98, or • The NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the NAHC. 					
Hazards and Hazardous Materials					
<p>Mitigation Measure HAZ-1: Handling and Storage of Hazardous Materials.</p> <p>The storage, handling, and use of construction-related hazardous shall be in accordance with applicable, federal, state, and local laws. Construction-related hazardous materials and hazardous wastes (e.g., fuels and waste oils) shall be staged and stored away from</p>	<p>Before beginning any construction or ground-disturbing activities</p>	<p>Throughout construction period</p>	<p>City, primary construction contractor, and subcontractors</p>	<p>All construction personnel have completed training, and staging areas have been identified</p>	

Mitigation Monitoring and Reporting Program for the City of Lodi Surface Water Treatment Facility

Mitigation Measure	Initiation of Mitigation	Monitoring Frequency	Responsibility for Verification of Compliance	Performance Criteria	Date Compliance Completed
<p>stream channels and steep banks to prevent these materials from entering surface waters in the event of an accidental release. Consideration shall also be given to keeping these materials at sufficient distance from nearby residences or other land uses. This includes materials stages for expected use, materials in equipment and vehicles, and waste materials.</p>					
<p>Mitigation Measure HAZ-2: Compliance with Design Codes and Regulations.</p> <p>The SWTF shall be designed to comply with all pertinent sections of the Uniform Building Code, Uniform Fire Code, and Hazardous Materials Management Plan. Final project design shall include, but not be limited to, the following design features and measures:</p> <ul style="list-style-type: none"> • Incompatible chemicals will be physically separated; • Fire suppression and control systems in chemical storage areas will utilize the appropriate fire retardant; • All spill collection systems, containment, and aprons will be contained on site for truck pick up and not routed to any storm drain system; • Outdoor storage vessels will be protected from accidental vehicle contact; and • Bulk liquid hazardous materials delivery areas will include delivery-vehicle spill containment with collection sump. 	<p>During preparation and review of design specifications and construction contract to ensure inclusion</p>	<p>Throughout design and construction.</p>	<p>City, design engineer, and primary construction contractor</p>	<p>Monitoring of design and construction</p>	

Mitigation Monitoring and Reporting Program for the City of Lodi Surface Water Treatment Facility

Mitigation Measure	Initiation of Mitigation	Monitoring Frequency	Responsibility for Verification of Compliance	Performance Criteria	Date Compliance Completed
<p>Mitigation Measure HAZ-3: Enforce Contractual Obligations.</p> <p>The City shall ensure, through the enforcement of contractual obligations that all contractors transport, store, handle, and dispose of construction-related hazardous materials in a manner consistent with the relevant regulations and guidelines. At minimum, these regulations and guidelines include those recommended and enforced by the Caltrans, the regional water quality control board (RWQCB), the City's Fire Department, and San Joaquin County.</p> <p>Recommendations shall include as appropriate transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using applicable federal, state, and/or local regulatory agency protocols. In addition, all conditions required by the RWQCB-issued National Pollution Discharge Elimination System (NPDES) stormwater permit for construction activities would be followed to ensure that no hazardous materials enter any nearby waterways.</p> <p>In the event of a spill, the City shall ensure, through the enforcement of contractual obligations, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by the City's Fire Department, the San Joaquin County Office of Emergency Services, or any other regulatory agency, contaminated media shall be collected and disposed of at offsite facility approved to accept such media.</p>	<p>Before beginning any construction or ground-disturbing activities</p>	<p>Throughout construction period</p>	<p>City, primary construction contractor, and subcontractors</p>	<p>All construction personnel have completed training, and staging areas have been identified</p> <p>Monitoring is conducted in accordance with Caltrans, RWQCB, City of Lodi Fire Department, and San Joaquin County regulations and guidelines</p>	

Mitigation Monitoring and Reporting Program for the City of Lodi Surface Water Treatment Facility

Mitigation Measure	Initiation of Mitigation	Monitoring Frequency	Responsibility for Verification of Compliance	Performance Criteria	Date Compliance Completed
Hydrology and Water Quality					
<p>Mitigation Measure HYDRO-1: Prepare and Implement a SWPPP and Construction BMPs.</p> <p>The Storm Water Pollution Prevention Plan (SWPPP) will include a grading and erosion control plan required for all construction plans to address potential erosion during construction. This requirement will be integrated with the Project SWPPP, provided that it meets the requirements of both the City and the RWQCB.</p> <p>All construction plans and activities shall implement best management practices (BMPs) to provide effective erosion, runoff, and sediment control. These BMPs shall be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable. Performance and effectiveness of these BMPs shall be determined either by visual means where applicable (i.e., observation of above-normal sediment release) or by actual water sampling in cases where verification of contaminant reduction or elimination (inadvertent petroleum release) is required by the RWQCB to determine adequacy of the measure.</p> <ul style="list-style-type: none"> • The grading and erosion control plan shall include specific measures to accomplish erosion and sediment control and to minimize the removal of natural vegetation. The plan shall include, but is not limited to, the following measures. • Grading activities will be scheduled for the dry season only (April 15 to October 15), to the extent possible. This will reduce the chance of severe 	<p>Before beginning any construction or ground-disturbing activities</p>	<p>Throughout construction period</p>	<p>City, primary construction contractor, and subcontractors</p>	<p>SWPPP and Notice of Intent are completed and submitted to the Central Valley RWQCB</p> <p>All identified BMPs are implemented and maintained such that contaminants are isolated from drainages to the extent practicable and feasible</p>	

<p>erosion from intense rainfall and surface runoff, as well as the potential for soil saturation in swale areas.</p> <ul style="list-style-type: none"> • If grading occurs during the rainy season, stormwater runoff from the construction area will be regulated through a stormwater management/erosion control plan that may include temporary onsite silt traps and/or basins with multiple discharge points to natural drainages and energy dissipaters. Stockpiles of loose material will be covered and runoff diverted away from exposed soil material. If rain causes the work to stop, a positive grading away from slopes will be provided to carry the surface runoff to areas where flow can be controlled. Sediment basin/traps will be located and operated to minimize the amount of offsite sediment transport. Any trapped sediment will be removed from the basin or trap and placed at a suitable location onsite, away from concentrated flows, or removed to an approved disposal site. • Temporary erosion control measures will be provided until perennial revegetation or landscaping is established and can minimize discharge of sediment into nearby waterways. • After pipelines and other underground facilities are installed, compacted backfill shall be placed and the ground surface shall be restored to its original condition and topography. • Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Temporary or permanent soil disposal stockpile areas must be outside jurisdictional wetlands, riparian areas, and oak woodlands. Stockpiles remaining onsite through the wet season shall be protected (e.g., with straw bales) to prevent erosion. • After completion of grading, erosion protection will be provided on all cut-and-fill slopes. Revegetation will be facilitated by mulching, hydroseeding, or 					
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<p>other methods and shall be initiated as soon as possible after the completion of grading and prior to the onset of the rainy season (by November 1).</p> <ul style="list-style-type: none"> • Permanent revegetation and landscaping will emphasize drought-tolerant perennial ground coverings, shrubs, and trees to improve the probability of slope and soil stabilization without adverse impacts to slope stability from irrigation infiltration and long-term root development. • BMPs selected and implemented for the Project will be in place and operational prior to the onset of major earthwork on the site. The construction phase facilities will be maintained regularly and cleared of accumulated sediment as necessary. • Hazardous materials such as fuels and solvents used on the construction sites will be stored in covered containers and protected from rainfall, runoff, and vandalism. A stockpile of spill cleanup materials will be readily available at all construction sites. Employees will be trained in spill prevention and cleanup, and individuals will be designated as responsible for prevention and cleanup activities. 					
Noise					
<p>Mitigation Measure Noise-1: Minimize Noise during Construction.</p> <p>The following measures shall be implemented during construction:</p> <ul style="list-style-type: none"> • Construction activities shall be limited from 7:00 a.m. to 10:00 p.m. • Generators, if utilized, shall be located as far as practical from sensitive noise receptors. • Depending on the type of equipment used and the location and duration of the activity, physical reduction measures such as temporary noise 	At initiation of construction	Throughout construction period	City and primary construction contractor	Construction equipment is properly maintained and equipped with all feasible noise control, such as mufflers, in accordance with manufacturers' specifications	

<p>barriers that provide separation between the source and the receptor (e.g., temporary soundproof structures to house portable generators) shall be provided.</p> <ul style="list-style-type: none"> • Construction equipment that is equipped, operated, and maintained with manufacturer recommended mufflers or the equivalent shall be utilized. • The City shall post signs at the construction site that shall include permitted construction days and hours, expected timeframe for construction, and a day and evening contact number for complaints about construction noise and vibration. 					
<p>Mitigation Measure Noise-2: Minimize Noise during Operation.</p> <p>The RWPS and SWTF shall be designed to be consistent with the City's Noise Regulation 9.24.030. Based on the noise measurements, existing ambient noise levels between the hours of 10:00 p.m. and 7:00 a.m. currently range between 42 and 53 dBA at nearby residences. So as not to exceed the lowest ambient noise level by more than five decibels, noise levels from pumps and motors shall be reduced to 45 dBA or below at the property line of the nearest residential property, including the mobile home park approximately 90 feet southeast of the proposed RWPS and the residences approximately 280 feet northwest of the proposed SWTF.</p>	At initiation of operation	Throughout operation period	City	In accordance with City's Noise Regulation 9.24.030	
Transportation/Traffic					
<p>Mitigation Measure TR-1: Prepare Traffic Control Plan.</p> <p>The City shall require the contractor to prepare a traffic control plan to show specific methods for maintaining traffic flows. Examples of traffic control measures to be considered include (1) use of flaggers to maintain alternating one-way traffic while working on one-half of</p>	Before beginning any construction or ground-disturbing activities, and throughout construction period	Throughout construction period	City and primary construction contractor	Plan is submitted to San Joaquin County, Caltrans, and City and the elements of the plan are implemented during construction.	

<p>the street; (2) use of advance construction signs and other public notices to alert drivers of activity in the area; and (3) use of "positive guidance" detour signing on alternate access streets to minimize inconvenience to the driving public.</p>					
<p>Mitigation Measure TR-2: Haul Route Maintenance. Following construction, the City shall ensure that road surfaces damaged during construction are returned to their pre-construction condition.</p>	<p>Before beginning any construction or ground-disturbing activities, and throughout construction period</p>	<p>Throughout construction period</p>	<p>City and primary construction contractor</p>	<p>Roadways that are damaged during construction are repaired</p>	

RESOLUTION NO. 2010-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI
CERTIFYING THE FINAL MITIGATED NEGATIVE DECLARATION
FOR THE SURFACE WATER TREATMENT FACILITY;
STATE CLEARINGHOUSE NO. 2010052016

=====

WHEREAS, the City Council of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested General Plan Amendment in accordance with the Government Code; and

WHEREAS, the project proponent is City of Lodi, Public Works Department, 221 West Pine Street, Lodi, CA 95240; and

WHEREAS, the project site is located at 903 West Turner Road, Lodi CA; and

WHEREAS, an Initial Study/Mitigated Negative Declaration (File No. 10-MND-04) was prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. The Community Development Department has determined that all environmental impacts that result from this project can be mitigated to a less than significant level; and

WHEREAS, the Notice of Availability (NOA) of the Draft Initial Study/Mitigated Negative Declaration was prepared and distributed to reviewing agencies on May 6, 2010; and

WHEREAS, the required 30-day review period for this project commenced on Thursday, May 6, 2010, and ended on Monday, June 7, 2010; and

WHEREAS, the City received three written comments during the public review period and the comments were responded to and incorporated into the Final Mitigated Negative Declaration; and

WHEREAS, on July 14, 2010, the Site Plan and Architectural Review Committee reviewed and approved the site plan and architecture of the proposed Surface Water Treatment Facility; and

WHEREAS, staff recommends that the City Council approve the filing of a Mitigated Negative Declaration by the Community Development Director as adequate environmental documentation for the project; and

WHEREAS, all legal prerequisites to the approval of this request have occurred.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council has reviewed all documentation and hereby certifies the Final Mitigated Negative Declaration as adequate environmental documentation for the Surface Water Treatment Facility (State Clearinghouse No. 2010052016).

Dated: July 21, 2010

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I hereby certify that Resolution No. 2010-122 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 21, 2010, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, and Mayor Katzakian

NOES: COUNCIL MEMBERS – Hitchcock and Mounce

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

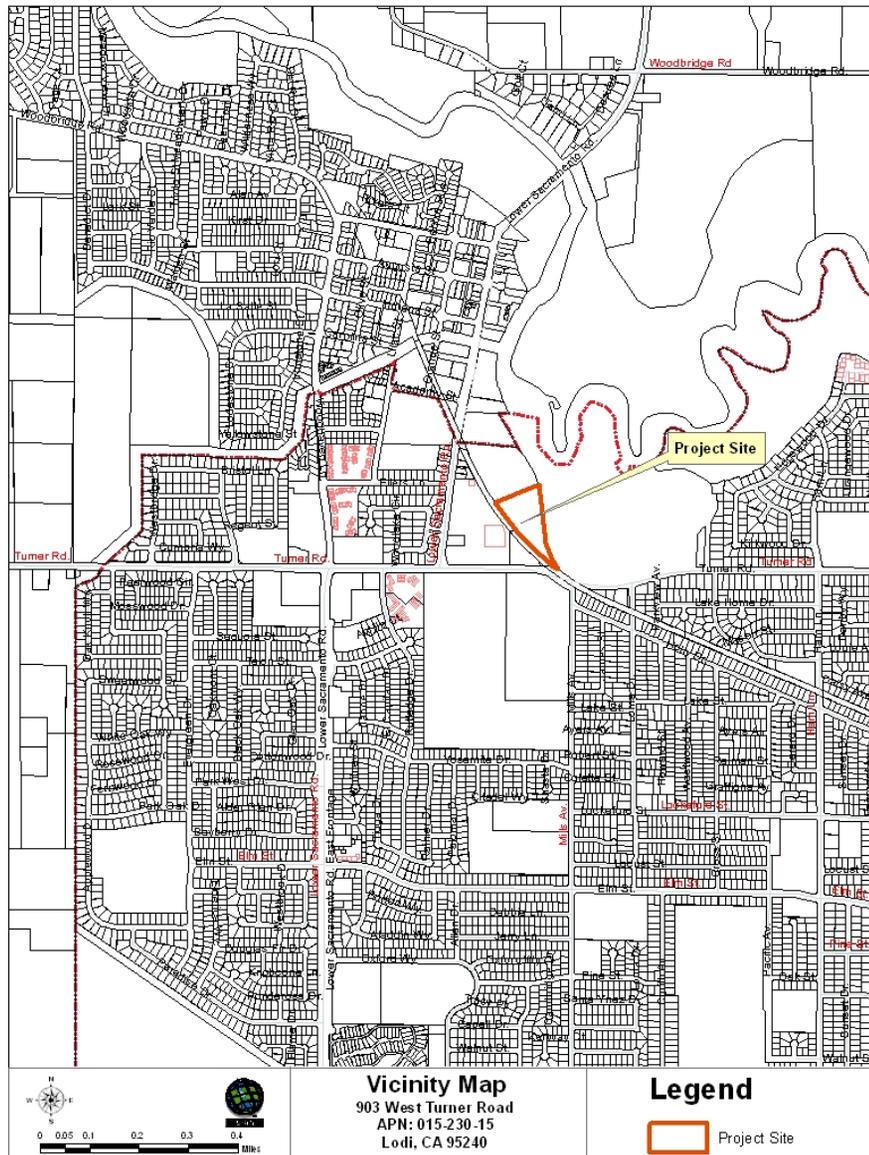


RANDI J. OHL



Final Mitigated Negative Declaration For Surface Water Treatment Facility

July 21, 2010



Vicinity Map



Aerial Map

CEQA

Applies to “projects” ...

... activities with the potential to have a physical impact on the environment

Environmental review process ...

... Basic Steps

- 1) Determine if the activity is a "project"
 - 2) Determine if the "project" is exempt from CEQA
 - 3) Perform an Initial Study to identify the environmental impacts of the project and determine whether the identified impacts are "significant"
-

CEQA

Proposed Mitigated Negative Declaration found the following areas to be impacted:

1. Aesthetics
 2. Air Quality
 3. Biological Resources
 4. Cultural Resources
 5. Hazardous Materials
 6. Hydrology and Water
 7. Noise and
 8. Transportation
-

FINDINGS

Based on findings of the Initial Study:

1. Mitigated Negative Declaration is proposed
 - Implementation of Mitigation Measures would reduce impacts to less than significant impacts
-



*Please immediately confirm receipt
of this fax by calling 333-6702*

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

**SUBJECT: PUBLIC HEARING TO CONSIDER CERTIFICATION OF THE FINAL
MITIGATED NEGATIVE DECLARATION FOR THE SURFACE WATER
TREATMENT FACILITY**

PUBLISH DATE: SATURDAY, JULY 10, 2010

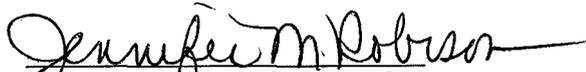
LEGAL AD

TEAR SHEETS WANTED: One (1) please

SEND AFFIDAVIT AND BILL TO: RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, JULY 8, 2010

ORDERED BY: RANDI JOHL
CITY CLERK


JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

Faxed to the Sentinel at 369-1084 at _____ (time) on _____ (date) _____ (pages)
LNS _____ Phoned to confirm receipt of all pages at _____ (time) _____ JMR _____ CF _____ MB (initials)



DECLARATION OF POSTING

PUBLIC HEARING TO CONSIDER CERTIFICATION OF THE FINAL MITIGATED NEGATIVE DECLARATION FOR THE SURFACE WATER TREATMENT FACILITY

On Friday, July 9, 2010, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider certification of the Final Mitigated Negative Declaration for the Surface Water Treatment Facility (attached and marked as Exhibit A) was posted at the following locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 9, 2010, at Lodi, California.

ORDERED BY:

**RANDI JOHL
CITY CLERK**


JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK



DECLARATION OF MAILING

PUBLIC HEARING TO CONSIDER CERTIFICATION OF THE FINAL MITIGATED NEGATIVE DECLARATION FOR THE SURFACE WATER TREATMENT FACILITY

On Friday, July 9, 2010, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a Notice of Public Hearing to consider certification of the Final Mitigated Negative Declaration for the Surface Water Treatment Facility, attached hereto Marked Exhibit A. The mailing list for said matter is attached hereto, marked Exhibit B.

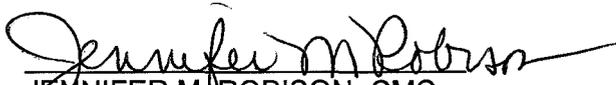
There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 9, 2010, at Lodi, California.

ORDERED BY:

RANDI JOHL
CITY CLERK, CITY OF LODI


JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: July 21, 2010

Time: 7:00 p.m.

For information regarding this notice please contact:

Randi Johl
City Clerk

Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, July 21, 2010**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following item:

- a) **Certification of the Final Mitigated Negative Declaration for the Surface Water Treatment Facility.**

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 West Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Randi Johl
City Clerk

Dated: July 7, 2010

Approved as to form:

D. Stephen Schwabauer
City Attorney

SURFACE WATER TREATMENT FACILITY 7/21/10PH MAILING LIST

EXHIBIT B

APN	OWNER	ADDRESS	CITY	STATE	ZIP
01501004	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
01501005	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
01501006	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
01516012	ACTON, KELLY ETAL	PO BOX 23	LOCKEFORD	CA	95237
01517006	WOODBIDGE GRANGE #482	PO BOX 1584	WOODBIDGE	CA	95258
01517010	LODI UNIFIED, SCHOOL DIST	1305 E. VINE ST.	LODI	CA	95240
01523007	LODI UNIFIED, SCHOOL DIST	815 W LOCKEFORD ST	LODI	CA	95240
01523014	GENERAL MILLS CEREALS PROP LLC	PO BOX 1113	MINNEAPOLIS	MN	55440
01523019	WOODBIDGE CEMETERY	PO BOX 453	WOODBIDGE	CA	95258
01523050	GENERAL MILLS CEREALS PROP LLC	PO BOX 1113	MINNEAPOLIS	MN	55440
01527001	CHRISTENSEN, TIMOTHY W SR & DO	1227 N LOWER SACRAMENTO RD	LODI	CA	95242
01527002	ROUZER, PAUL L & VICKI	1221 N LOWER SAC RD	LODI	CA	95242
01527003	DIEHL, RANDY L & NANCY S	1215 LOWER SAC RD	LODI	CA	95242
01527004	PHILLIPS, SUE C	PO BOX 1266	WOODBIDGE	CA	95258
01527005	RAU, JOHN R & CHERYL	1203 LOWER SAC RD	LODI	CA	95242
01527006	RICH, EVELYN L TR	2305 EILERS LN	LODI	CA	95244
01560001	BERGSTROM, MARLYS	PO BOX 446	WOODBIDGE	CA	95258
01560002	MONAHAN, PATRICIA	840 S	LODI	CA	95240
01560003	MORENO, JANICE M TR	1212 N LOWER SACRAMENTO RD	LODI	CA	95242

SURFACE WATER TREATMENT FACILITY 7/21/10 PH MAILING LIST

01560004	BURKE, LEO P IV	1216 N LOWER SACRAMENTO RD	LODI	CA	95242
01560005	WARREN, BRIAN & CINDY	PO BOX 513	HERALD	CA	95638
02903013	GENERAL MILLS CEREALS PROP LLC	PO BOX 1113	MINNEAPOLIS	MN	55440
03502001	WRIGHT, DAVID G	900 N MILLS AVE	LODI	CA	95242