



Appendix M. Comments and Responses



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M.2 Response to Comments

As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a public Notice of Availability of the Draft Environmental Impact Report (EIR) for the Stockton Diamond Grade Separation Project (Project) was published as a display ad in the Stockton Record newspaper on Monday, March 15, 2021 and in Vida En El Valle newspaper on Wednesday, March 17, 2021.

The Draft EIR was circulated for public review for a period of 45-days, from March 15, 2021 to April 29, 2021. The Project team utilized several promotional tactics in order to build awareness of the Project, the Draft EIR availability, and the public review and comment period. Availability of the Draft EIR was announced via a press release to media outlets, eight standard posts on three social media platforms, email blasts, and mailers. All communications were in both English and Spanish. The Project website (stocktondiamond.com) was updated regularly throughout the Draft EIR public review and comment period. The Draft EIR document was made available on the Project website. Copies of the Draft EIR were also provided to federal, state, and local agencies, regional transportation agencies, and organizations and persons who had expressed an interest in the proposed Project. A copy of the distribution list for the Final EIR is provided in Appendix J of this document.

M.2.1 INDEX OF COMMENTS RECEIVED

Table M-1 indexes the agencies, groups, and persons who commented on the Draft EIR during the public review period from March 15, 2021 through April 29, 2021. Comments received by these groups or individuals have been organized into the following categories: State, Regional Agencies, Local Agencies, Public Comments, Comment Cards, and formal comments from the Public Meeting.

Each commenter has been assigned a code corresponding to the categories described above as well as a number code. Number codes are associated with the comment or comments made by each commenter within each letter/comment submitted. For example, Comment R 1-1 refers to the first comment in the letter from the San Joaquin Regional Transit District. Note that in some cases, responses to comments refer the reader to a response to a different comment or to a section of the Draft EIR.



Table M-1: Comment Letters Received During Public Comment Period

<u>Letter Code</u>	<u>Commenter</u>	<u>Date Comment Received</u>	<u>Format of Comment</u>
<u>R 1</u>	<u>San Joaquin Regional Transit District</u>	<u>3/15/2021</u>	<u>Web comment</u>
<u>R 2</u>	<u>San Joaquin Regional Transit District</u>	<u>3/15/2021</u>	<u>Telephone/Hotline</u>
<u>PC 1</u>	<u>Chris Seminario</u>	<u>3/15/2021</u>	<u>Telephone/Hotline</u>
<u>R 3</u>	<u>San Joaquin Council of Governments</u>	<u>3/17/2021</u>	<u>Email</u>
<u>PC 2</u>	<u>Martin</u>	<u>3/23/2021</u>	<u>Hotline</u>
<u>PC 3</u>	<u>Jeffrey Wykoff</u>	<u>3/26/2021</u>	<u>Hotline</u>
<u>PC 4</u>	<u>Jeffrey Wykoff</u>	<u>3/26/2021</u>	<u>Web Comment</u>
<u>CC 1</u>	<u>Josie V. Sanchez</u>	<u>3/29/2021</u>	<u>Comment Card</u>
<u>CC 2</u>	<u>Rajinder Sharma</u>	<u>3/29/2021</u>	<u>Comment Card</u>
<u>CC 3</u>	<u>Jackson Hurst</u>	<u>3/29/2021</u>	<u>Comment Card</u>
<u>CC 4</u>	<u>Yolanda M. Martinez</u>	<u>4/1/2021</u>	<u>Comment Card</u>
<u>PC 5</u>	<u>David Armstrong</u>	<u>4/5/2021</u>	<u>Web Comment</u>
<u>R 4</u>	<u>San Joaquin Valley Air Pollution Control District</u>	<u>4/5/2021</u>	<u>Email</u>
<u>VPM 1</u>	<u>Matt Holmes</u>	<u>4/6/2021</u>	<u>Public Hearing</u>
<u>R 5</u>	<u>San Joaquin Regional Transit District</u>	<u>4/9/2021</u>	<u>Email</u>
<u>PC 6</u>	<u>Nathan Werth</u>	<u>4/12/2021</u>	<u>Web Comment</u>
<u>PC 7</u>	<u>Ector Olivares</u>	<u>4/19/2021</u>	<u>Email</u>
<u>S 1</u>	<u>California Department of Transportation, District 10</u>	<u>4/21/2021</u>	<u>Email</u>
<u>PC 8</u>	<u>Steve Roberts, Rail Passenger Association of California and Nevada</u>	<u>4/25/2021</u>	<u>Email</u>
<u>R 6</u>	<u>Central Valley Regional Water Quality Control Board</u>	<u>4/26/2021</u>	<u>Email</u>
<u>L 1</u>	<u>City of Stockton, Municipal Utilities Department</u>	<u>4/29/2021</u>	<u>Email</u>
<u>L 2</u>	<u>City of Stockton</u>	<u>4/29/2021</u>	<u>Email</u>
<u>L 3</u>	<u>City of Stockton</u>	<u>4/29/2021</u>	<u>Email</u>
<u>L 4</u>	<u>City of Stockton</u>	<u>4/29/2021</u>	<u>Email</u>



Table M-1: Comment Letters Received During Public Comment Period

<u>Letter Code</u>	<u>Commenter</u>	<u>Date Comment Received</u>	<u>Format of Comment</u>
PC 9	Rise Stockton	4/29/2021	Email
PC 10	Union Pacific Railroad	4/29/2021	Email
PC 11	BNSF Railway	4/29/2021	Email

A total of 26 comment letters were received throughout the public review period of the Draft EIR, which closed on April 29, 2021. 13 comment letters were received via email, four via web comment, four via comment card, four via telephone/hotline, and one comment during the formal comment period of the virtual public meeting.

Comments received during the public circulation period consisted of requests for additional information, expressions of support for the proposed Project, as and questions on Project impacts related to traffic, pedestrian and bicycle circulation and access, temporary and permanent street closures, environmental justice, air quality, greenhouse gas (GHG), as well as temporary and permanent impacts related to noise and vibration, permanent acquisitions and relocation of businesses, permanent impacts to the Mormon Slough, and impacts to transient populations currently present in the Mormon Slough area.



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M.2.2 COMMENTS FROM STATE AGENCIES



S 1. California Department of Transportation, District 10

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

California Department of Transportation

OFFICE OF THE DISTRICT 10 DIRECTOR
P.O. BOX 2048 | STOCKTON, CA 95201
(209) 948-7943 | FAX (209) 948-7179 TTY 711
www.dot.ca.gov



April 21, 2021

S 1

**10-SJ-4-PM R017.393
Stockton Diamond Grade Separation
SCH#2020080321**

Kevin L. Sheridan
San Joaquin Regional Rail Commission
949 E. Channel Street
Stockton, CA 95202

Dear Mr. Sheridan:

The California Department of Transportation appreciates the opportunity to review the Draft Environmental Impact Report for the proposed Stockton Diamond Grade Separation Project. SJRRC proposes to replace an at-grade crossing of the Union Pacific Railroad and Burlington Northern Santa Fe Railway rail lines with a railroad grade separation. The Department has the following comments:

- Caltrans looks forward to working with the SJRRC cooperatively on this project. Caltrans supports the consideration of complete streets, enhanced lighting, and safety equipment to improve visibility and safety.
- Caltrans encourages the continuation of pedestrian and bike access along the corridor and surrounding area if normal pedestrian and bike paths are closed off during construction.
- An Encroachment Permit will be required for work (if any) done within the Department's right of way or any work requiring special oversized equipment.

If you have any questions or would like to discuss our comments in more detail, please contact Nicholas Fung at (209) 948-7190 or myself at (209) 941-1921.

Sincerely,

TOM DUMAS
Chief, Office of Metropolitan Planning

S 1-1
S 1-2
S 1-3
S 1-4
S 1-5

"Provide a safe and reliable transportation network that serves all people and respects the environment"



Response to Comment S 1-1

The commenter states that Caltrans has reviewed the Draft EIR and appreciates the opportunity to provide comments. The commenter has provided a brief overview of the purpose of the Project. This comment has been acknowledged and documented as part of the public record.

Response to Comment S 1-2

This comment has been acknowledged and documented as part of the public record. The Project accommodates future multimodal improvements planned by the City of Stockton. In conjunction with the SJRRC Cabral Station Expansion Project, the Stockton Diamond Grade Separation Project extends sidewalk improvements to Union Street on East Weber Avenue, East Main Street, East Market Street, and East Scotts Avenue.

The modified at grade crossings will be designed to current California Public Utilities Commission (CPUC), City of Stockton (City) and Railroad standards, to include required lighting and multimodal warning devices, in coordination with the City, CPUC, and Union Pacific (UP). During the final design phase, SJRRC is open to coordination with the California Department of Transportation (Caltrans) to incorporate complete streets, enhanced lighting, and safety equipment improvements, as feasible.

Response to Comment S 1-3

As discussed within Section 3.15, Transportation, of the Draft EIR the proposed Project will implement Measures BMP TRA-4 and BMP TRA-5, which would require the contractor, prior to construction, to develop construction management plans to maintain pedestrian and bicycle access throughout the transportation resource study area, during Project construction.

In addition, in coordination with the City and UP, SJRRC will ensure that simultaneous closure of adjacent streets would be avoided or minimized, to minimize impacts related to access for pedestrians and bicyclists during construction.

Response to Comment S 1-4

As discussed in Chapter 2, Project Description, of the Draft EIR, the proposed Project will require encroachment permits and temporary construction easements (TCE) for construction. All required permits and/or easements will be obtained by the Project proponent either during final design or prior to the start of construction.

Response to Comment S 1-5

The commenter has been provided contact information regarding the comments made. The commenter's contact information has been added to Appendix J, Distribution List of the Final EIR. This comment has been acknowledged and documented as part of the public record.



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M.2.3 COMMENTS FROM REGIONAL AGENCIES



R 1. San Joaquin Regional Transit District

R 1

Comment Information

Subject: Response letter re. the Diamond Grade Separation DEIR

Comment Date: Mar 15, 2021

Comment: Ms. Stacey Mortensen
Executive Director San Joaquin Regional Rail Commission
949 East Channel Street
Stockton, CA 95202

c/o Public Outreach
2379 Gateway Oaks Dr Suite 200
Sacramento, CA 95833
info@stocktondiamond.com

Hello - For comments on the Diamond Grade Separation DEIR, can we send a letter to:

Ms. Stacey Mortensen
Executive Director San Joaquin Regional Rail Commission
949 East Channel Street
Stockton, CA 95202

and copy (cc):

c/o Public Outreach
2379 Gateway Oaks Dr Suite 200
Sacramento, CA 95833
info@stocktondiamond.com

Thank you, Ken Show Less

Related To: -

Comment Origin: Web Comment

Status: Closed

Join Mailing List: -

Comment Coding

Comment Tone: -

Project Phase: -

Comment Topic: -

Commentor Details (for webforms)

First Name: Ken

Last Name: Baxter

Email: kbaxter@sanjoaquinrtd.com

Phone: -

Org-Company: -

Title: -

Street Address: -

Unit ID: -

City: Stockton

State: CA

Zipcode: -

R 1-1



Response to Comment R 1-1

This comment has been acknowledged and documented as part of the public record.

On March 17, 2021, a member of the Project Team responded to Mr. Baxter via e-mail indicating that a comment letter could be sent to Ms. Stacey Mortensen.



R 2. San Joaquin Regional Transit District

Stockton Diamond Grade Separation Project
SCH# 2020080321

Hotline Message

R 2

Date: March 15, 2021
Project: Stockton Diamond Grade Separation Project PA/ED; SCH #: 2020080321
Name: Ken Baxter
Agency/
Stakeholder/ Public: San Joaquin Regional Transit District
Contact Information: (209) 747-3198

Subject: **Draft EIR Comment(s)**

Message Received:

"Yes, my name is Ken Baxter. My question is, is it possible to get a web link or an electronic version of the Draft EIR for the Stockton Diamond Grade Separation Project? My phone number is area code (209) 747-3198. Thank you. Bye."

R 2-1



Response to Comment R 2-1

This comment has been acknowledged and documented as part of the public record.

On March 15, 2021, a member of the Project Team returned Mr. Baxter's telephone call to inform Mr. Baxter that the Draft EIR is available for download on the Project website resources page.



R 3. San Joaquin Council of Governments



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)

R 3

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

- To: David Ripperda, San Joaquin Regional Rail Commission,
From: Laurel Boyd, SJCOG, Inc.
Date: March 17, 2021
-Local Jurisdiction Project Title: Draft EIR for the Stockton Diamond Project
Assessor Parcel Number(s): Multiple
Local Jurisdiction Project Number: N/A
Total Acres to be converted from Open Space Use: Unknown
Habitat Types to be Disturbed: Urban and Natural Habitat Land
Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Mr. Ripperda:

SJCOG, Inc. has reviewed the Draft EIR for the Stockton Diamond Project. The proposed project would construct a flyover structure to provide the vertical clearance required by both railroads to grade separate the existing crossing of the UP and BNSF tracks at the Diamond.

The grade separation would be constructed by elevating the UP Fresno Subdivision main tracks on either an embankment, walled embankment, or long approach structures to bridge over the BNSF tracks while maintaining the BNSF Stockton Subdivision tracks at their current grade. The UP approach/flyover structure is proposed to be shifted east of the existing UP Fresno Subdivision tracks so that construction of the structure would minimize impacts on existing rail operations.

The existing at-grade connecting track in the northeastern quadrant of the Stockton Diamond and at-grade track along the UP Fresno Subdivision would remain in place, allowing for connectivity between the UP Fresno Subdivision and the BNSF Stockton Subdivision. It is anticipated that current ACE rail services and the majority of UP trains would use the new flyover tracks during operations. San Joaquins service and some freight trains would continue to use the at-grade tracks.

The northern proposed Project limit connects to the existing UP Fresno Subdivision tracks between East Main Street and East Weber Avenue. The new track alignment would remain at grade as it continues south under the Crosstown Freeway. An at-grade turnout would be constructed between East Main and East Market Streets to provide trains using the proposed new UP Fresno Subdivision tracks an at-grade connection to transfer east to the BNSF Stockton Subdivision or west to the Port of Stockton. Once through the Crosstown Freeway viaduct, and just south of East Lafayette Street, the new track alignment would begin to elevate. The flyover would reach its highest point, approximately 32 feet above the existing tracks, as it crosses the BNSF Stockton Subdivision tracks within the Diamond.

As it continues south, the flyover would begin to descend so that it conforms back to the existing track elevation south of the existing East Charter Way underpass and continues into the UP Stockton Yard. For rail services traveling north from the UP Stockton Yard, a turnout is proposed on the flyover beginning just north of East Charter Way to bring rail services that need to connect to the BNSF Stockton Subdivision to grade before reaching the Diamond. Once returning to grade, a new wye is proposed to allow these rail services to select between traveling east or west on the BNSF line. Figure 2.1-2 provides the vertical profile of the flyover and the streets that cross the Project limits. East Main and East Market Streets would have new tracks running perpendicular through the street, east of the existing track crossing. The new tracks at East Weber Avenue, East Main Street, and East Market Street would require a modification to the roadway profile to accommodate the flat grades across the new tracks to tie back into the existing roadway. Those tie-ins would likely occur within 200 feet of the existing and new tracks. The new and existing tracks would also require upgrading the railroad crossing equipment to the most current UP/BNSF crossing guideline standards. Each new crossing would evaluate the need for new flashing light signals, gate arms, signs, and pavement markings. Depending on existing site conditions, improvements at the new crossing locations would tie into the existing pedestrian facilities, including placement of

R 3-1



2 | S J C O G , I n c .

Americans with Disabilities Act (ADA)-required tactile walking surface indicators for the blind and vision-impaired to indicate crossing locations. Street lighting would be assessed at each crossing to ensure lighting is adequate.

R 3-1

The northern limit of the proposed Project includes East Weber Avenue and just north of East Weber Avenue is the Robert J. Cabral Station. The southern Project limit is the UP Stockton Yard, located approximately at East Fourth Street. The eastern and western limits of the Project are generally South Pilgrim Street and South Grant Street. The Stockton Diamond is generally located in the middle of the Project Area, Stockton.

The City of Stockton 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.

R 3-2

This Project is subject to the SJMSCP. This can be up to a 30 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.sjcoo.org>

R 3-3

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey **prior to any ground disturbance**
- SJMSCP Incidental take Minimization Measures and mitigation requirement:
 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
 - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
 4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
 - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.
- Receive your Certificate of Payment and release the required permit

R 3-4

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. 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.

R 3-5

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: Laurel Boyd, 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) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
 - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
 4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
 - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - c. Purchase approved mitigation bank credits.
 Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: Draft EIR for the Stockton Diamond Project

Assessor Parcel #s: Multiple

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

Local Jurisdiction Contact: David Ripperda

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.





Response to Comment R 3-1

The commenter provides a summary of the Project location and Project description. This comment has been acknowledged and documented as part of the public record.

Response to Comment R 3-2

SJRRC initiated discussions with San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) staff member, Laurel Boyd, on December 28, 2020, and is currently coordinating with SJMSCP regarding Project participation in the SJMSCP. The location of the website where SJMSCP participation is acknowledged by SJRRC. The Project participation process will be completed by SJRRC during final design as specified in Measure MM BIO-6, in Section 3.3, Biological Resources, in the Draft EIR.

Response to Comment R 3-3

As stated in Response to Comment R 3-3, SJRRC initiated discussions with SJMSCP staff member, Laurel Boyd, on December 28, 2020, and is currently coordinating with SJMSCP regarding Project participation in the SJMSCP.

The outlined steps have been reviewed and the applicable Incidental Take Mitigation Measures (ITMMs) have been incorporated into Section 3.3, Biological Resources, in the Final EIR, as well as in the Mitigation, Monitoring, and Reporting Program (MMRP) provided in Appendix L, of the Final EIR.

Response to Comment R 3-4

The Project will impact waters of the United States; and therefore, SJRRC will be seeking voluntary coverage during final design of the Project. SJRRC will attain any Clean Water Act permits that are needed during final design of the Project, prior to Project grading activities as identified in Section 2.2, Permits, Certifications, and Agency Concurrence in Chapter 2 of the Draft EIR.



R 4. San Joaquin Valley Air Pollution Control District



April 5, 2021

R 4

Kevin Sheridan
San Joaquin Regional Rail Commission
949 East Channel Street
Stockton, CA, 95202

Project: Draft Environmental Impact Report for the Stockton Diamond Grade Separation Project

District CEQA Reference No: 20210259

Dear Mr. Sheridan:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the project referenced above from the San Joaquin Regional Rail Commission (SJRRCC). The project consists of the construction of a grade separation of two railroad lines at the Stockton Diamond which will increase efficiency of the rail lines and would reduce rail congestion leading passenger/freight rail traffic to flow uninterrupted through the crossing (Project). The Project is located South of Downtown Stockton near South Aurora Street and East Scotts Avenue in Stockton, CA and lies within one of the thirteen communities in the State selected by the California Air Resources Board (CARB) for investment of additional air quality resources and attention under Assembly Bill (AB) 617 (2017, Garcia) in an effort to reduce air pollution exposure in impacted disadvantaged communities. The District offers the following comments:

R 4-1

1) Project Related Emissions

Based on the information in in the DEIR, Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).

R 4-2

Samir Sheikh
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
34948 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

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San Joaquin Valley Air Pollution Control District
District Reference No. 20210259
April 5, 2021

Page 2

2) Project Related Operational Emissions

The District previously received a Notice of Preparation (NOP) for the Project and according to Page 4 of the NOP, the Project will “facilitate the expansion of ACE and San Joaquin services and enable more freight and passenger trains to pass through the Diamond.”

However, according to Pages 50 and 190 of the DEIR: “The proposed Project, in and of itself, would not increase the projected number of freight and passenger trains or change the regional VMT during operation.”

The District recommends clarifying which statement is accurate and if there is an increase in train traffic as a result of this Project it should be evaluated and the air quality emissions should be quantified in the DEIR.

R 4-3

3) Assembly Bill 617

Assembly Bill 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The Stockton AB 617 community is one of the three Valley communities selected by CARB for investment of additional air quality resources and attention under AB 617.

The CERP for the Stockton was developed through an extensive community engagement process, which included input from members of a Community Steering Committee. The Stockton CERP was adopted by the District’s Governing Board in March 2021 and has been forwarded to CARB for adoption consideration. The CERP identifies a wide range of measures designed to reduce air pollution and exposure, including a number of strategies to be implemented in partnership between agencies and local organizations. The Community Steering Committee has developed, through a collaborative process, a series of emission reduction strategies with the goal to improve community health by reducing exposure to air pollutants. Such emission reduction strategies include, but are not limited to, enhanced community participation in land use processes, the deployment of zero and near-zero emission Heavy-Heavy Duty (HHD) trucks, HHD truck rerouting analyses, reducing HHD truck idling, and incorporating vegetative barriers and urban greening. The District appreciates the SJRRC’s involvement in this program, and encourages the SJJRC to further assess the emission reductions measures and strategies included in the CERP, and address them in the Project as appropriate.

R 4-4



4) Locomotives, and Railcar Movers/Switchers

The proposed grade separated Union Pacific (UP) tracks from the Burlington Northern Santa Fe Railway (BNSF) tracks with a flyover structure would enable more freight and passenger trains to pass through the Stockton Diamond. To reduce air quality emission impacts from locomotives consisting of freight and passenger trains passing through the Stockton Diamond, the District recommends that the SJRRC advise freight and passenger train operators to utilize newer, and cleaner technology. Replacing older locomotives is important to reduce the public's exposure to diesel emissions, including PM2.5 in the form of diesel particulate and NOx. These pollutants negatively impact human health, especially for sensitive populations such as children and the elderly. New, clean-technology locomotives generate significantly lower emissions than older, uncontrolled diesel locomotives.

The District offers two incentive programs for locomotive fleets interested in transitioning to newer, clean technology, including:

- Heavy-Duty Program – <http://valleyair.org/grants/locomotive.htm>
Locomotive replacements, including switcher locomotives and railcar movers can be funded as an eligible project category under the District's utilizing funding provided to support AB 617. These projects are administered according to the Carl Moyer Program guidelines.
- Proposition 1B - <http://valleyair.org/grants/locomotives-prop1b.htm>
This program incentivizes the reduction of emissions and health risks associated with freight movement along California's trade corridors via upgrading to cleaner technologies or installation of emissions capture and control systems.

R 4-5

5) Vegetative Barriers and Urban Greening

The Project is located in an urban area south of downtown Stockton and is surrounded by mix land use development. More specifically, there are single-family residences and businesses located immediately adjacent to the Project. The nearest school (Spanos Elementary School) is located approximately 1,900 feet northwest of the Project and the nearest church (Life Changing Ministries) is located approximately 2,200 feet northeast of the Project. The District suggests the SJRRC consider the feasibility of incorporating vegetative barriers and urban greening as a measure to potentially reduce air pollution exposure on sensitive receptors (i.e. church and school).

R 4-6

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but not limited to the following:



San Joaquin Valley Air Pollution Control District
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April 5, 2021

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trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought resistant low maintenance greenery.

R 4-6

6) District Rules and Regulation

The District issues permits for many types of air pollution sources and regulates some activities not requiring permits. A project subject to District rules and regulation would reduce its impacts on air quality through compliance with regulatory requirements. In general, a regulation is a collection of rules, each of which deals with a specific topic. Here are a couple of example, Regulation II (Permits) deals with permitting emission sources and includes rules such as District permit requirements (Rule 2010), New and Modified Stationary Source Review (Rule 2201), and implementation of Emission Reduction Credit Banking (Rule 2301).

R 4-7

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

6a) Other District Rules and Regulations

The Project may also be subject to the following District rules: 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).

R 4-8



San Joaquin Valley Air Pollution Control District
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Page 5

7) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Eric McLaughlin by e-mail at Eric.McLaughlin@valleyair.org or by phone at (559) 230-5808.

Sincerely,

Brian Clements
Director of Permit Services

John Stagnaro
Program Manager

BC: em

R 4-9
R 4-10



Response to Comment R 4-1

The commenter provides a summary of the Project location and Project description. The commenter states that the Project is located within a community identified by the California Air Resource Board (CARB) for investment of additional air quality resources and attention under Assembly Bill (AB) 617. This comment has been acknowledged and documented as part of the public record.

Response to Comment R 4-2

SJRRC agrees with the conclusions of this comment. After implementing Measures BMP AQ-3 and BMP AQ-4, from Section 3.2, Air Quality, of the Final EIR, the Project specific annual criteria air pollutant emissions would not exceed the San Joaquin Valley Air Pollution District (District) thresholds as documented in Table 3.2-8, Table 3.2-9, and Table 3.2-10, of the same section in the Final EIR.

Response to Comment R 4-3

Passenger rail volumes would remain same with or without the Project. While freight volumes would increase, the Project, itself, would not directly contribute to the future operations of freight rail. Any expansion of passenger rail is tied to system wide improvements that are not part of this Project.

SJRRC acknowledges the District's request for air quality emissions to be quantified in the Draft EIR. Quantitative Air Quality impacts are now addressed in Section 3.2, Air Quality, of the Final EIR, and indicates that the improved freight mobility would reduce the total daily occupancy of the roadway crossings by approximately 30 percent in 2045.

The reduction in crossing occupancy would improve on-road traffic flow and reduce vehicle idling in the Project Study Area.

In addition, a Benefit-Cost Analysis (BCA) was conducted in 2019 to evaluate a grade separation of the Stockton Diamond. This BCA calculated the 30-year reduction in train idling and on-road vehicle idling emissions associated with the elimination of the existing at-grade crossing.

Although the Project design considered in the BCA slightly differs from what is currently proposed in the Final EIR, the emission reductions associated with the elimination of the existing at-grade crossing are still applicable.

Table 3.2-11 in Section 3.2, Air Quality, of the Final EIR, summarizes the total emission reduction and the average annual emission reduction for the proposed Project. As shown in Table 3.2-11, the proposed Project would result in long-term reductions in criteria pollutant emissions.

Reductions in air pollutant emissions can lead to long-term health benefits for residents and employees who live and work along the existing rail corridors, addressing health problems associated with air pollution such as lung irritation, inflammation, asthma, heart and lung disease, and worsening of existing chronic health conditions.



Response to Comment R 4-4

SJRRC acknowledges AB 617 and has included a discussion of AB 617 within Section 3.2, Air Quality, of the Final EIR.

SJRRC understands that the Stockton AB 617 community is in the process of drafting a Community Emissions Reduction Program (CERP), and the CERP is expected to be published in 2021. To date, this plan has not yet been made available to the public for implementation.

However, a new measure (now identified Measure BMP AQ-1) has been added to Section 3.2, Air Quality, of the Final EIR, which indicates that SJRRC will review the Stockton CERP and incorporate emission reduction strategies into the Project, as feasible. The additional measure (now identified as Measure BMP AQ-1) is as follows:

BMP AQ-1: Compliance with Stockton Community Emissions Reduction Program. During final design, SJRRC will review the Stockton Community Emissions Reduction Program (CERP) and incorporate feasible emission reduction strategies into the Project, as feasible. The emissions reduction strategies in the Stockton CERP will include, but will not be limited to, enhancing community participation in land use processes, the deployment of zero and near-zero emission Heavy-Heavy Duty (HHD) trucks, HHD truck rerouting analyses, reducing HHD truck idling, and incorporating vegetative barriers and urban greening.

Response to Comment R 4-5

The commenter provides general information regarding incentive programs for locomotive fleets to reduce air quality emission impacts.

As stated earlier, Table 3.2-11 in Section 3.2, Air Quality, of the Final EIR summarizes the total emission reduction and the average annual emission reduction for the proposed Project. As shown in Table 3.2-11, the proposed Project would already result in long-term reductions in criteria pollutant emissions.

SJRRC appreciates the information offered by the District and has documented it as part of the public record.

Response to Comment R 4-6

Table 3.2-11 in Section 3.2, Air Quality, in the Final EIR summarizes the total emission reduction and the average annual emission reduction for the proposed Project. As shown in Table 3.2-11, the proposed Project would already result in long-term reductions in criteria pollutant emissions.

However, SJRRC acknowledges the District's request for consideration of vegetative barriers and urban greening and a means to potentially reduce air pollution exposure on sensitive receptors.

Therefore, a new measure, identified as Measure BMP AQ-2, has been included within Section 3.2, Air Quality, of the Final EIR. The language in Measure BMP AQ-2 is as follows:



BMP AQ-2: Vegetative Barriers and Urban Greening. During final design, SJRRC will evaluate the feasibility of incorporating vegetative barriers and urban greening as a measure to potentially reduce air pollution exposure on sensitive receptors in the Project Study Area. Examples of vegetative barriers will include, but are not limited to, trees, bushes, shrubs, or a mix of these types of vegetation.

Response to Comment R 4-7

The proposed Project is required to comply with the District's regulatory requirements. The proposed Project will be required to obtain necessary permits from the District. SJRRC acknowledges the general information regarding District rules and regulations provided by the commenter and plans to comply with such rules during the final design phase of the Project when these permits will be obtained.

Response to Comment R 4-8

The proposed project is required to comply with the District's regulatory requirements. The proposed project will be required to obtain necessary permits from the San Joaquin Valley Air Pollution Control District. SJRRC will continue to coordinate with the District regarding the implementation of these rules and regulations during the final design phase of the Project.

Response to Comment R 4-9

SJRRC, as the Project proponent, has reviewed and acknowledged the District's comments within this District's comment letter. This comment is acknowledged and documented as a part of the public record.

Response to Comment R 4-10

The commenter and additional contact listed within the comment letter have been added to the distribution list, identified as Appendix J, of the Final EIR. This comment is acknowledged and documented as a part of the public record.



R 5. San Joaquin Regional Transit District

4/21/2021

Gmail - SJ RTD's comments on the Stockton Diamond Grade Separation Project DEIR

R 5



Stockton Diamond <stocktondiamondproj@gmail.com>

SJ RTD's comments on the Stockton Diamond Grade Separation Project DEIR

Kenneth Baxter <kbaxter@sjrtd.com>

Fri, Apr 9, 2021 at 9:12 AM

To: "info@stocktondiamond.com" <info@stocktondiamond.com>

Hello - Thank you for the opportunity to review and comment on the Stockton Diamond Grade Separation Project DEIR. This is a very important project and will provide many benefits for transportation, the environment, and our community.

R 5-1

The San Joaquin Regional Transit District has reviewed the DEIR and offer our comments in the attachment.

Thank you again,

Ken Baxter
Planning Consultant
San Joaquin Regional Transit District
(209) 747-3198
kbaxter@sanjoaquinrtd.com
www.sanjoaquinrtd.com

RTD resp. letter - Stockton Diamond Grade Separation Project DEIR.pdf
209K



SAN JOAQUIN REGIONAL TRANSIT DISTRICT

P.O. Box 201010 • Stockton, CA 95201 • (209) 943-1111 • (209) 948-8516 Fax • sjRTD.com

April 8, 2021

Ms. Stacey Mortensen
Executive Director San Joaquin Regional Rail Commission
949 East Channel Street
Stockton, CA 95202

RE: Stockton Diamond Grade Separation Project Draft Environmental Impact Report (DEIR)

Dear Ms. Mortensen:

The San Joaquin Regional Transit District (RTD) appreciates the opportunity to review and comment on the Stockton Diamond Grade Separation Project DEIR. RTD supports the Diamond Grade Separation Project, and we believe this project will improve the transportation system in the Stockton area and will also provide environment and economic benefits. RTD offers the following comments:

R 5-2

1. DEIR, page ES-48, Transportation (Short-term)

There is a section that states the following: "The proposed Project would have no impacts on existing transit routes except on Charter Way (Route 49). In the long term, Route 49 will remain on Charter Way. During construction, however, the proposed Project will construct two new bridges across Charter Way and will demolish a portion of an existing bridge. Temporary closures, detours, or narrowing to two lanes on Charter Way may be necessary during construction."

R 5-3

Comment: Prior to any temporary closures of Charter Way that will impact transit services, and more specifically Route 49, adequate notice to RTD will need to be provided so that necessary coordination and rerouting of transit service can be provided.

CHIEF EXECUTIVE OFFICER: Gloria G. Salazar
BOARD OF DIRECTORS: CHAIR Michael P. Restuccia • **VICE CHAIR** Gary S. Giovanetti
Joni Bauer • Balwinder T. Singh • Les J. Fong





2. DEIR, Page 3.15-25, Transit

A. Please remove the reference to Metro Hopper 7 and 560. Those routes have been suspended while RTD is performing a System Redesign Study and anticipates results from it in fiscal year 2022. Metro Hoppers and County Hoppers have a layover at the Stockton Downtown Transit Center (DTC) and use Weber Avenue between Sutter and California Streets, as a result, traffic during the project may affect these routes:

- Metro Hopper 5 and 9; and, County Hopper 90, 91 and 95 (Weekday Service).
- Route 515 also travels along Weber Avenue (Weekday Service).
- 710, 715 also travels along Weber Avenue (Weekend Service).

B. Commuter Route 150 travels along the study area seven days a week.

R 5-4

3. DEIR, Page 3.15-58, Transit

There is a section that states the following (same as item number 1 above): "The proposed Project would have no impacts on existing transit routes except on Charter Way (Route 49). In the long term, Route 49 will remain on Charter Way. During construction, however, the proposed Project will construct two new bridges across Charter Way and will demolish a portion of an existing bridge. Temporary closures, detours, or narrowing to two lanes on Charter Way may be necessary during construction."

Comment: Prior to any temporary closures of Charter Way that will impact transit services, and more specifically Route 49, adequate notice to RTD will need to be provided so that necessary coordination and rerouting of transit service can be provided.

R 5-5

4. DEIR, Page 3.15-63, Best Management Practices (BMP) and/or Mitigation Measures

It is requested that the preparation of the Traffic Management Plan (BMP TRA-7) include consultation and collaboration with RTD regarding the protection and minimizing impacts to transit services and for alternative routing plans in the project area.

R 5-6

5. Appendix E/Traffic Report, Page 25

A. Please remove the reference to Metro Hopper 7 and 560. Those routes have been suspended while RTD is performing a System Redesign Study and anticipates results from it in fiscal year 2022. Metro Hoppers and County Hoppers have a layover at the Stockton Downtown Transit Center (DTC) and use

R 5-7



Weber Avenue between Sutter and California Streets, as a result, traffic during the project may affect these routes:

- Metro Hopper 5 and 9; and, County Hopper 90, 91 and 95 (Weekday Service).
- Route 515 also travels along Weber Avenue (Weekday Service).
- 710, 715 also travels along Weber Avenue (Weekend Service).

B. Commuter Route 150 travels along the study area seven days a week.

6. Appendix E/Traffic Report, Page 52

A. Construction on the Weber Avenue and Aurora area may affect Route 44, which travels on Aurora Street and stops on Aurora and Weber (both directions).

B. Construction on Charter Way (from Aurora Street to Pilgrim) may affect Route 49 which travels East and West on Charter Way (Martin Luther King Boulevard).


C. Union Street (Location of our Union Transfer Station) may be affected during the project, Routes 44 and 49 stop at that location.

As previously mentioned, RTD is going through a System Redesign Study and expects results in fiscal year 2022. This study may change the make-up of our route network. Routes that we mention now may be different in number or routing based on the findings and recommendations of the study.

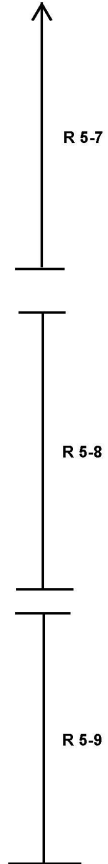
Thank you for the opportunity to review and comment on the DEIR.

If you have any questions and or need additional information, please contact Ken Baxter at kbaxter@sjRTD.com.

Sincerely,


 Gloria G. Salazar, Chief Executive Officer
 San Joaquin RTD

cc: c/o Public Outreach
 2379 Gateway Oaks Dr Suite 200
 Sacramento, CA 95838
 Info@stocktondiamond.com





Response to Comment R 5-1

The commenter stated that the San Joaquin Regional Transit District (RTD), has reviewed the Draft EIR and appreciates the opportunity to provide comments. This comment has been acknowledged and documented as part of the public record.

Response to Comment R 5-2

The commenter stated that prior to any temporary transit route closures, detours, or narrowing of lanes that will impact Charter Way and specifically on RTD Route 49, adequate notice to RTD will need to be provided, so that necessary coordination and rerouting of transit service can be provided.

Measures BMP TRA-2, requiring a Construction Transportation Plan, and BMP TRA-7 requiring a Transportation Management Plan (TMP) in Section 3.15, Transportation of the Draft EIR, will be implemented during construction of the Project.

Additional text has been added to the Summary of Impacts Table in the Executive Summary and Section 3.15, Transportation, of the Final EIR, to clarify that prior to any temporary transit route closures, detours, or narrowing of lanes, (including Charter Way and RTD Route 49) adequate notice will be given to agencies, such as RTD. With the implementation of Measures BMP TRA-2 and BMP TRA-7, any required coordination and rerouting of RTD transit service would be provided, as requested.

Response to Comment R 5-3

The commenter stated that the reference to Metro Hopper 7 and 560 will need to be removed from the analysis and document, because RTD does not anticipate any potential future rerouting to Weber Avenue between Sutter and California Streets. Therefore Metro Hopper 7 and County Hopper continuing to use Weber Avenue between Sutter and California Streets will not be impacted.

In addition, the commenter stated that RTD Route 150 travels seven days a week. In response to this comment, consistent with overall traffic analysis, all analysis including transit routing, were based on pre-COVID conditions (year 2019). Therefore, no revisions to the Final EIR were made in response to this comment.

Response to Comment R 5-4

Please refer to Response R 5-2 for detailed information on how the Project will address short-term impacts during construction related to temporary street closures.

Response to Comment R 5-5

The Draft EIR includes Measure BMP TRA-7, included in Section 3.15, Transportation.

Measure BMP TRA-7 in the Final EIR has been amended to state that there will be regular collaboration with RTD during the development of the TMP during final design.

The updated Measure BMP TRA-7 is as follows:



BMP TRA-8 Closure Formalization Process. During final design, SJRRC will ensure that all proposed Project road closures will be formalized as part of the California Public Utilities Commission (CPUC) General Order (GO) 88B Diagnostic review process. The CPUC GO 88B Diagnostic review process will include the evaluation of circulation for all modes of travel in coordination with the City of Stockton, CPUC, and UPRR, including pedestrians, bicycles, automobiles, and trucks.

Response to Comment R 5-6

The commenter stated that the reference to Metro Hopper 7 and 560 will need to be removed from the analysis and document because RTD does not anticipate any potential future rerouting to Weber Avenue between Sutter and California Streets. Therefore, Metro Hopper 7 and County Hopper continuing to use Weber Avenue between Sutter and California Streets will not be impacted.

In addition, the commenter stated that RTD Route 150 travels seven days a week. In response to this comment, consistent with overall traffic analysis, all analysis including transit routing, was based on pre-COVID conditions (year 2019). Therefore, no revisions to the Traffic Report in Appendix E of the Final EIR, were made in response to this comment.

Response to Comment R 5-7

The commenter stated that Project construction may impact transit routes on Weber Avenue and Aurora Street (RTD Route 44), Charter Way – from Aurora Street to Pilgrim Street (RTD Route 49), and Union Street at the Union Transfer Station (RTD Routes 44 and 49). These comments are acknowledged and have been documented as part of the public record.

Please refer to Response R 5-2 for detailed information on how the Project will address short-term impacts during construction related to temporary street closures.

Response to Comment R 5-8

The commenter appreciates the opportunity to review the Draft EIR. The commenter has informed the Project team that the System Redesign Study will be revised within the 2022 fiscal year. This comment is acknowledged and recorded as a part of the public record.



R 6. Central Valley Regional Water Quality Control Board



Central Valley Regional Water Quality Control Board

26 April 2021

R 6

Kevin Sheridan
San Joaquin Regional Rail Commission
949 East Channel Street
Stockton, CA 95202

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, STOCKTON DIAMOND GRADE SEPERATION PROJECT, SCH#2020080321, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse's 11 March 2021 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environmental Impact Report* for the Stockton Diamond Grade Separation Project, located in San Joaquin County.

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

I. Regulatory Setting

Basin Plan

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

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

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

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

R 6-1

R 6-2



Stockton Diamond Grade
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San Joaquin County

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26 April 2021

Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

R 6-2

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

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

R 6-3

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

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

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

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

R 6-4



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26 April 2021

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

R 6-5

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

R 6-6

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

R 6-7



Stockton Diamond Grade
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26 April 2021

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4856 or Nicholas.White@waterboards.ca.gov.

Nicholas White
Water Resource Control Engineer

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

R 6-8

R 6-9

R 6-10



Response to Comment R 6-1

The commenter stated that the Central Valley Regional Water Quality Control Board (RWQCB) has reviewed the Draft EIR pursuant to CEQA and is submitting comments on the Draft EIR. This comment has been acknowledged and documented as part of the public record.

Response to Comment R 6-2

The commenter is stating the applicable regulatory setting with regards to the Central Valley Basin Plan (CVBP). As discussed within Section 3.9, Hydrology and Water Quality, of the Draft EIR, the Project has taken into consideration the CVBP as a regulatory document applicable to the Project.

The Project would comply with the regulations and standards set forth in the CVBP. Additionally, Measure BMP HYD-1, in Section 3.9, Hydrology and Water Quality, of the Draft EIR states that SJRRC would require its contractor to prepare a Project specific stormwater management and treatment plan to ensure compliance with the applicable water quality regulations and standards applicable to the Project, including those identified with the CVBP.

Response to Comment R 6-3

The commenter is stating the applicable regulatory setting with regards to the antidegradation. As discussed within Section 3.9, Hydrology and Water Quality, of the Draft EIR, the Project would not violate any water quality standards or waste discharge requirements with the implementation of Measure BMP HYD-1.

Measure BMP HYD-1 would require the contractor to prepare a Project specific stormwater management and treatment plan to ensure compliance with the applicable water quality regulations and standards applicable to the Project, including the standards and policies in the CVBP.

Response to Comment R 6-4

As discussed in Section 3.9., Hydrology and Water Quality, of the Draft EIR, the Project will implement BMP HYD-2 Construction Stormwater Pollution Prevention Plan which ensures compliance with the Construction General Permit (CGP). Additionally, the Project will implement BMP HYD-3, an Industrial stormwater Pollution Prevention Plan, to ensure compliance with any portion of the Project construction or operation classified as an industrial facility, and the applicable industrial water quality regulations.

Response to Comment R 6-5

Commenter summarizes the process for obtaining a 404 permit. The Project is anticipated to require a 404 permit from United States Army Corps of Engineers (USACE) which will be obtained prior to construction of the Project as outlined in Mitigation Measure MM BIO-14: Compliance with Permitted Mitigation Measures, in Section 3.3, Biological Resources in the Draft EIR.



Response to Comment R 6-6

Commenter summarizes the process for obtaining a 401 permit. The Project is anticipated to require a 401 permit from Central Valley RWQCB, which will be obtained prior to construction of the Project as outlined in Measure MM BIO-14, Compliance with Permitted Mitigation Measures, in Section 3.3, Biological Resources in the Draft EIR.

Response to Comment R 6-7

As discussed within Section 3.3, Biological Resources, and Section 3.9, Hydrology and Water Quality, jurisdictional waters are present within the Project limits and Biological Study Area (BSA). Formal delineations will be submitted to the USACE for formal determination prior to permitting, during final design phase of the Project.

Measure MM BIO-14, in Section 3.3, Biological Resources, which requires compliance with permitted avoidance, minimization, and mitigation measures, will ensure compliance with the applicable regulatory agency in regard to jurisdictional waters.

Response to Comment R 6-8

Dewatering is anticipated for construction of the Project. Measures BMP HYD-2 and BMP HYD-3, in Section 3.9, Hydrology and Water Quality, will require the contractor to prepare a construction and industrial stormwater pollution prevention plans consistent with the CGP as well as an industrial general permit (IGP) prior to construction.

The stormwater pollution prevention plan (SWPPP) will be required to outline and mitigate any issues, including those relating to dewatering activities during construction as well as document any permitting required by the State Water Resources Control Board (SWRCB) and RWQCB which implement and enforce the CGP and IGP. During final design, the Project Team will evaluate if a Low Threat General Order or Low Threat Waive will be required for the Project.

Response to Comment R 6-9

As stated in response R 6-9, the Project will be required to prepare a construction and industrial SWPPP prior to construction.

The SWPPPs will be consistent with the CGP and IGP, National Pollutant Discharge Elimination System (NPDES) permits required for the Project. These stormwater pollution prevention plans will be prepared by a qualified individual as required by the CGP and IGP and will be uploaded to the Stormwater Multiple Application and Report Tracking System (SMARTS) to ensure proper tracking, view storm water data including permit registration documents, compliance, and monitoring data associated with California's Storm Water General Permits and is compliant with the Environmental Protection Agency's (EPA) requirements for electronic reporting of NPDES permit and report submittals.



Response to Comment R 6-10

The commenter has provided contact information regarding the comments made. The commenter has been added to the distribution list in Appendix J, of the Final EIR, for future notifications regarding this Project. This comment has been acknowledged and documented as part of the public record.



M.2.4 COMMENTS FROM LOCAL AGENCIES



Response to Comment L 1-1

Based on records our team has received, the proposed flyover structure will cross City of Stockton Municipal Utilities Department (MUD) facilities perpendicularly between the existing UP Fresno subdivision tracks and Union Street. SJRRC will coordinate with MUD during the final design phase to address these issues, with the overall intent to avoid impacting the existing sewer facility, as specified under new Measure BMP UTIL-2, in Section 3.17, Utilities and Service Systems, in the Final EIR, and provided below:

BMP UTIL-2: Utility Avoidance Coordination. SJRRC will coordinate with City of Stockton (City) and other utility providers during final design to address utility relocation impacts. The following methods will be implemented to avoid permanent impacts to utilities and access to existing or future planned utilities:

Protect in Place. SJRRC will evaluate protect in place options to maintain the utility in its current location. These options include evaluation of load above the utility and reinforcement options, to be approved by the utility provider. Bridge columns and other bridge-related subsurface work will be designed in coordination with the utility provider affected to avoid impacting the utility. Accurate horizontal and vertical location of the utility will be gathered to support the avoidance and protection design.

Access. SJRRC will work with the utility provider during the final design phase to prepare a design that maintains provider access to the utility for inspection and maintenance, as well as to not preclude future potential replacement of the utility

Measure BMP UTIL-2 would include an approach to protect MUD facilities in place, if feasible, coordination with MUD on any subsurface work to avoid MUD facilities and ensuring MUD would retain maintenance access to its utility facilities. Measure BMP UTIL-2 would also not preclude future potential replacement of the pipe identified within the comment letter.

SJRRC anticipates that any relocations required will remain within Project limits evaluated within this Final EIR. In the event additional improvements are required as a result of proposed Project that would extend beyond the limits evaluated within this Final EIR, then an addendum to the EIR will be prepared by SJRRC during the final design phase.

Response to Comment L 1-2

As stated above in Response L 1-1, SJRRC will coordinate with MUD throughout the final design phase to ensure protection in place of existing MUD utilities and the ability for MUD to maintain access to its existing facilities, as specified in new Measure UTIL-2, in Section 3.17, Utilities and Service Systems of the Final EIR. Therefore, the findings within the Draft EIR remain valid.



L 2. City of Stockton

L 2

From: Wes Johnson
Sent: Thursday, April 29, 2021 4:22 PM
To: info@stocktondiamond.com
Cc: Eric Alvarez; Ray Deyto; Dodgie Vidad
Subject: city comments to EIR
Attachments: EIR comment transmittal letter.pdf; City Comments to Stockton Diamond EIR.pdf

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I need to send the City's comments in separate emails probably due to size. Attached are a transmittal letter and City comments on the EIR. We also have comments on the Traffic study but it appears to be too big to send. I will try to send in separate emails.

L 2-1

Wes Johnson P.E.
 Engineering Services Manager
 City of Stockton, Capital Projects
 (209) 937-8088



CITY OF STOCKTON

PUBLIC WORKS DEPARTMENT

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April 29, 2021

Stockton Diamond
C/O Public Outreach
2379 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833

**STOCKTON DIAMOND GRADE SEPARATION PROJECT - DRAFT
ENVIRONMENTAL IMPACT REPORT**

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Stockton Diamond Grade Separation project. The City of Stockton comments are enclosed.

L2-2

JODI ALMASSY, DIRECTOR
PUBLIC WORKS DEPARTMENT

ERIC ALVAREZ, P. E.
DEPUTY PUBLIC WORKS DIRECTOR/CITY ENGINEER

JLA:EA:WJ:RD:cal

emc: Wes Johnson, Engineering Services Manager
Dodie Vidad, City Traffic Engineer
Ray Deyto, Senior Civil Engineer





Stockton Diamond City comments

4/29/2021

Comment #	Topic	Env. Doc Pg. reference	Department	Comment	
1	Scope	NA	Public Works	Summarize what the Project being studied is, e.g. the rail lines affected, notable changes to crossings, proposed road closures.	L 2-3
2	Scope	NA	Public Works	Remove the closure of Lafayette Street from the Project definition and analyze separately.	L 2-4
3	Scope	NA	Public Works	Project impacts on truck traffic and truck routes should be analyzed both with and without closing Lafayette Street.	L 2-5
4	Scope	NA	Public Works	Rename "No Action Alternative (2045)" scenario to "No Project (2045)" or similar	L 2-6
5	Methodology	NA	Public Works	The amount of truck traffic on truck routes can be assumed to be substantially higher than the default 2% used throughout the Synchro calculations. Identify past traffic counts or other data sources that can provide observed heavy vehicle percentages. Apply these percentages to the 2019 traffic volumes used as the basis for the analysis and rerun HCM calculations. Update heavy vehicle percentages for project conditions with and without street closures.	L 2-7
6	Methodology	NA	Public Works	Use peak hour factors from 2019 traffic data where available. If unavailable, note the default values used.	L 2-8
7	Hydrology	NA	Public Works	With the Mormon Channel relocation should additional provisions for large debris be made due to the historical depositing of large items in the channel. The H&H memo discusses a 2 foot freeboard per standard but should it increase. Can the box culvert option be considered give the above state regarding debris being trapped?	L 2-9
8	Hydrology	NA	Public Works	Section 3.3.1 of the H&H report shows increases in the HGL of 0.1 to 0.3 feet due to a culvert restriction downstream of the project. Should the project resolve this restriction?	L 2-10
9	Hydrology	NA	Public Works	In general the H&H report should address the impacts to the roadway drainage and not just the channel realignment.	L 2-11
10	Utility Exhibits	NA	Public Works	In areas where the alignment has changed and new crossings will be created will empty sleeves and conduits be added for future utility work?	L 2-12
11	Utility Exhibits	NA	Public Works	Traditionally downtown storm pipes are undersized, will the project make any provisions for resolving local roadway drainage deficiencies in the area impacted by the route?	L 2-13
12	Utility Matrix	NA	Public Works	In areas where the solution is to provide a concrete cap such as the 4" Gas in Scotts. How will the utility provider maintain and get access to their utility?	L 2-14
13	Structure Report	NA	Public Works	With the retaining wall option what measures can be taken to reduce graffiti and vandalism?	L 2-15
14	Structure Report	NA	Public Works	With the retaining wall option what measures are to be taken for aesthetics? Form liner?	L 2-16
15	Roadway Plans	NA	Public Works	R004 shows that Lafayette does not need closure just a grade change, why close it? R006 seems unnecessary.	L 2-17
16	Roadway Plans	NA	Public Works	For areas like Sheet R008 along Church between Aurora and Union if the roadway is abandoned does the ownership go back to the adjacent land owners with a PUE for utilities? Or is the right of way acquired by SJRRC? If the land goes to the owners are they prepared to take ownership or will it become a nuisance?	L 2-18
17	Scope	NA	Public Works	The acquisitions clearly have a large impact on the community and if obtained may allow the project as designed to move forward however the large open spaces can leave voids in the downtown fabric making the area seem even more disjointed or bifurcated than it already might be. How will the unused parcel remainders be used? Will they be sold for development, can they be promoted as development opportunities? Will they be developed as open space? How does this tie to Policy LU-6.2 of the 2040GP?	L 2-19



Stockton Diamond City comments

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Comment #	Topic	Env. Doc Pg. reference	Department	Comment	
18	Scope	NA	Public Works	The primary difference from the west side of the existing tracks to the east side is that sidewalks create a sense of connectivity. Bike lanes and bike routes do the same. How will the project work to unify the two sides and create a sense of connectivity that can continue to the east?	L 2-20
19	Scope	NA	Public Works	Where the rail is shifted off of the existing crossing at Charter Way is there an opportunity to connect the new RTD Union Transfer Station with a bike path our trail route that provides further connectivity to the west side of the tracks?	L 2-21
20	Scope	NA	Public Works	How will trees be incorporated into the corridor to improve aesthetics and to comply with the 2040 GP Policy LU3.2 and CH-1.1A?	L 2-22
21	Scope	NA	Public Works	Can a nexus between the corridor improvements and the 2040 GP Policy CH1.1 to create trails and walkable and cyclable facilities?	L 2-23
22	Volume 1	NA	Public Works	Page ES-15 specifically discussed in the environmental justice section how the project will benefit low income and minority populations and that the project will improve access. The report needs to discuss further how this will happen.	L 2-24
23	Volume 1	NA	Public Works	Long term aesthetics with a less than significant determination does not seem accurate and is based upon an opinion that visual quality is poor. The visual raising of the tracks in some cases creating a visual barrier may be considered by some significant. Explain the conclusion. The discussion in 3.1-9 should be stronger with some conclusions as to how it will improve.	L 2-25
24	Volume 1	NA	Public Works	Table 2.1-1, Can Weber remain partially open during construction? Can other roadways?	L 2-26
25	Volume 2	NA	Public Works	Page 3.10-4 discusses the project physically dividing the community. The closure of two street does in fact increase the physical division. Expand on how this is mitigated?	L 2-27
31	Appendix D	NA	Public Works	What post construction water quality measures are being implemented to allow the City to comply with the current MS4 permit and trash mandate? Who will maintain the measures put in place?	L 2-28
32	Scope	NA	Public Works	Project disrupts traffic circulation and emergency services response without proposed mitigation measures or studies of the full impacts of the project. Grade separation would reduce potential conflict points between rail, vehicles and pedestrian/bicyclists, thereby improving safety.	L 2-29
33	Right of Way	NA	Public Works	Provide a plan that shows all the remnant parcels and plan for future development. Coordinate with the City for consistency with General plan and zoning restrictions.	L 2-30
34	City standards	NA	Public Works	All improvements within the area of take need to be relocated and/or upgraded to current standards. Need to reserve easement for utilities	L 2-31
35	at-grade crossing condition	NA	Public Works	fix hump on Weber. Lower tracks	L 2-32
36	pedestrian infrastructure	NA	Public Works	Install sidewalks on Market east of crossing to union	L 2-33
37	Right of Way	NA	Public Works	Reinstitute Union Street including ROW acquisition	L 2-34
38	Utilities	NA	Public Works	Underground all overhead utilities within project limits and within 1 block of project limits	L 2-35
39	Lighting	NA	Public Works	Project should assess lighting and provide city standard lighting throughout project limits 1 block of project limit in all directions	L 2-36
40	Street condition	NA	Public Works	Rehabilitate City streets within 1 block in all directions of project limits to meet current City standards	L 2-37



Stockton Diamond City comments

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Comment #	Topic	Env. Doc Pg. reference	Department	Comment	
41	Fiber optic cabling	NA	Public Works	Provide conduits and pull fiberoptic cable from MLK to Alpine to mitigate for project bifurcating large area. Needed to tie into traffic management system. Managing traffic and circulation. Provide Fiber conduits and cable E-W on Charter, Hazelton, scots Weber, Main, market	L 2-38
42	crossing protection	NA	Public Works	Upgrade crossing protection and panels for all at-grade crossings	L 2-39
43	Ped and Bike safety	NA	Public Works	provide pedestrian and bicycle crossing protection	L 2-40
44	Structure Type	NA	Public Works	structure type should be fully vetted in a public forum and shall incorporate aesthetic features such as trees, public art, retaining walls with design or relief, as examples.	L 2-41
45	Bike and Ped facilities	NA	Public Works	easterly bridge over MLK- provide bike/ped path to connect to Transit station on Union up to Anderson along existing rail corridor. - provide City easement for path.	L 2-42
46	Ped and Bike Facilities	NA	Public Works	place bridge structure in place of existing pipes over Mormon slough to provide bike/ped trail access under. Connect pilgrim and airport way	L 2-43
47	traffic circulation	NA	Public Works	Connect Pilgrim over Mormon slough	L 2-44
48	traffic study	NA	Public Works	Project traffic study does not adequately address City comments. A separate discussion is needed to discuss and resolve City comments and concerns. See attached documents.	L 2-45
49	Community Impacts	NA	Economic Development	The environmental and community impacts of the project must be offset with an investment in the community. Mitigation measures must include the creation of a Community Investment Fund for use by the City of Stockton in the immediate project area.	L 2-46
50	Business impacts	NA	Economic Development	There is concern with the number of businesses directly impacted, in addition to indirect impact to adjacent businesses. Proper mitigation measures should be implemented to assist all businesses impacted through relocation, sound, and traffic diversion.	L 2-47
51	Best Management Practices Population and Housing	ES-25	Economic Development	BMP PH-1 states that the Outreach and Engagement Plan "will focus on a targeted proactive response for temporary and permanent relocation assistance for transient populations affected by the proposed Project." The project should fund outreach teams to find avenues for housing and shelters for the homeless population.	L 2-48
52	Local Workforce development	ES-46	Economic Development	The project area is in a historically underserved neighborhood. The project should provide training and career development pathways for those who have barriers to employment. The project must also comply with the Community Workforce and Training Agreement.	L 2-49
53	Fire service	NA	Fire	Streets that will be acknowledged with dead-end cul-de-sacs shall meet City standards for cul-de-sac and turnaround radius design for fire apparatus	L 2-50
54	Fire service	NA	Fire	If any dead-end streets or roads that are being modified for this project require fire access gates, then it would be preferred the gates be automated and functional with the use of our radio frequency (Click to enter feature)	L 2-51
55	Fire service	NA	Fire	Additional fire hydrants may be required for this project pending street closures and new infrastructure obstructions that may affect existing fire hydrant locations	L 2-52
56	Fire service	NA	Fire	Locations along the grade separation areas of the proposed rail project will need to be evaluated for ladder truck positioning. Areas of concern will require fire access roads installed parallel with the rail. Access roads installed for ladder positioning shall be now less than 16 feet in width (if ladder truck use only) or 26 feet in width if we need the road to accommodate both a ladder truck and a fire engine	L 2-53
57	Fire service	NA	Fire	The project will require placement of access staircases in strategic areas along the grade separation.	L 2-54



Stockton Diamond City comments

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Comment #	Topic	Env. Doc Pg. reference	Department	Comment	
58	Fire service	3.13-5	Fire	Section 3.13-8 (Public Services) identifies the number of ladder truck companies and the EIR indicated a Truck 7. This needs to be corrected to indicate Truck 4. Truck 7 was closed during the bankruptcy and was never placed back in service. So, in summary, we have Truck 2, 3 and 4.	L 2-55
59	Fire service	ES-35	Fire	Noted in ES-35 about the project requiring temporary aboveground storage tanks on the construction site for fueling their heavy equipment. Please note that the Fire Department will require a permit for any aboveground tank storing fuel in excess of 60-gallons.	L 2-56
60	Ped/bike facilities	NA	Public Works	Investigate providing east-west pedestrian and bike facilities to be provided along Church Street and Lafayette Street to preserve connectivity and mitigate further bifurcation of neighborhoods on the east and west sides of the project.	L 2-57
61	Scope	1	Public Works	The Project is not defined here. What is its purpose? What does it generally entail in terms of proposed changes to rail and roadway networks?	L 2-58
62	Scenarios	1	Public Works	Rename "No Action Alternative (2045) to "No Project" (2045)" or similar.	L 2-59
63	Scenarios	1	Public Works	Remove the Lafayette Street closure from Project scope and analyze separately.	L 2-60
64	Study area	4	Public Works	Add a summary of existing rail crossings to this section, along with the intersection controls and functional classifications already presented in the study area.	L 2-61
65	Data	5	Public Works	The justification for using 2019 conditions as the basis of this analysis is sound. 2020 conditions are not typical.	L 2-62
66	Data	5	Public Works	List data sources for truck route infrastructure: City maps, STAA, etc. Include source of heavy vehicle volumes/percentages if available.	L 2-63
67	Data	6	Public Works	Explain what STREETLIGHT DATA is, how the data is collected/aggregated, its accuracy, and how it differs from collection of traditional turning movement counts or average daily traffic.	L 2-64
68	LOS methodology	15	Public Works	Add actual or estimated heavy vehicle percentages and peak hour factors to Synchro model, rather than default values.	L 2-65
69	LOS results	15	Public Works	Include contributions from heavy vehicles and peak hour factors at intersections operating below the LOS standard.	L 2-66
70	Typos	17	Public Works	Fix numbering in table 4-1	L 2-67
71	Ped facilities	21	Public Works	Review and correct errors in table 4-2 (e.g., East Weber Ave/UP tracks not ADA compliant). Provide more detail on which side(s) of roadways and crossings lack sidewalks, connectivity issues to other nearby sidewalks (e.g. gaps, missing ramps, poor sidewalk condition), physical barriers blocking pedestrian travel, and existing characteristics of gates, pedestrian signals, and other ADA requirements.	L 2-68
72	Bike facilities	22	Public Works	Confirm all current and planned City projects affecting or adding bicycle infrastructure.	L 2-69
73	Bike facilities	24	Public Works	Revise figure 4-3 as needed to include planned facilities, not just those that area already built.	L 2-70
74	Truck routes	27	Public Works	Revise figure 4-5 to include STAA truck routes	L 2-71
75	Truck routes	28	Public Works	Include STAA truck routes	L 2-72
76	Transportation infrastructure	31	Public Works	Confirm all planned changes to transportation infrastructure.	L 2-73
77	Transportation infrastructure	31	Public Works	Rename table 5-1 to "Anticipated Future Changes to Transportation Infrastructure" or similar. Not all changes are related to specific improvement projects.	L 2-74
78	Growth rate	31	Public Works	Describe how growth rate was applied - linear growth, compounding growth, etc.	L 2-75
79	Typos	31	Public Works	Fix typos in this section.	L 2-76

City of Stockton Comments

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Stockton Diamond City comments

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Comment #	Topic	Env. Doc Pg. reference	Department	Comment	
80	LOS methodology	32	Public Works	Add actual or estimated heavy vehicle percentages to Synchro model, rather than default values. Note whether any changes are expected between 2019 and 2045 conditions, and whether the default 0.92 PHF was used for future conditions rather than using existing PHF.	L 2-77
81	LOS Results	40	Public Works	Explain large increase in delay at intersection #8, identifying what changed in the AM Peak hour. Just volume increase, or something else?	L 2-78
82	LOS Results	44	Public Works	Explain large increases in delay at intersections #8 and #10, identifying what changed in the PM Peak hour. Just volume increases, or something else?	L 2-79
83	Roadway LOS	46	Public Works	In table 5-5, include both segments of East Lafayette Street as shown in figure 5-5.	L 2-80
84	Ped facilities	49	Public Works	Note any planned improvements to pedestrian facilities. Which at-grade crossings might be different under 2045 no project conditions?	L 2-81
85	Bike facilities	49	Public Works	Note which improvement projects and long-term planning would make changes/improvements to bike network.	L 2-82
86	Bike facilities	50	Public Works	Revise figure 5-7 to reference specific improvement projects	L 2-83
87	Freight conditions	51	Public Works	Confirm that truck routes listed also include STAA routes.	L 2-84
88	Scenarios	51	Public Works	Remove the Lafayette Street closure from Project scope and analyze separately.	L 2-85
89	Lafayette St. closure	51	Public Works	Explain that Lafayette Street closure may be considered but is not an integral part of the Project. Analyze in separate scenario.	L 2-86
90	Traffic Redistribution	51	Public Works	Describe the function of Church Street at the location of the proposed closure, and provide existing and projected 2045 peak hour and daily volumes as referenced elsewhere in the report.	L 2-87
91	Traffic Redistribution	52	Public Works	Describe alternate routes from Church St. closure, percent distribution among routes, and basis for distribution assumptions. Consider traffic controls, lane geometry, and other applicable factors in identifying likely alternate routes.	L 2-88
92	Traffic Redistribution	NA	Public Works	Identify impacts and necessary improvements at other locations due to traffic rerouting from Church St. closure, including safety, emergency response, traffic control, pedestrian facilities, and bike facilities	L 2-89
93	Traffic Redistribution	53	Public Works	Revise figures 6-1 and 6-2 to show Church St. closure and traffic redistribution. Lafayette St. closure to be analyzed separately.	L 2-90
94	Traffic Redistribution	54	Public Works	Revise figures 6-3 and 6-4 to show Church St. closure and traffic redistribution. Lafayette St. closure to be analyzed separately.	L 2-91
95	Traffic Redistribution	55	Public Works	Figure 6-5 is redundant with prior changes.	L 2-92
96	Traffic Redistribution	56	Public Works	Insert figures for net intersection and link volume changes due to traffic redistribution.	L 2-93
97	LOS results	60	Public Works	Describe changes due to Church St. closure. Lafayette St. closure to be analyzed separately	L 2-94
98	Formatting	61	Public Works	Revise table 6-1 to repeat headers at top of pg. 62.	L 2-95
99	Formatting	62	Public Works	Revise table 6-2 to repeat headers at top of pg. 63.	L 2-96
100	LOS results	63	Public Works	Note any substantial differences in roadway LOS vs. 2045 no project conditions.	L 2-97
101	LOS results	64	Public Works	Revise table 6-3 to show 2045 no project conditions, similar to tables 6-1 and 6-2.	L 2-98
102	LOS results	65	Public Works	Revise table 6-4 to show 2045 no project conditions, similar to tables 6-1 and 6-2.	L 2-99
103	Ped facilities	67	Public Works	Describe proposed changes due to project, e.g. planned improvements at grade crossings being changed or improved. Identify any impacts on pedestrian facilities and connectivity related to project, particularly as these relate to road closure and traffic redistribution. Include in both Project and Project with Lafayette St. closure scenarios.	L 2-100

City of Stockton Comments

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Stockton Diamond City comments

4/29/2021

Comment #	Topic	Env. Doc Pg. reference	Department	Comment	
104	Bike facilities	67	Public Works	Describe proposed changes due to project, e.g. planned improvements at grade crossings being changed or improved. Identify any impacts on bike facilities and connectivity related to project, particularly as these relate to road closure and traffic redistribution. Include in both Project and Project with Lafayette St. closure scenarios.	L 2-101
105	Freight conditions	68	Public Works	Identify any impacts on truck routes due to Church St. closure and rerouted traffic. Include in both Project and Project with Lafayette St. closure scenarios.	L 2-102
106	Traffic delay due to trains	68	Public Works	Confirm that all train traffic has been included. Note whether traffic volumes have any impact on average delay per vehicle. Include in both Project and Project with Lafayette St. closure scenarios.	L 2-103
107	Emergency response	69	Public Works	Identify any impacts on emergency response routes and response times due to Church St. closure and rerouted traffic. Include in both Project and Project with Lafayette St. closure scenarios.	L 2-104
108	Formatting	Appendix	Public Works	Add pages between Synchro sheets for each scenario. Include both Project and Project with Lafayette St. closure scenarios.	L 2-105
109	Traffic	NA	Public Works	Describe Lafayette Street in the area affected by the closure: functional classification, truck route designation type, how it contributes to automobile and truck circulation in the study area, emergency response preferred route	L 2-106
110	Traffic	NA	Public Works	Describe existing grade crossing: gate and signage, pedestrian/bicycle facilities	L 2-107
111	Traffic	NA	Public Works	Provide existing and projected 2045 peak hour and daily volumes, including number/percent heavy vehicles, as referenced elsewhere in the report.	L 2-108
112	Traffic	NA	Public Works	Describe alternate routes, percent distribution among routes, and basis for distribution assumptions. Consider traffic controls, lane geometry, limitations on alternate truck routes, and other applicable factors in identifying likely alternate routes.	L 2-109
113	Traffic	NA	Public Works	Provide traffic redistribution for all traffic and for heavy vehicles specifically.	L 2-110
114	Traffic	NA	Public Works	In addition to volume figures like those in section 6, include figures showing net intersection and roadway volumes due to road closure, as well as separate figures showing changes in truck volumes.	L 2-111
115	Traffic	NA	Public Works	Recalculate heavy vehicle percentages as needed to account for rerouted trucks, and include in the Synchro model prior to rerunning LOS analysis.	L 2-112
116	Traffic	NA	Public Works	Compare intersection and roadway LOS with Lafayette St. closure to both 2045 no project and 2045 with project conditions	L 2-113
117	Traffic	NA	Public Works	Identify impacts and necessary improvements at other locations due to traffic rerouting, including traffic control, pavement repair/upgrades, pedestrian facilities, and bike facilities	L 2-114
118	Traffic	NA	Public Works	Identify impacts on other truck routes affected by traffic rerouting, particularly the impact on the time-restricted route on Stanislaus St.	L 2-115
119	pedestrian infrastructure	NA	Public Works	pedestrian sidewalk improvements meeting City Standards should be provided for all east west crossings through out the project.	L 2-116
120	lighting	NA	Public Works	The project should install city standard lighting adjacent to the project and integrate outward to east-west road network.	L 2-117
121	frontage improvements	NA	Public Works	The project should include the installation of frontage improvements along the perimeter and within the entire project limits	L 2-118
122	crossing protection	NA	Public Works	Upgrade crossing protection and respective roadway crossings to rubber or concrete crossings throughout the corridor.	L 2-119

City of Stockton Comments

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Stockton Diamond City comments

4/29/2021

Comment #	Topic	Env. Doc Pg. reference	Department	Comment	
123	bicycle facilities	NA	Public Works	The project shall install bicycle facilities per the City Bicycle master plan or provide funding for the construction of those facilities	L 2-120
124	encroachment permit	NA	Public Works	An encroachment permit and other applicable permits will be required for the project and fees will be required for all permits and associated plan checking and inspections	L 2-121
125	monumentation	NA	Public Works	A Right of Way record map will be required to document all monumentation and changes to ROW and private property acquisitions. Protection and reestablishment of monumentation will be required	L 2-122
126	Utilities	NA	MUD	structures such as retaining walls should not be constructed over City utilities. Utilities must be relocated away from any area where a structure is to be constructed	L 2-123
127	Utilities	NA	MUD	Any City utilities within the project boundaries should be upgraded to the appropriate size per City master plans.	L 2-124
128	Utilities	NA	MUD	All impacted City utilities within project boundary shall be upgraded to current City standard.	L 2-125
129	Utilities	NA	MUD	Provide a description of how the project will handle storm water runoff. Are City facilities expected to provide this capacity or some other method?	L 2-126
130	precise road plans	NA	CDD/public works	Reestablishment or improvement of roadways affected by the project shall comply with their applicable Precise Road Plan.	L 2-127
131	remnant parcels	NA	Public Works	3.4.38 of Environ Shows rendering along Union. Remnant pieces such as the one shown will need to incorporate frontage improvements as part of the project.	L 2-128
132	visual impacts/public outreach	NA	Public Works	A more robust public outreach should be completed to vet out options more adequately relative to visual impacts and/or options.	L 2-129
133	drainage	NA	Public Works	The project will require a master drainage plan to be presented to City for review. Approval of connections to City infrastructure requires analysis and approval.	L 2-130
134	community connectivity	NA	Community Development	staff is concerned the project may further bi-sect those areas of south Stockton by separating the lines and adding an above grade crossing. More should be done to show how the communities will travel in, and around, the project area. Both while under construction and at full buildout. This can include a circulation diagram showing ped, bike, auto, and rail circulation at various stages of the project. The project touches on this due to phasing, but does not show how they will not be impacted.	L 2-131
135	BMP's	NA	Community Development	It would be helpful to have the BMP/MM shown next to the proposed impact. They are shown in the overall table, but only referenced in the applicable section.	L 2-132
136		NA	Community Development	The plan does not seem to take into account the City's GPEIR. While the City does not have standards for everything, the EIR claims consistency with the GP without stating consistency with GPEIR analysis.	L 2-133
137	BMP's	NA	Community Development	The description says BMP will help avoid without the need of mitigation but many of the impacts state less than significant only with the inclusion of a BMP. Please include them as measures if they are there to mitigate impacts.	L 2-134
138	Environmental Justice	NA	Community Development	The plan relies on residents and business agreeing to the impacts and measures to improve. Have the impacts and measures been vetted with impacted residents and businesses?	L 2-135
139	construction impacts	NA	Community Development	During construction, the project may cause short-term impacts related to air quality, noise, and traffic on surrounding neighborhoods. Please identify mitigation measures to minimize potential impacts and protect sensitive receptors or special populations located within proximity to the project construction sites.	L 2-136

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Comment #	Topic	Env. Doc Pg. reference	Department	Comment	
140	GHG	Chapter 2	Community Development	please show BMP's and proposed options	L 2-137
141	Hazards	3.8-21	Community Development	While not within 0.25 miles of a school the removal and treatment of hazardous materials will be in close proximity to homes, businesses, and a park, not to mention homeless individuals that could enter the site. (Figure 3.8.1 page 3.8-21)	L 2-138
142	HMMP	NA	Community Development	The City should have a chance to comment on the HMMP since we are the responsible response agency.	L 2-139
143	Emergency response	NA	Community Development	MM haz-8 says response times will be coordinated with local agencies. If we haven't discussed this with those agencies or finalize a road closure plan, how can we state this if it results in a response time impact? If we cannot avoid a delay, wouldn't that be an impact not covered under this report?	L 2-140
144	water quality	3.9-19	Community Development	Page 3.9-19- how can a BMP mitigate an impact? There will be lots of grading, and the project area has a lot of brownfield sites. How can water quality not be impacted? Mormon slough has lots of pollutants so how would water quality not be impacted if we increase drainage through the channel?	L 2-141
145	permits	3.9-23	Community Development	Page 3.9-23- will Mormon slough require 404/401 permits? The BMP just says all permits will be received therefore no mitigation.	L 2-142
146	land use	Chapter 2	Community Development	Chapter 2 mentions two GP policies but not how the project will adhere to them.	L 2-143
147	land use	NA	Community Development	The analysis should indicate how many businesses and homes are in, or immediately adjacent to the project area. Just states industrial land use, but there are homes in the area.	L 2-144
148	land use	NA	Community Development	BMP LU-1- is too broad and say project will coordinate for possible land use compliance.	L 2-145
149	ROW acquisition	NA	Community Development	The document does not elaborate on the acquisition of 14 properties. Project has a MM LU-2 that similar say fair market price for mitigation, but does that include ED? If so, is there a displacement plan for those 14 properties?	L 2-146
150	General Plan policy	NA	Community Development	The analysis includes reference to GP policies, but does not include:	L 2-147
151	General Plan policy	NA	Community Development	Policy LU 6.3- does not state how the project will comply. Policy is for multimodal and the response is directed to RR.	L 2-148
152	General Plan policy	NA	Community Development	Action TR-1.1.C: Require roadways in new development areas to be designed with multiple points of access and to address barriers, including waterways and railroads, in order to maximize connectivity for all modes of transportation.	L 2-149
153	General Plan policy	NA	Community Development	Policy TR-1.2: Enhance the use and convenience of rail service for both passenger and freight movement.	L 2-150
154	General Plan policy	NA	Community Development	Action TR-1.2.A: Actively support and pursue access to high-speed rail	L 2-151
155	General Plan policy	NA	Community Development	Action TR-1.2.B: Support the San Joaquin Regional Transportation District's Regional Bus Service, Altamont Commuter Express (ACE), and AMTRAK's San Joaquin intercity rail service, and pursue and support other regional transit programs and projects, such as: ♣ ACE plans to bypass existing bottlenecks (e.g., the Union Pacific railyards in South Stockton); ♣ Connecting to the BART system; ♣ Extending ACE service south to Merced; and ♣ Proposing rail between Stockton and Sacramento along the California Traction and other rail corridors.	L 2-152

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Comment #	Topic	Env. Doc Pg. reference	Department	Comment	
156	General Plan policy	NA	Community Development	Action TR-1.2.C: Provide grade separations at railroad crossings on arterial streets where feasible to ensure public safety and minimize traffic delay. (TC-6.1)- WE HAVE A FEW DESIGNATED ARTERIALS IN THE PROJECT SITE	L 2-153
157	Transit oriented development	NA	Community Development	Mitigation measures should take into account future build out of transit-oriented development (TOD). TOD brings compact, mixed-use development within walking distance of high capacity rapid transit. TOD features vibrant streetscapes, pedestrian-oriented built forms, and land use characteristics that make it convenient and safe to walk, cycle, and use public transport. Major capital investments in local transit should examine ways to improve economic development and ridership, foster multimodal connectivity and accessibility, improve transit access for pedestrian and bicycle traffic, engage the private sector, identify infrastructure needs, and enable mixed-use development near transit stations.	L 2-154
158	noise	NA	Community Development	Only references one GP policy on noise. There are more	L 2-155
159	noise	NA	Community Development	INCLUDED SAF-2.5: Protect the community from health hazards and annoyance associated with excessive noise levels.	L 2-156
160	noise	NA	Community Development	Action SAF-2.5A Prohibit new commercial, industrial, or other noise generating land uses adjacent to existing sensitive noise receptors such as residential uses, schools, health care facilities, libraries, and churches if noise levels are expected to exceed 70 dBA Community Noise Equivalent (CNEL) (decibels on A-weighted scale CNEL) when measured at the property line of the noise sensitive land use.	L 2-157
161	noise	NA	Community Development	Action SAF-2.5B Require projects that would locate noise sensitive land uses where the projected ambient noise level is greater than the "normally acceptable" noise level indicated on Table 5-1 to provide an acoustical analysis that shall:	L 2-158
162	noise	NA	Community Development	The plan does not rely on GPEIR for consistency for vibration. Their analysis seems to state consistency but relies on federal transit criteria.	L 2-159
163	noise	NA	Community Development	Page 3.11-17- temp noise from construction is anticipated to be 75-85 dba for 8-hour intervals Table 3.11-6 . How is that not a daytime impact, even in the absence of construction noise standards from the city. Construction noise is based on temp intrusion lasting around 5-30 mins. If an 8-hour daytime average is 80dba, it is above the minimum. The EIR state 54-72 as average while GP EIR shows approx. 70 dba at max.	L 2-160
164	noise	NA	Community Development	The report indicates there will be nighttime noise and vibration impacts. That assumes nighttime construction near sensitive receptors.	L 2-161
165	noise	NA	Community Development	MM NV-3-The EIR states there will be a significant impact (severe) to the existing homes and only proposes to improve their noise insulation. What if the property owner says no? wont this be a significant and unavoidable?	L 2-162
166	noise	NA	Community Development	MM NV-1- who regulates the noise plan? The City or SJRRC? What if they violate it via the city's standards?	L 2-163
167	recreation	NA	Community Development	The document only shows a couple of GP policies but do not include analysis of connectivity with the RR to those areas. 2 parks will be in proximity. The analysis indicates access to the parks would be impacted. How is that in compliance with standards. Also parks would be impacted by noise both temp and permanent.	L 2-164
168	recreation	NA	Community Development	The document proposes temp use of park to store construction equipment (union). Has this been vetted with the City Parks division?	L 2-165



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Comment #	Topic	Env. Doc Pg. reference	Department	Comment	
169	transportation	NA	Community Development	The analysis does not include VMT per SB743- states the Stockton GP permits LOS review. The avoid VMT analysis but the state require it. We have a VMT baseline that is not even discussed.	L 2-166
170	transportation	NA	Community Development	bus routes could be impacted by the project. Figure 3.15-5	L 2-167
171	land use	NA	Community Development	Tree and green beautification program. include greening of remnant urban land and reuse of obsolete or underutilized parcels. City of Stockton 2040 Envision Stockton General Plan Action CH-1.1A suggests planting and maintenance of appropriate shade trees along all City streets to reduce heat exposure, prioritizing areas of the city with significantly less tree canopy, and provide a buffer between the travel way and bicycle and pedestrian facilities, and provide other amenities like well-marked crosswalks, bulb-outs, and pedestrian-scale street lighting.	L 2-168
172	Environmental Justice	NA	Community Development	Identify and implement environmental justice policies concerning development of the project. Issues of environmental justice impact low-income populations, and minority individuals.	L 2-169
173	Environmental Justice	NA	Community Development	populations, and low-mobility populations, and may include, but are not limited to, concerns related to human health and safety, economic development, society and culture, accessibility, and the natural environment. Low-income populations may be faced with restricted mobility and limited access to goods and services. Enhanced mobility would increase accessibility and access to goods and services. Please consult with local non-profits and neighborhood groups to determine best practices.	L 2-170
174	public outreach	NA	Community Development	The document mentions outreach but does include a summary of outreach with property owners or their response when shown there will be an impact. Considering many measures rely on their acceptance (relocation, noise improvements) this should be discussed further.	L 2-171
175	Connectivity	NA	Community Development	Consider coordinating with the City of Stockton on future neighborhood plans to incorporate TOD concepts that encourage intensifying and inter-mixing land uses (residential, office, retail, and entertainment) around the ACE station, integrating public amenities (open spaces and landscaping), and improving the quality of walking and bicycling as alternatives to automobile travel. City of Stockton 2040 Envision Stockton General Plan Actions LU-2.2B and CH-2.2B suggest formation of a TOD overlay zone around the Robert J. Cabral ACE Station.	L 2-172

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Response to Comment L 2-1

Commenter states that they will provide additional comments on the Draft EIR in a separate comment email. This comment has been acknowledged and documented as part of the public record.

Response to Comment L 2-2

The commenter stated that the City of Stockton appreciates the opportunity to provide comments on the Draft EIR. This comment has been acknowledged and documented as part of the public record.

Response to Comment L 2-3

The commenter stated that the components of the Project be summarized, in particular noting the rail lines affected and notable changes to the road/rail crossings, and proposed road closures.

The primary rail line permanently affected by the Project is the UP Fresno Subdivision, which will be re-aligned and grade separated above the BNSF Stockton Subdivision. The BNSF tracks will be largely unaffected, with the exception of modified connection tracks between the two subdivisions.

Local roadways permanently affected by the Project include East Weber Avenue, East Main Street, East Market Street, East Lafayette Street, East Church Street, East Hazelton Avenue, East Scotts Avenue, and Dr. Martin Luther King Jr. Blvd (Charter Way).

East Lafayette Street and East Church Street would be permanently closed as part of the Project. East Hazelton Avenue and East Scotts Avenue would be grade separated from the UP main tracks. The remaining local road crossings would be modified only at their existing grades.

Please refer to Chapter 2, Project Description, which provides additional detail on the rail lines affected, crossing improvements, Project modifications, and road closures.

Response to Comment L 2-4

The commenter states that the Lafayette Street closure component of the Project should be analyzed separately.

East Lafayette Street and East Church Street are currently proposed to be closed to all modes of travel. Those closures, and improvements constructed in response to those closures, will be formalized during final design as part of the CPUC GO 88B Diagnostic review process, as specified in a new measure, Measure BMP TRA-8 in Section 3.15, Transportation of the Final EIR.

Measure BMP TRA-8 states the following:

BMP TRA-8 Road Closure Formalization Process. During final design, SJRRC will ensure that all proposed Project road closures will be formalized as part of the California Public Utilities Commission (CPUC) General Order (GO) 88B Diagnostic review process. The CPUC GO 88B Diagnostic review process will include the evaluation of circulation for all modes of travel in coordination with the City of Stockton, CPUC, and UPRR, including pedestrians, bicycles, automobiles, and trucks.



Response to Comment L 2-5

The commenter stated that the Lafayette Street closure component (specific to truck analysis) of the Project should be analyzed separately.

Please refer to Response L 2-4, which states that, as part of Measure BMP TRA-8, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-6

The commenter stated to rename the No Action Alternative 2045 to No Project Alternative 2045. This revision was made throughout the Final EIR.

Response to Comment L 2-7

The commenter stated the need for detailed truck circulation and impact analysis as part of the transportation analysis and that the amount of truck traffic on truck routes can be assumed to be substantially higher than the default 2 percent used throughout the Synchro calculations.

Based on information provided by the City, the assumption of 2 percent truck traffic is a reasonable assumption for Project analysis.

Based the characteristics of the traffic study area and available data, two sample intersections were also assessed using 10 percent truck traffic, an extraordinarily high percentage for these types of roadways, for purposes of comparison to 2 percent truck impact on intersection delay impacts.

The anticipated delay from the Future No Project Alternative compared to the proposed Project Alternative for the following two intersections, was concluded as a negligible impact in delay as shown below:

- Intersection #3 – Stanislaus/Lafayette and SR 4 Off-Ramp – Increased delay from the No Project compared to Project Alternative by 1.0 and 1.1 seconds for the AM and PM peak hours, respectively.
- Intersection #15 – Stanislaus and Hazelton Avenue - Increased delay from the No Project compared to Project Alternative by 0.3 and 2.0 seconds for the AM and PM peak hours, respectively.

Based on the information above, it was determined that the intersection delay and level of service (LOS) would experience limited additional delay based on the percent of truck movements.

Response to Comment L 2-8

The commenter stated that peak hour factors from the 2019 traffic data should be used where available.

Specific peak hour traffic volumes for both the 2019 AM and PM peak hour conditions were collected and used for this traffic analysis, providing direct peak hour volumes without the need to develop and



use peak hour factors. Please refer to Section 2 – Available and New Data in the Traffic Report in Appendix E of the Final EIR for this information.

Response to Comment L 2-9

SJRRC acknowledges the City's request that the 2-foot (ft) freeboard is considered standard but should increase. Applicable freeboard requirements will be determined through coordination and concurrence with the authority whose freeboard requirements would be changing. Currently, the Project team has prepared design options that meet the standards set in place by San Joaquin Area Flood Agency (SJAFCA) and UP. Any further refinements to Project design elements will be addressed during the final design phase of the Project.

In regard to the box culvert design option, a trash capture rack is proposed on both the upstream and downstream ends of the proposed new crossing over the Mormon Slough. This trash captures rack will help to prevent trash and debris from entering the Mormon Slough. This trash rack has been modeled and accounted for in the hydraulic analysis of the crossing over the Mormon Slough. The discussion has been included in Section 3.9, Hydrology and Water Quality, in the Final EIR.

Response to Comment L 2-10

The minor increases shown in hydraulic grade line (HGL) are still within the freeboard requirements of the flyover crossing, and calculated flows are still contained within the Mormon Slough within this area of increase. Despite the flows analyzed being larger than the published Federal Emergency Management Agency (FEMA) flows, the design options proposed in this Project are still within the freeboard requirements of the standards set by SJAFCA and UP; and therefore, additional improvement measures beyond those already recommended for the Project are not required.

Response to Comment L 2-11

The Mormon Slough is the major drainageway within the Project Study Area is located within FEMA Zone A. Thus, required specific analysis and preliminary design is required as part of preliminary design and environmental clearance, which is the reason for the emphasis of the Mormon Slough realignment.

Further, the Project does not intend to modify existing City storm drain systems on roadways, except for lowering a section of Hazelton Avenue under the proposed railroad flyover. Detailed design for storm drainage will be performed during final design as part of the project, both for the railroad corridor and for each segment of City street affected by the Project, as specified in new measure, Measure BMP HYD-5, Drainage Report. Measure BMP HYD-5, in Section 3.9, Hydrology and Water Quality states:

BMP HYD-5: Drainage Report. During final design, SJRRC will ensure that a project-specific drainage report will be developed in coordination with the City of Stockton. The Drainage Report will be prepared consistent with standards set by the City of Stockton.



Response to Comment L 2-12

SJRRC will coordinate with UP and the City to secure the necessary approvals to place empty sleeves and conduits at key modified crossings, where feasible.

Protection and relocation of existing and proposed utilities, which may be impacted by the proposed railroad corridor grade separation will be evaluated in detail during the final design phase of the Project. Empty sleeves and/or conduits will be provided in areas where future utility access may be restricted, as specified in new Measure UTIL-2, in Section 3.17, Utilities and Service Systems of the Final EIR.

Response to Comment L 2-13

The Project does not intend to modify existing City storm drain systems along roadways, with the exception of lowering a section of Hazelton Avenue under the proposed railroad flyover. Detailed design for storm drainage will be evaluated as part of the Project during final design, both for the railroad corridor and for each segment of City street affected by the Project, as specified in new measure, Measure BMP HYD-5, Drainage Report, in Section 3.9, Hydrology and Water Quality of the Final EIR.

Response to Comment L 2-14

The proposed utility protection presented in the utility matrix is considered as a preliminary analysis. Actual protection or relocation of utilities will be coordinated with each utility owner during final design of the Project. Consideration for existing and proposed utility protection and relocation where the proposed railroad corridor intersects will be required as part of the project. Empty sleeves and/or conduits will be provided in areas where future utility access may be restricted, as specified in new Measure UTIL-2, in Section 3.17, Utilities and Service Systems of the Final EIR.

Response to Comment L 2-15

UP has the ultimate approval on structure type and features of those structures, including any aesthetic or anti-graffiti features proposed as part of the retaining wall design option, if selected during final design.

If the retaining wall design option is selected during final design, SJJRC will coordinate with UP on the best approach to reduce graffiti and vandalism of the retaining wall structure.

Response to Comment L 2-16

Due to the requirements for continuous inspection and maintenance of railroad structures, non-structural coverings or vegetated coverings would not be suitable aesthetic treatments.

However, retaining walls may use form liners to create appealing surface textures and/or patterns. Retaining wall geometrics may also be developed to reduce the impact of continuous vertical surfaces and provide human scale to nearby pedestrians and residents.



As stated in Response L 2-15, UP has the ultimate approval on structure type and features of those structures including any aesthetic treatments of retaining walls.

If the retaining wall design option is selected during final design, SJJRC will coordinate with UP on potential aesthetic treatments for the retaining wall structure.

Response to Comment L 2-17

Please refer to Response L 2-4, which states that, as part of Measure BMP TRA-8, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

The large horizontal spacing between proposed at-grade crossings shown on R004 may result in the need for closure. Concerns include excessive signal pre-emption timing for warning devices and potential for vehicles, motorists, pedestrians, and bicyclists to be trapped between trains at active crossings.

Response to Comment L 2-18

During final design, SJRRC will coordinate with the City and UP to determine appropriate property ownership and establish property agreements, as identified in new Measure MM LU-2 in Section 3.10, Land Use of the Final EIR. The new measure is as follows:

MM LU-2 **Property Ownership and Agreement Coordination Efforts.** During final design SJRRC will ensure coordination with the City and UP to determine appropriate property ownership and establish agreements prior to the ROW acquisition process. Options to address property ownership may include, but not be limited to:

- Continuing City ownership and maintenance of the street corridors with permanent easements required for the railroad corridor; or
- SJRRC and/or railroad company ownership and maintenance of the properties within the railroad corridor with either SJRRC or private ownership of adjacent remnant parcels. Public Utility easements would be necessary for this option.

Response to Comment L 2-19

Dependent on the flyover structure type (design option) chosen (i.e. embankment, retaining wall, viaduct) during final design, the exact number of parcels acquired and area of each parcel acquired will vary, particularly on the east side of the flyover, between the flyover and Union Street.

During final design, SJRRC will determine the acreage of the parcel remainders post-construction, and coordinate with the City on viable options for the parcel remainders as specified in new Measure MM LU-2, in Section 3.10, Land Use of the Final EIR. This will be done in conjunction with implementation Measure BMP AES-2, which requires SJRRC to coordinate with the City on the incorporation of trees along the west side of South Union Street if the viaduct or retaining wall design option for the flyover are selected during final design.



The Project's goal is to improve regional passenger travel efficiency by reducing conflicting train movements. Additionally, the proposed Project would improve roadway access, safety, and mobility at the existing railway crossing for bicyclists and pedestrians.

Policy LU-6.2 of the City's 2040 General Plan focuses on the prioritization of development and redevelopment of vacant, underutilized, and blighted infill areas. The Project, itself, would not directly contribute to the increase of vacant, underutilized, and blighted infill areas as existing industrial properties and vacant land would be developed for transportation uses. Therefore, the Project would not be inconsistent with Policy LU-6.2 of the City's 2040 General Plan.

Response to Comment L 2-20

The Project extends sidewalk improvements to Union Street on East Weber Avenue, East Main Street, East Market Street, and East Scotts Avenue. Further, the Project would not preclude sidewalk improvements from SJRRC's Cabral Station Expansion Project, and UP's Stockton Wye Project which will implement sidewalk connections on East Weber Avenue, East Main Street, and East Scotts Avenue.

The Project also would not preclude future planned multimodal improvements by the City.

Response to Comment L 2-21

The existing UP yard and BNSF Stockton Subdivision connection track across Dr. Martin Luther King Jr. Boulevard (Charter Way) will be removed and shifted to the west on a new bridge across Dr. Martin Luther King Jr. Boulevard (Charter Way). However, the new connection track alignment will be elevated, and will conform with the existing alignment in the vicinity of East Jefferson Street, and UP trains will continue to operate on these tracks.

A proposed bike path and associated easements would need separate coordination and approvals from UP, independent of the Project.

Response to Comment L 2-22

Policy LU-3.2 of the City's 2040 General Plan states: Retain narrower roadways and reallocate right-of-way space to preserve street trees and mature landscaping and enhance the pedestrian and bicycle network within and adjacent to residential neighborhoods.

Action CH-1.1A of the City's 2040 General Plan states: Plant and maintain appropriate shade trees along all City streets to reduce heat exposure, prioritizing areas of the city with significantly less tree canopy, and provide a buffer between the travel way and bicycle and pedestrian facilities, and provide other amenities like well-marked crosswalks, bulb-outs, and pedestrian-scale street lighting.

The Project's goal is to improve regional passenger travel efficiency by reducing conflicting train movements. Additionally, the proposed Project would improve roadway access, safety, and mobility at the existing railway crossing for bicyclists and pedestrians.

Aesthetic treatments, such as trees, would be implemented as a result of impacts from the proposed Project. As stated in Section 3.1, Aesthetics, of the Draft EIR, if the viaduct or retaining wall design



options is chosen, the Project will implement Measure BMP AES-2, which requires SJRRC to coordinate with the City on the incorporation of trees along the west side of South Union Street. As stated in Measure BMP AES-2, the incorporation of trees would improve the visual quality of the proposed structure and that SJRRC will continue to coordinate with City and UP on the location and types of plantings along the street during final design.

In addition, Table 3.2-11 in Section 3.2, Air Quality, of the Final EIR summarizes the total emission reduction and the average annual emission reduction for the proposed Project. As shown in Table 3.2-11, the proposed Project would already result in long-term reductions in criteria pollutant emissions.

However, SJRRC acknowledges the District's request for consideration of vegetative barriers and urban greening and a means to potentially reduce air pollution exposure on sensitive receptors.

Therefore, a new measure, identified as Measure BMP AQ-2, has been included within Section 3.2, Air Quality, of the Final EIR.

Therefore, the Project is not inconsistent with Policy LU 3.2 or Action CH-1.1A of the City's General Plan.

Response to Comment L 2-23

The Project's goal is to improve regional passenger travel efficiency by reducing conflicting train movements. Additionally, the proposed Project would improve roadway access, safety, and mobility at the existing railway crossing for bicyclists and pedestrians.

Policy CH-1.1 of the City's 2040 General Plan states: Maintain walking and wheeling facilities and parks that are safe and accessible in all areas of Stockton.

The Project extends sidewalk improvements to Union Street on East Weber Avenue, East Main Street, East Market Street, and East Scotts Avenue. Further, the Project would not preclude sidewalk improvements from SJRRC's Cabral Station Expansion Project, and UP's Stockton Wye Project which will implement sidewalk connections on East Weber Avenue, East Main Street, and East Scotts Avenue.

The at-grade rail crossings and sidewalk improvements will be constructed to ADA standards (refer to comment S 1-2)

As stated in Section 3.15, Recreation, of the Draft EIR, the proposed Project will require 0.03-acre (1,316-square-foot) of TCE in the northwest corner of Union Park, located in the southeast quadrant of the intersection between East Hazelton Avenue and South Union Street.

This TCE, considered a short-term direct impact, will serve as construction access to East Hazelton Avenue during the construction of the proposed underpass. The TCE would not directly impact access to the existing facilities at Union Park in the short term, as multiple access locations are available along the perimeter of the unfenced park.



Access to Independence Park, located in the southwest quadrant of South Aurora Street and East Market Street, may be indirectly impacted by the temporary closure of South Market Street during construction.

However, indirect short-term impacts related to access during construction would be reduced with the implementation of the proposed Project Construction Transportation Plan, that aims to minimize impacts of construction traffic on nearby roadways (Measure BMP TRA-2 in Section 3.15, Transportation) a Construction Management Plan (CMP) that aims to address maintenance and pedestrian access during the construction period (Measure BMP TRA-4 in Section 3.15, Transportation), a CMP for the maintenance of bicycle access during construction (Measure BMP TRA-5 in Section 3.15, Transportation), and a TMP which requires alternate access or detour plans be available early and continuously throughout the proposed Project construction as part of ongoing public outreach (Measure BMP TRA-7 in Section 3.15, Transportation).

After the completion of Project construction, there would be no change to the existing access to Union Park or Independence Park. Therefore, the Project impacts would not be inconsistent with Policy CH.1-1 of the City's 2040 General Plan.

Response to Comment L 2-24

The Project's goal is to improve regional passenger travel efficiency by reducing conflicting train movements. Additionally, the proposed Project would improve roadway access, safety, and mobility at the existing railway crossing for bicyclists and pedestrians throughout the community, including the environmental justice communities within the Project Study Area. These benefits are discussed in Section 5.6 of the Draft EIR.

Response to Comment L 2-25

Categorization of the aesthetics resource study area as having poor visual quality derives from an aesthetics analysis by a qualified practitioner. It reflects research and comparison with visual quality in other nearby areas.

While visual change with the grade separation would certainly be noticeable, it would not create a substantial visual barrier.

As described in Section 3.1, Aesthetics, of the Draft EIR, while the flyover would block some views, particularly along South Union Street and South Aurora Street, the flyover would replace views of salvage storage, auto body repair, and paint shops with a new, coherent, and clean structure.

The analysis is presented to support the statement that residential neighbors are likely to "perceive the flyover as enhancing their perception of cultural order and corridor coherence." Additionally, several visual simulations of the proposed flyover structure at various locations were prepared to support the analysis and conclusion. During the 45-day public review period for the Draft EIR, no comments regarding the visual quality of the Project were received from surrounding residences or businesses. Therefore, as identified within the Draft EIR, the finding of Less than Significant Impact remains valid.



Response to Comment L 2-26

Although it is not feasible that Weber Avenue remain partially open during construction, SJRRC will ensure that a staged construction and traffic control plan that avoids long-term full closures of City streets, in coordination with the City and UP, during final design. Short-term closures will be required for sidewalk construction, installation of the at grade rail crossing panels, roadway grading and paving, and to place bridge girders at the grade-separated crossings

As stated in Section 3.15, Transportation, of the Draft EIR, with the implementation of Measures BMP TRA-2, BMP TRA-4, BMP TRA-5, and BMP TRA-7, these impacts would be considered less than significant.

Where long-term closures may be required, the Project will avoid simultaneous closure of adjacent streets and/or will minimize detour routes for vehicles, pedestrians and bicyclists during construction.

Response to Comment L 2-27

As stated in Section 3.10, Land Use, of the Draft EIR, the proposed Project would cause permanent road closures at East Lafayette and East Church Streets. However, nearby parallel streets would remain, allowing existing travelers to use other routes to cross the tracks.

The East Hazelton Avenue at-grade crossing would be improved to a grade-separated undercrossing of the UP Fresno Subdivision mainline tracks, providing safer crossing of the railroad corridor. Therefore, the Project would not physically divide an established community, impacts would remain less than significant, and no mitigation is required.

Response to Comment L 2-28

As stated within Section 3.9, Hydrology and Water Quality, the Project will be required to comply with the mandates set forth in the CGP and the current NPDES area-wide MS4 Permit (Order No. R5-2007-0173) which applies to both construction and operations.

During final design the contractor will prepare a stormwater pollution prevention plans, as outlined in Measure BMP HYD-3, in Section 3.9, Hydrology and Water Quality, in accordance with the CGP. The SWPPPs will outline post construction water quality measures, if any, are required.

If post construction water quality measures are required, a plan for the post construction funding and maintenance of the post construction water quality measures will be identified with the SWPPPs during final design.

The required funding and maintenance of the post construction water quality measures will be identified during final design of the Project. If post construction water quality measures are required, funding and maintenance requirements will be identified within the SWPPPs during final design and implemented as part of the railroad construction and maintenance agreement.



Response to Comment L 2-29

A TMP will be prepared during final design, as specified in Measure BMP TRA-7 (see Section 3.15, Transportation of the Draft EIR), which would be implemented during construction to include alternative routing plans and methods.

The TMP will take emergency vehicle routing into consideration, in coordination with the City.

When final design for the Project is initiated, SJRRC will continue coordination with the City to best tailor the TMP to minimize traffic circulation and emergency services response disruptions during construction activities.

SJRRC acknowledges and agrees that the grade separation of Stockton Diamond would reduce potential conflict points between rail, vehicles, and pedestrian/bicyclists, thereby improving safety within the community. Please refer to Response L 2-4, which states that, as part of BMP TRA-8, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-30

Dependent on the flyover structure type (design option) chosen (i.e. embankment, retaining wall, viaduct) during final design, the exact number of parcels acquired and area of each parcel acquired will vary, particularly on the east side of the flyover, between the flyover and Union Street.

During final design, SJRRC will determine the acreage of the parcel remainders post-construction, and coordinate with the City on viable options for the parcel remainders as specified in new Measure MM LU-2, in Section 3.10, Land Use, of the Final EIR. This will be done in conjunction with implementation Measure BMP AES-2, which requires SJRRC to coordinate with the City on the incorporation of trees along the west side of South Union Street if the viaduct or retaining wall design option for the flyover are selected during final design.

Response to Comment L 2-31

The comment has been acknowledged and documented as part of the public record in relation to the requests for relocated or upgraded improvements to current standards and the need to reserve easements for utilities.

The at-grade rail crossings and sidewalk improvements will be constructed to ADA standards and modified at-grade crossings will be designed to current CPUC, City and railroad standards, to include required lighting and multimodal warning devices, in coordination with the City, CPUC, and UP.

In addition, protection and relocation of existing and proposed utilities, which may be impacted by the proposed railroad corridor grade separation will be evaluated in detail during the final design phase of the Project as specified in new Measure BMP UTIL-2, in Section 3.17, Utilities and Service Systems, of the Final EIR. Empty sleeves and/or conduits will be provided in areas where future utility access may be restricted.



Response to Comment L 2-32

Further study of Weber Street will be necessary through the CPUC GO88 process as committed in Measure TRA-8, in Section 3.15, Transportation, of the Final EIR. Final design will consider opportunities to improve the existing profile on Weber Street. However, lowering of the railroad tracks may not be possible here due to extensive impacts to railroad infrastructure, the passenger platform at Robert J. Cabral Station, and other City streets and utilities.

Response to Comment L 2-33

The Project extends sidewalk improvements to Union Street on East Weber Avenue, East Main Street, East Market Street, and East Scotts Avenue.

Response to Comment L 2-34

This comment is not clear on the intention to “reinstitute” Union Street. For right-of-way (ROW) acquisition, it is assumed the commenter refers to the privately owned segment of Union Street between Hazelton and Scotts Avenue.

Acquisition of the Union Street private parcel and reinstatement of Union Street between Hazelton Avenue and Scotts Avenue is not part of the Project; and thus, the Union Street private parcel would not be directly impacted by this Project.

Response to Comment L 2-35

Utility relocations impacted by the Project limits will be coordinated with the affected utilities, as specified in Measure BMP UTIL-3, in Section 3.17, Utilities and Service Systems in the Draft EIR.

The potential for the undergrounding of affected utilities will be evaluated in coordination with the affected utilities with input from the City during final design.

Response to Comment L 2-36

The commenter’s request to assess lighting and provide City standard lighting throughout the Project limits, one block of the Project limits in all directions is acknowledged and documented as part of the public record.

As specified in Measure BMP AES-3, in Section 3.1, Aesthetics of the Draft EIR, during final design, SJRRC will ensure that a lighting plan will be developed that will select temporary and permanent lighting fixtures to minimize glare on adjacent properties and into the night sky.

As defined in the City’s Municipal Code, permanent lighting fixtures will be selected to ensure that the light beam is controlled and not directed across a property line or upward into the sky. Lighting will be shielded with non-glare hoods or reflectors and focused within the Project ROW. The lighting plan will be reviewed and approved by the City of Stockton prior to construction to ensure compliance with the City’s Municipal Code and General Plan. Lighting improvements outside of the areas impacted by the Project are not considered at this time.



Response to Comment L 2-37

The Project will extend sidewalk improvements to Union Street at East Weber Avenue, East Main Street, East Market Street, and East Scotts Avenue.

Removal of the existing tracks and construction of the new at grade crossings will be designed in accordance with City and UP standards. This would include construction of new roadway approach grades for both the at grade and grade separation crossings.

The Project does not propose any rehabilitation improvements outside of those roads directly impacted by the Project. However, Measure BMP TRA-1, in Section 3.15, Transportation of the Draft EIR, has been amended to clarify that traffic routes used during construction will be restored back to the previous conditions.

Measure BMP TRA-1 in the Final EIR now states the following:

BMP TRA-1: Protection of Public Roadways during Construction. Prior to construction, SJRRC will ensure that the contractor will provide a photographic survey documenting the condition of the public roadways along truck routes providing access to the proposed Project site, to restore such routes utilized by the Project during construction to their previous condition.

Response to Comment L 2-38

The request to install conduit and fiberoptic cable from Dr. Martin Luther King Jr. Blvd to Alpine Avenue will not be implemented as part of the Project, as it is located outside the limits of the Project.

SJRRC will coordinate with UP and the City to secure the necessary approvals to place empty sleeves and conduits at key modified crossings, where feasible.

Protection and relocation of existing and proposed utilities, which may be impacted by the proposed railroad corridor grade separation will be evaluated in detail during the final design phase of the Project, as specified in new Measure BMP UTIL-2, in Section 3.17, Utilities and Service Systems, of the Final EIR. Empty sleeves and/or conduits will be provided in areas where future utility access may be restricted.

Response to Comment L 2-39

Specific improvements to be implemented at the crossings will be formalized during final design as specified in the new Measure BMP TRA-8, in Section 3.15, Transportation, of the Final EIR.

Response to Comment L 2-40

Please refer to Response L 2-39.

Response to Comment L 2-41

UP has the ultimate approval on structure type and features of those structures including any aesthetic treatments of retaining walls.



If the retaining wall design option is selected during final design, SJJRC will coordinate with UP on potential aesthetic treatments for the retaining wall structure.

Response to Comment L 2-42

The existing UP yard and BNSF Stockton Subdivision connection track across Dr. Martin Luther King Boulevard will be removed and shifted to the west on a new bridge across Dr. Martin Luther King Jr. Blvd.

However, the new connection track alignment will be elevated, and will conform with the existing alignment in the vicinity of East Jefferson Street, and UP trains will continue to operate on these tracks.

A proposed bike path and associated easements would need separate coordination and approvals from UP, independent of the Project.

Response to Comment L 2-43

As currently designed, the existing culverts under the UP Fresno Subdivision tracks will remain in place and the existing tracks will remain in operation after construction of the Project.

The request to connect Pilgrim Street and Airport Way is outside the Project Study Area, and unrelated to the purpose and need of the Project, which is limited to a grade separation at Stockton Diamond.

Response to Comment L 2-44

This comment is acknowledged and is included part of the public record.

The proposed connection of Pilgrim Street over Mormon Slough is outside the Project Study Area, and unrelated to the purpose and need of the Project, which is limited to a grade separation at Stockton Diamond.

Response to Comment L 2-45

The City of Stockton submitted comments on the Draft Traffic Report, Appendix E of the Draft EIR. These comments were submitted via PDF mark-up and have been considered, evaluated, and revised where applicable within the Appendix E of the Final EIR.

The commenter has been added to the distribution list in Appendix J of the Final EIR for future notifications regarding this Project.

Response to Comment L 2-46

The Project includes transportation funding protected by Article XIX of the California Constitution, which restricts revenues from taxes and fees imposed on motor vehicle fuels for use in motor vehicles upon public streets and highways solely for the following purposes:



- (a) The research, planning, construction, improvement, maintenance, and operation of public streets and highways (and their related public facilities for nonmotorized traffic), including the mitigation of their environmental effects, the payment for property taken or damaged for such purposes, and the administrative costs necessarily incurred in the foregoing purposes.
- (b) The research, planning, construction, and improvement of exclusive public mass transit guideways (and their related fixed facilities), including the mitigation of their environmental effects, the payment for property taken or damaged for such purposes, the administrative costs necessarily incurred in the foregoing purposes, and the maintenance of the structures and the immediate right-of-way for the public mass transit guideways, but excluding the maintenance and operating costs for mass transit power systems and mass transit passenger facilities, vehicles, equipment, and services.

All environmental and community impacts as a result of the proposed Project, have been identified within the Final EIR and have been either avoided, minimized, and/or fully mitigated. Therefore, a Community Investment Fund cannot be created for use by the City in the immediate Project area.

Response to Comment L 2-47

Businesses may be indirectly impacted through noise and traffic diversion. However, with the implementation of Measure MM NV-1, in Section 3.11, Noise, and Measure BMP TRA-7, in Section 3.15, Transportation of the Draft EIR, these indirect impacts would be minimized during construction activities.

Businesses directly impacted through relocation would be sufficiently compensated through the implementation of Measure MM LU-3 (formerly Measure MM LU-2 in the Draft EIR), in Section 3.10, Land Use, of the Final EIR. Measure MM LU-3 would ensure that the loss of private industrial property be mitigated by payment of fair market compensation and provision of relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act.

For these non-residential displacements, the following would be provided to business operators:

- Relocation advisory services
- Minimum 90 days written notice to vacate prior to requiring possession
- Reimbursement for moving and reestablishment expenses

Response to Comment L 2-48

The Outreach and Engagement Plan identified in Measure BMP PH-1, in Section 3.12, Population and Housing, of the Draft EIR, will be developed with engagement from various stakeholders during final design, which will include input from the San Joaquin County, City of Stockton, and various community stakeholder groups. SJRRC welcomes input from the City on what the City feels are the best avenues for housing and shelters for the homeless population near the Mormon Sough during the Project's final design phase.



Response to Comment L 2-49

The City's comment is acknowledged and documented for the public record.

The Project, itself, would not cause any significant or unavoidable impacts to historically underserved neighborhoods within the Project Study Area and all Project impacts to the community have been fully minimized and/or mitigated.

The Community Workforce and Training Agreement (CWTA), adopted on July 26, 2016 by Stockton City Council, only applies to City of Stockton Public Works projects worth over \$1 million that are bid after August 25, 2016. Since the Project is not a City Public Works project, the CWTA was not applied to this Project.

In addition, federal regulations prohibit the use of such agreements. Since the project is partially funded with federal transportation dollars, Disadvantaged Business Enterprise (DBE) program rules apply. DBE rules require that consultants and contractors either meet a calculated project specific DBE participation goal or undertake and document good faith efforts to do so. If the apparent low bidder does not meet the project goal, a Good Faith Efforts Evaluation must be made examining several specific factors. Failure to meet the goal or make adequate good faith efforts are grounds for rejecting the bidder as non-responsive.

By definition, a DBE is a socially and economically disadvantaged small business owned by a woman or by a specific ethnic group that has been properly certified by Caltrans. These groups include:

- African American
- Asian Pacific American
- Native American
- Women
- Hispanic American
- Subcontinent Asian American

The federal funding restrictions prohibit the use of the Local Employment Ordinance (Stockton Municipal Code (SMC) section 3.68.095), the Local Business Preference Ordinance (SMC section 3.68.090) or any other local hiring preferences.

Response to Comment L 2-50

At this time, no dead-end cul-de-sacs are proposed for streets as part of the Project.

SJRRC will continue to coordinate with City Fire Department and Public Works Department during final design, which will include consideration of any dead-end cul-de-sacs at that time.



Response to Comment L 2-51

SJRRC will continue to coordinate with City Fire Department and Public Works Department during final design, which will include consideration of access gate automation with Fire Department interoperability.

Response to Comment L 2-52

SJRRC will continue to coordinate with City Fire Department and Public Works Department during final design, which will include consideration of access gate automation with City Fire Department interoperability.

Response to Comment L 2-53

SJRRC will continue to coordinate with City Fire Department and Public Works Department during final design, which will include consideration of ladder truck positioning in areas that will require fire access roads installed parallel with the rail.

Response to Comment L 2-54

SJRRC will continue to coordinate with City Fire Department and Public Works Department during final design, which will include consideration of applicable codes and fire infrastructure standards.

Access staircases are not likely to be preferred due to the potential security risks and hazards created, but other solutions are likely available and can be discussed further during final design.

Response to Comment L 2-55

The reference to Truck 7 has been updated to state Truck 4, as requested, in Section 3.13, Public Services of the Final EIR.

Response to Comment L 2-56

SJRRC acknowledges that the City's Fire Department will require permitting for any aboveground tank storing fuel in excess of 60 gallons.

Should an AST at that capacity be identified as necessary during final design, SJRRC will work with the City's Fire Department to obtain the required permits prior to construction.

Response to Comment L 2-57

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Between Aurora Street and the existing UP Fresno Subdivision tracks, Church Street is a privately owned road. New pedestrian and bicycle facilities connecting the public and private segments of Church Street would require approval from and easements through UP, the City, and the owners of the privately owned segment of the street.



Further coordination with the City regarding this issue will occur during final design. Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-58

A description of the Project and the purpose of the Project was added to the Traffic Report in Appendix E of the Final EIR, as requested by the commenter.

Response to Comment L 2-59

The commenter stated to rename the No Action Alternative 2045 to No Project Alternative 2045. This revision was made throughout the Traffic Report in Appendix E of the Final EIR.

Response to Comment L 2-60

The commenter stated that the Lafayette Street closure component of the Project should be analyzed separately. East Lafayette Street and East Church Street are proposed to be closed to all modes of travel.

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-61

The commenter stated to provide a summary of existing rail crossings in the report. This comment has been addressed within the Traffic Report in Appendix E of the Final EIR.

Response to Comment L 2-62

The commenter stated that justifying the use of 2019 traffic data was sound because 2020 conditions are not typical. This comment has been acknowledged and documented as part of the public record.

Response to Comment L 2-63

The commenter stated the need for a list of freight data sources. As identified in the Traffic Report in Appendix E of the Draft EIR, the latest City of Stockton General Plan was utilized as the primary source for the freight information.

The STAA truck route map has been added and referenced within the Traffic Report, in Appendix E of the Final EIR.

Response to Comment L 2-64

The commenter stated to provide more information about STREETLIGHT Data.



Upon the review and assessment of the available traffic data compiled from the City of Stockton and other sources, while there was good coverage of observed 2019 average annual daily traffic (AADT) of study area roadways, the coverage of intersection turning movements was limited, with 5 of the 28 intersections including representative morning and afternoon peak hour volumes.

In order to develop a more complete profile of existing turning movements for the traffic study area intersections, STREETLIGHT DATA was purchased to provide turning movements for each of the 28 intersections. The supplementary data included morning and afternoon peak hour turning movements for each intersection representing average weekday traffic conditions for 2019. STREETLIGHT DATA has been used regularly (nationally and in California) to provide roadway volumes and intersection turning movement counts, especially during the COVID-19 pandemic.

The referenced link provides detail about STREETLIGHT DATA:
<https://www.streetlightdata.com/traffic-engineering-operations/#turning-movements>

Response to Comment L 2-65

The commenter asked for actual or estimated heavy vehicle (or truck traffic) percentages and peak hour factors to be included in the Synchro model, rather than default values.

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

As for the overall analysis, peak hours data were used directly as turning movement counts in the analysis. Appropriate truck percent defaults were built into the Synchro software used in this analysis, which are well within the normal conditions for roadway classifications in the traffic study area.

In addition, peaking factors were not used in the analysis primarily because peak hour volumes were collected and used directly in the analysis.

Response to Comment L 2-66

Please refer to Response to Comment L 2-63.

In addition, peak hour factors were not used due to the availability of AM and PM peak hour traffic volumes.

Response to Comment L 2-67

This number in Table 4-1 has been fixed in the Traffic Report in Appendix E of the Final EIR, as requested.

Response to Comment L 2-68

The errors in Table 4-2 have been reviewed and corrected, as requested, in the Traffic Report in Appendix E of the Final EIR. In addition, references to sidewalk crossings at East Church Street and UP and California Street/BNSF have been reviewed and corrected in the Traffic Report, as



necessary. The sidewalk exists only on the western side of the roadway at the Aurora Street/BNSF crossing.

A detailed condition assessment of existing roadways, crossing, and sidewalks was not conducted. The proposed project will upgrade modified and/or new crossings with current vehicle and pedestrian warning devices and meeting current Americans with Disabilities Act (ADA) standards. Missing sidewalks or gap closures will be constructed by the proposed Project, and extending to Union Street east of the crossings, at the following locations:

- North side of East Weber Avenue
- South side of East Main Street
- Both sides of East Market Street
- Both sides of East Scotts Avenue

Response to Comment L 2-69

The commenter inquired if all current and planned City projects affecting or adding to existing bicycle infrastructure be added to the traffic study analysis.

It is confirmed that all current and planned City projects affecting bicycle facilities has been included in the Traffic Report in Appendix E of the Final EIR.

Response to Comment L 2-70

The commenter states that Figure 4-3 of the Traffic Report (Appendix E of the Draft EIR) should include planned facilities and not just facilities within the area that have been already built.

Figure 4-3 of the Traffic Report in the Draft EIR shows the existing conditions map; and thus, the planned facilities are not shown on this figure. However, planned projects are shown on the Proposed Future Conditions figure in the Traffic Report in Appendix E of the Draft EIR.

Response to Comment L 2-71

The commenter states to include STAA truck routes to Figure 4-5 of the Traffic Report in Appendix E of the Draft EIR. The Surface Transportation Assistance Act (STAA) truck route has been added as Figure 4-6 of the Traffic Report in Appendix E of the Final EIR, as requested.

Response to Comment L 2-72

The commenter stated to include STAA truck routes in the analysis of the Traffic Report in Appendix E of the Draft EIR. STAA truck references and routes map has been included in the Traffic Report in Appendix E of the Final EIR, as requested.

Response to Comment L 2-73

The commenter asks that all planned changes to transportation infrastructure are included in the traffic analysis. In response to this comment, California Street Road Diet Project (PW1805) and



South Airport Way Separated Bike-way Project (PW1808) were added to the discussion in the Traffic Report in Appendix E of the Final EIR.

Response to Comment L 2-74

The commenter stated to change the name of Table 5-1 in the Traffic Report, Appendix E of the Draft EIR. The table has been renamed to “Anticipated Future Changes to Transportation Infrastructure,” in the Traffic Report, Appendix E, of the Final EIR, as requested.

Response to Comment L 2-75

Research of various traffic volume flow maps, volumes, and reports from multiple sources, including the City’s traffic flow maps and City’s General Plan, Caltrans counts, and other available general plans, were reviewed to determine a realistic traffic growth rate from 2019 to 2045.

As confirmed and suggested in coordinating with the City, the most applicable source is traffic information is the City’s traffic consultants and traffic flow maps from 2015 to 2019.

The Project Team worked with the City’s consultant and used the flows by major and minor roads within the Project traffic study area while also including adjacent segments such as I-5, SR 99 and SR 4.

The average annual growth rate from this data was computed at an average of 1.0 percent, compounded annually to 2045. This growth rate was well within the range identified by the City’s consultant for this area near Downtown.

SR 4 growth factors were derived based on the City of Stockton General Plan and Caltrans historical and estimated future traffic growth percentages, which was maintained at a flat level (no) of growth.

Response to Comment L 2-76

The commenter stated to fix the typographical errors in this section of the Traffic Report, Appendix E of the Draft EIR. These typographical errors have been fixed in the Traffic Report in Appendix E of the Final EIR, as requested.

Response to Comment L 2-77

Please refer to Response to Comment L 2-63.

Response to Comment L 2-78

The commenter asked for an explanation of the increase in delay at Intersection #8 in the AM Peak Hour in the Traffic Report, Appendix E of the Draft EIR. The increase in delay at this intersection is due to the anticipated volume increase from 2019 to 2045 and is noted in the revised text within the Traffic Report in Appendix E of the Final EIR.



Response to Comment L 2-79

The commenter asked for an explanation of the increase in delay at Intersections #8 and #10 in the PM Peak Hour. The increase in delay at intersections #8 and #10 during PM peak hour is due to the volume increase from 2019 to 2045 and is noted in the revised text of the Traffic Report in Appendix E of the Final EIR.

Response to Comment L 2-80

The commenter asked for both segments of East Lafayette Street be included in Table 5.5 and Figure 5-5 in the Traffic Report, Appendix E of the Draft EIR. This information is already reported under “all other roadway segments” on the bottom of Table 5.5 of the Traffic Report in Appendix E of the Draft EIR.

Response to Comment L 2-81

The commenter asked that all pedestrian facilities anticipated by 2045 under proposed Project conditions be included as part of the analysis.

All planned improvements to pedestrian facilities were provided to the Project team by the City and included in the Traffic Report in Appendix E of the Draft EIR.

All at-grade crossings have been reported under 2045 No Project conditions. There were no planned improvements to pedestrian facilities or at-grade intersections within the traffic study area.

Response to Comment L 2-82

The commenter asked that the Project team to identify which improvement projects and long-term planning projects would make changes or improvements to the bicycle network.

All planned improvements the City has identified and provided to the Project Team were included in the traffic analysis. Limited or no impacts to the bike network were identified upon review of the information provided by the City.

Response to Comment L 2-83

The commenter stated that Figure 5.7 reference specific project improvements in the Traffic Report, Appendix E of the Draft EIR. Figure 5-7 in the Traffic Report in Appendix E of the Draft EIR already includes projects identified by the City.

Response to Comment L 2-84

The commenter stated to include STAA truck routes. An STAA route map has been included in the Traffic Report, Appendix E of the Final EIR, as requested.



Response to Comment L 2-85

The commenter stated that the Lafayette Street closure component of the Project should be analyzed separated. East Lafayette Street and East Church Street are proposed to be closed to all modes of travel.

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-86

The commenter is requests that the Project Team explain that the Lafayette Street may be considered, but is not an integral part of the Project, and it should be analyzed in a separate scenario.

The closure of Lafayette Street is considered an integral of the Project, because as currently designed, the crossing would remain at grade in a configuration with a large gap between the main line and wye connection track, creating long signal approach requirements and a greater distance for motorists, bicycles, and pedestrians to cross. The closure of the Lafayette Street crossing was included in the environmental impact analysis, to evaluate potential impacts associated with its closure.

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-87

The function of Church Street at the location of the proposed closure with existing and projected 2045 peak hour and daily volumes has been added as requested. The following text has been included on page 51 of the Traffic Report within Appendix E of the Final EIR.

“East Church Street is classified as a local road with 2045 future AM peak hour volume of 38 for EB, and 117 for WB. The 2045 future PM peak hour volume on East Church Street is 84 for EB and 62 for WB.”

Response to Comment L 2-88

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-89

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.



Response to Comment L 2-90

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-91

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

These figures are intended to show traffic redistribution only caused by Lafayette Street closure. Separate figures are provided to show redistribution due to the Church Street closure.

Response to Comment L 2-92

The commenter stated to remove Figure 6-5 in the Traffic Report, Appendix E of the Draft EIR, as it is redundant. This comment is noted but no revisions to text were made.

See response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-93

The commenter stated to insert new figures with revised traffic redistribution. This comment is noted, but no revisions to text were conducted. See response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-94

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-95

The commenter stated to repeat Table 6-1 headers in the Traffic Report, Appendix E of the Draft EIR. This comment has been addressed in the Traffic Report in Appendix E of the Final EIR.

Response to Comment L 2-96

The commenter stated to repeat Table 6-2 headers in the Traffic Report, Appendix E of the Draft EIR. This comment has been addressed in the Traffic Report in Appendix E of the Final EIR.

Response to Comment L 2-97

The commenter stated to note any substantial differences in LOS in No Project conditions. Any substantial differences were noted in Section 6.3 of the Traffic Report in Appendix E of the Final EIR.



Response to Comment L 2-98

The commenter stated to note any substantial differences in LOS in No Project conditions. These differences are now shown in the Table 6-3 of the Traffic Report in Appendix E of the Final EIR.

Response to Comment L 2-99

The commenter stated to note any substantial differences in LOS in No Project conditions. These differences are now shown in the Table 6-4 of the Traffic Report in Appendix E of the Final EIR.

Response to Comment L 2-100

There are limited, if any, impacts to pedestrian access at-grade. Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-101

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-102

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-103

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-104

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-105

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

The commenter stated that page breaks between Synchro sheets be added. These page breaks were added, as requested.



Response to Comment L 2-106

The commenter stated that the Lafayette Street closure component of the Project should be analyzed separated.

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-107

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-108

The commenter stated to add daily traffic volumes. AM and PM peak hour volumes were provided for the analysis.

In addition, the commenter stated the need for detailed truck circulation and impact analysis as part of the transportation analysis.

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-109

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-110

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-111

Please refer to Response L2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-112

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.



Response to Comment L 2-113

The commenter stated that the Lafayette Street closure component of the Project should be analyzed separate and include a comparison of Lafayette Street LOS with other traffic study area intersections.

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street

Response to Comment L 2-114

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-115

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment L 2-116

The proposed Project extends sidewalk improvements to Union Street at East Weber Avenue, East Main Street, East Market Street, and East Scotts Avenue to City standards.

Response to Comment L 2-117

As specified in Measure BMP AES-3, in Section 3.1, Aesthetics of the Draft EIR, during final design, SJRRC will ensure that a lighting plan will be developed that will select temporary and permanent lighting fixtures to minimize glare on adjacent properties and into the night sky.

As defined in the City's Municipal Code, permanent lighting fixtures will be selected to ensure that the light beam is controlled and not directed across a property line or upward into the sky. Lighting will be shielded with non-glare hoods or reflectors and focused within the Project ROW.

The lighting plan will be reviewed and approved by the City prior to construction to ensure compliance with the City's Municipal Code and General Plan.

Response to Comment L 2-118

Dependent on the flyover structure type (design option) chosen (i.e. embankment, retaining wall, viaduct) during final design, the exact number of parcels acquired and area of each parcel acquired will vary, particularly on the east side of the flyover, between the flyover and Union Street.

During final design, SJRRC will determine the acreage of the parcel remainders post-construction, and coordinate with the City on viable options for the parcel remainders as specified in new Measure MM LU-2, in Section 3.10, Land Use of the Final EIR. This will be done in conjunction with implementation Measure BMP AES-2, which requires SJRRC to coordinate with the City on the



incorporation of trees along the west side of South Union Street if the viaduct or retaining wall design option for the flyover are selected during final design.

The extent of frontage improvements and corresponding access (i.e. sidewalks, driveways, parking, etc.) would require additional analysis and is dependent on planning efforts and land use decisions outside of SJRRC's jurisdiction.

Response to Comment L 2-119

The at-grade crossing proposed improvements will be formalized during final design. All new or modified railroad-roadway at-grade crossings will include new concrete panels.

Response to Comment L 2-120

The City is currently in the planning phase for bicycle improvements at Main Street, Market Street, and East Hazelton Avenue. Specific improvements have not been identified during the preliminary design stage, but will be identified during final design.

SJRRC has been coordinating with the City on the proposed Charter Way and Hazelton Avenue grade separations, and at-grade crossing improvements along Main and Market Streets. The Project has been designed to accommodate the ultimate width required for these planned future improvements

Response to Comment L 2-121

SJRRC acknowledges the need for a City encroachment permit and will coordinate with the City during final design to secure such applicable permits for the Project.

Response to Comment L 2-122

SJRRC acknowledges that a ROW record map will be required to document all monumentation and changes to ROW and private property acquisitions, and that protection and reestablishment of monumentation will be required.

ROW engineering efforts, to include record mapping, will be prepared during final design. Protection or re-establishment of existing monumentation will be clarified in the construction bid documents within the project's construction limits

Response to Comment L 2-123

SJRRC will coordinate with City utilities as specified in new Measure BMP UTIL-2, in Section 3.17, Utilities and Service Systems in the Final EIR.

SJRRC anticipates that any relocations required will remain within the limits and scope of this EIR. In the event improvements are required as a result of the grade separation project that extend beyond the EIR, an addendum to the EIR will be prepared by SJRRC.

In addition, consideration for existing and proposed utility protection and relocation where the proposed railroad corridor crosses will be part of the Project. Empty sleeves and/or conduits will be provided where access to maintain existing utilities or install planned future utilities would be



restricted, as specified in Measure UTIL-2, in Section 3.17, Utilities and Service Systems in the Final EIR.

Response to Comment L 2-124

City utilities impacted by the Project will be sized to conform to existing connections, and to avoid impacts that may extend beyond the Project limits. SJRRC and the design team will continue coordination with the City to address utility impacts through final design.

Response to Comment L 2-125

Refer to Response to Comment L 2-122, above.

Response to Comment L 2-126

As discussed in Section 3.9, Hydrology and Water Quality, of the Draft EIR, the proposed Project is anticipated to increase the surface water runoff; however, the additional surface flows are not anticipated to exceed planned stormwater drainage systems.

Additionally, the proposed Project is anticipated to install best management practices that would treat surface runoff and promote infiltration prior to discharging to the drainage systems, reducing the amount of additional flow discharged to the downstream drainage system. As discussed in Response L 2-26, post construction water quality measures will be identified and determined during the final design phase.

Detailed design for storm drainage will be performed during final design as part of the project, as specified in new Measure BMP HYD-5, in Section 3.9, Hydrology and Water Quality of the Final EIR, both for the railroad corridor and for each segment of City street affected by the Project.

The Project does not intend to modify existing City storm drain systems along roadways, with the exception of lowering a section of Hazelton Avenue under the proposed railroad flyover. Detailed design for storm drainage will be evaluated as part of the Project during final design, both for the railroad corridor and for each segment of City street affected by the Project.

Further, railroad corridor storm drainage will be directed to best management practices (BMPs) for water quality treatment prior to discharge. Specific discharge points and flow volumes will be determined during final design. If existing City storm drains are proposed for railroad corridor storm drain discharge, study of the City system capacity and impacts will be performed. Mormon Slough is likely to be the primary discharge point for railroad corridor storm drainage.

Response to Comment L 2-127

SJRRC has requested the precise road plans from the City, for those roadways that have not already been coordinated with City staff to accommodate City future plans and ultimate roadway widths. This coordination will continue through the final design phase.



Response to Comment L 2-128

Refer to Response to Comment L 2-116, above.

Response to Comment L 2-129

All public outreach efforts are summarized in Section 8.3.1 Outreach During Development of the Draft EIR, Section 8.3.2 Stakeholder Working Group, Section 8.3.5, Notification and Circulation of the Draft EIR of Chapter 8, in the Final EIR.

During the 45-day public review period for the Draft EIR no comments regarding the visual quality of the Project were received from surrounding residences or businesses.

Response to Comment L 2-130

During final design, SJRRC will prepare a project-specific drainage report consistent with City standards. A new measure has been included as new Measure BMP HYD-5, in Section 3.9, Hydrology and Water Quality of the Final EIR.

Response to Comment L 2-131

A comprehensive traffic analysis was completed showing traffic circulation impacts, both with and without the proposed Project. The construction phasing currently proposed is considered preliminary, and subject to change based on additional stakeholder and railroad input during final design. Additionally, the phasing plan may also vary based on contractor preference at the time of construction. During the final design phase, SJRRC will develop a TMP, identified as Measure BMP TRA-7, in Section 3.15, Transportation. This TMP will be reviewed and approved by the City and will reflect the preferred phasing plan.

Response to Comment L 2-132

The City's comment has been acknowledged and included as part of the public record.

Table ES.6-1, BMP Measures outlines all BMP Measures identified in the EIR. The BMP measures are not considered mitigation. Therefore, only true mitigation measures (MMs) were identified in Table ES.6-2, Summary of Impacts, which summarizes impacts in terms of level of significance that is specific to CEQA.

Response to Comment L 2-133

A member of the Project Team has reviewed the Draft EIR to confirm the EIR includes applicable goals and policies.

The City's comment has been acknowledged and included as part of the public record.

Response to Comment L 2-134

BMP measures consist of best management practices, standard federal, state, regional, and local regulations and policies, or avoidance and minimization measures. Thus, BMP measures are not



considered mitigation measures. If BMP measures are implemented, then impacts would be considered less than significant. If a mitigation measure (MM) is necessary, then the finding for the resource topic would be considered Less than Significant with Mitigation Incorporated.

Response to Comment L 2-135

The information presented within Section 3.1, Aesthetics, of the Draft EIR stating the community's aesthetic preferences were indicated by comments made by the public during the public scoping meeting for this Project as well as the research found in Appendix A, Stockton Documents Affecting Visual Quality, of the Draft EIR. Further, existing visual quality is accurately described in Section 3.1, Aesthetics in the Draft EIR, and the several photos of existing visual quality within the Project Study Area support the corresponding characterizations.

In addition, residents and businesses that are located within and immediately adjacent to the Project Study Area were notified during the 45-day public review period of the Draft EIR. As such, impacts and measures proposed have been adequately advertised and available for review for affected parties.

Response to Comment L 2-136

Air quality, noise, and traffic impacts on the surrounding neighborhoods have been addressed in Sections 3.2, Air Quality, 3.11, Noise and Vibration, and 3.15, Transportation, respectively, in the Draft EIR.

Measures BMP AQ-1, BMP AQ-3, and BMP AQ-4, MM NV-1 and MM NV-2, Measures BMP TRA-1 through BMP-5, and Measure BMP TRA-7, would assist in minimizing and mitigating specific indirect impacts related to air quality, noise, and traffic on surrounding neighborhoods, including sensitive receptors or special populations located within proximity to the Project construction areas.

Response to Comment L 2-137

Chapter 2 does not reference specific BMPs measures. BMP measures have been identified within the Executive Summary, each applicable resource section in Chapter 3, and within the cumulative impact discussion in Chapter 6 of the EIR.

Proposed design options related to the flyover have already been identified in Section 2.1.3, Design Options of the Proposed Project, of the EIR.

Response to Comment L 2-138

The same measures (Measures MM HAZ-1 through MM HAZ-7), identified to mitigate potential impacts to schools that may be affected by the use of commercially available hazardous materials such as gasoline, brake fluids, coolants, and paints during construction, would also apply to homes, businesses, and parks within the Project Study Area.



With the implementation of Measure BMP PH-1, in Section 3.12, Population and Housing in the Draft EIR, homeless individuals would be temporarily or permanently relocated during construction activities. Thus, no homeless individuals would be able to access the construction areas.

Response to Comment L 2-139

Measure MM HAZ-1, in Section 3.8, Hazards and Hazardous Materials, was amended to indicate that the City will have an opportunity to review and provide comments on the Hazardous Materials Mitigation Plan (HMMP), as requested.

Response to Comment L 2-140

Measure MM HAZ-8, in Section 3.8, Hazards and Hazardous Materials indicates that the consultation with local agencies to address road closure plans and coordinate adequate response will be completed prior to construction and closure of East Church Street and East Lafayette Street.

If delays cannot be avoided after these coordination efforts during the final design phase and prior to construction, then additional impact discussion will be addressed in a supplemental environmental document.

Response to Comment L 2-141

The proposed Project will prepare a construction SWPPP and industrial SWPPP in accordance with the CGP and industrial general permit.

These plans will require the contractor to address water quality issues by determining erosion and sediment controls as well as non-stormwater controls and waste/materials management during construction and, if applicable, post construction.

The plans will be developed prior to the start of construction, and filed with SMARTS, as stated in Response R 6-9. Additionally, the Project is anticipated to implement permanent BMPs to treat surface flows and encourage infiltration prior to discharging downstream as discussed further in Response L 2-124. Implementation of the Project under Alternative 1A, Build Alternative, will not alter the existing flow patterns of the Mormon Slough.

Response to Comment L 2-142

The reference to permits in Section 3.9, Hydrology and Water Quality refers to the CGP, referenced in Measure BMP HYD-2, and the Stormwater General Permit identified in Measure BMP HYD-3. These permits are considered standard permits required for construction activities. As such, they would not qualify as mitigation.

404 and 401 regulatory permits will be required as part of the Project and addressed in Section 3.3, Biological Resources.

Response to Comment L 2-143

There are no general plan policies referenced in Chapter 2, Project Description of the Draft EIR.



Response to Comment L 2-144

Section 3.10, Land Use, of the Final EIR, was updated to include a paragraph that summarizes all adjacent land uses identified in Figure 3.10-1, City of Stockton Planned Land Use Map.

The quantification of exact number of homes and businesses would not substantially contribute to the analysis of land use impacts, as the findings are related to direct or indirect impacts to affected properties, as a result of the Project. In addition, a discussion related to the number of businesses or homes within and immediately adjacent to the area would not change the findings of the existing impacts analysis within the Draft EIR.

Response to Comment L 2-145

Measure BMP LU-1, in Section 3.10, Land Use and Planning of the Draft EIR, commits SJRRC to coordinate with the City during final design and prior to construction, to ensure that the City's General Plan is amended to include the changes in land use as a result of the Project. Therefore, the measure is specific and not broad in nature.

Response to Comment L 2-146

Table 3.10-1, Property Acquisitions and TCEs with the Proposed Project, in Section 3.10, Land Use and Planning of the Draft EIR identifies the specific property's assessor's parcel number (APN), type of impact, the acreage of parcel impacts, the current occupant type, and the City's zoned land use for the parcel.

Only six parcels that will be fully acquired as part of the Project, five of these parcels have active businesses and will be displaced and require relocation. The other eight parcels are currently vacant land or used for truck and RV parking purposes.

As specified in Measure MM LU-3 (formerly Measure MM LU-2 of the Draft EIR), in the Final EIR, during final design, SJRRC will ensure that any loss of private industrial property would be mitigated by payment of fair market value.

Response to Comment L 2-147

Please refer to the response to comments, 2-148 through 2-151, below.

Response to Comment L 2-148

Policy LU-6.3 of the City's 2040 General Plan states: Ensure that all neighborhoods have access to well-maintained public facilities and utilities that meet community service needs.

The Project's goal is to improve regional passenger travel efficiency by reducing conflicting train movements. Additionally, the proposed Project would improve roadway access, safety, and mobility at the existing railway crossing for bicyclists and pedestrians throughout the community, including the environmental justice communities within the Project Study Area.



The Project would not preclude the community's access to any existing public facilities and utilities long-term, and any public facilities and utilities affected by the Project would be maintained or restored to its existing condition. Therefore, the Project is not inconsistent with Policy LU 6.3 of the City's 2040 General Plan.

Response to Comment L 2-149

Action TR-1.1C in the City's 2040 General Plan states: Require roadways in new development areas to be designed with multiple points of access and to address barriers, including waterways and railroads, in order to maximize connectivity for all modes of transportation.

The area within and adjacent to the Project Study Area is not considered a new development area. The areas that will be temporarily or permanently impacted by the proposed Project will convert existing industrially zoned land uses into transportation use. Therefore, Action TR-1.1C from the City's 2040 General Plan is not applicable to the Project.

Response to Comment L 2-150

Policy TR-1.2 of the City's 2040 General Plan states: Enhance the use and convenience of rail service for both passenger and freight movement.

As stated earlier, the Project's goal is to improve regional passenger travel efficiency by reducing conflicting train movements, which would also improve freight rail travel efficiency. Therefore, the Project is consistent with Policy TR-1.2 of the City's General Plan and has been added to the consistency table discussion within Section 3.10, Land Use and Planning of the Final EIR.

Response to Comment L 2-151

The Project's purpose and need does not support the pursuit of access to high-speed rail, but also does not preclude the eventual construction of high-speed rail activities. Therefore, Action TR-1.2A of the City's General Plan does not apply to the Project.

Response to Comment L 2-152

The Project's purpose would support the San Joaquin Regional Transportation District's Regional Bus Service, Altamont Corridor Express (ACE), and the Amtrak San Joaquins intercity rail service.

Indirectly, the Project would assist in the pursuit and support of other regional transit programs and projects, such as: ACE plans to bypass existing bottlenecks (e.g., the Union Pacific railyards in South Stockton).

The Project would not preclude the connection to the Bay Area Rapid Transit (BART) system; extension of ACE service south to Merced; or the proposed rail connections between Stockton and Sacramento along the California Traction and other rail corridors.



Therefore, the Project is consistent with Action TR-1.2B of the City's General Plan, and this Action and the Project's consistency with this action has been added to Section 3.10, Land Use and Planning of the Final EIR.

Response to Comment L 2-153

Action TR-1.2.C of the City's General Plan has been incorporated into the discussion under Section 3.10, Land Use and Planning of the Final EIR, and the Project is consistent with Action TR-1.2C of the City's 2040 General Plan.

There is no record of a policy or action with the identifier "TC-6.1" within the City's 2040 General Plan.

Response to Comment L 2-154

The Project's goal is to improve regional passenger travel efficiency by reducing conflicting train movements. Additionally, the proposed Project would improve roadway access, safety, and mobility at the existing railway crossing for bicyclists and pedestrians.

As stated in Section 1.5, Chapter 1 of the Draft EIR, the Project goals and objectives are to:

- Reduce passenger and freight rail delays and associated congestion;
- Maintain key community connections;
- Improve multimodal access;
- Provide local and regional environmental and economic benefits; and
- Address safety by closures and enhancements at key roadway-rail grade crossings

Thus, the Project does not include any Traffic Oriented Development (TOD) and no mitigation measures to take into account future TOD development would be required.

Response to Comment L 2-155

Please refer to responses 2-156 through 2-158, below.

Response to Comment L 2-156

Policy SAF-2.5 from the City's 2040 General Plan has been included within Section 3.11, Noise and Vibration of the Final EIR.

Response to Comment L 2-157

Action SAF-2.5A of the City's 2040 General Plan refers to prohibiting of new commercial, industrial, or other noise generating land uses adjacent to existing sensitive noise receptors.

The Stockton Diamond is an existing transportation facility. Improvements proposed as part of the Project would not create a new commercial, industrial, or other noise generating land uses, as the



Project is proposing a grade separation of an existing transportation facility. Therefore, Action SAF-2.5A of the City's 2040 General Plan does not apply to the Project.

Response to Comment L 2-158

As defined in Table 5-1 of the City's 2040 General Plan, "Normally Acceptable" is defined as: "Specified land use is satisfactory based on the assumption that any buildings involved are of normal, conventional construction, without any special noise insulation requirements."

Based on this definition, it alludes that these standards would apply to development projects within the City, and not related to existing transportation corridors, like the Stockton Diamond; and thus, Action SAF-2.5B of the City's 2040 General Plan would not be directly applicable to the Project.

However, SJRRC recognizes the importance of evaluating the potential impacts of ambient noise as a result of the Project. Therefore, as identified in Section 3.11, Noise and Vibration of the Draft EIR, train noise and noise impact criteria on Noise-Sensitive Land Use Categories were evaluated under federal standards.

As discussed in Section 3.11, Noise and Vibration of the Draft EIR, the noise impact criteria used by FTA and FRA are ambient based; the increase in future noise (future noise levels with the proposed Project compared to existing noise levels) is assessed rather than the noise caused by each passing train. It is important to note that the noise impact criteria do not specify a comparison of the future proposed Project noise to the future No Project noise. This is because comparison of a future noise projection with an existing noise condition is more accurate than comparison of a projection with another noise projection.

Because background noise is expected to increase by the time the proposed Project improvements generate noise, this approach of using existing noise conditions is conservative. Depending on the magnitude of the cumulative noise increases, FTA and FRA categorize impacts as follows:

- **No impact** – Project-generated noise is not likely to cause community annoyance.
- **Moderate impact** – Project-generated noise in this range is considered to cause impact at the threshold of measurable annoyance. Mitigation should be considered at this level of impact based on project specifics and details concerning the affected properties.
- **Severe impact** – Project-generated noise in this range is likely to cause a high level of community annoyance. Mitigation measures must be considered.

The Draft EIR concluded that there are four residences with moderate noise impacts, five residences with moderate noise impacts, two moderate noise impact at institutional receivers, and twelve single-family homes with severe noise impacts. As a result, sound insulation is recommended for the twelve residences with severe noise impacts. Consistent with the guidelines set by the U.S. Department of Housing and Urban Development. Under these guidelines, interior noise levels for residential land uses should not exceed a Ldn of 45 dBA, and a form of fresh air exchange must be maintained.



Based on the information above, all long-term noise impacts are adequately addressed and mitigated.

Response to Comment L 2-159

The only reference to vibration within the General Plan EIR identified, below:

NOISE-2: The proposed project would not expose people to or generate excessive groundborne vibration or groundborne noise levels.

Therefore, the FTA vibration criteria utilized as the basis of the noise and vibration within the Draft EIR is consistent with the City's General Plan EIR goals for vibration exposure.

Response to Comment L 2-160

The majority of the references to noise levels in the General Plan EIR are related to airport noise contours and traffic noise. There is no specific reference to noise from construction related activity.

The only reference to noise that may be applicable to the Project is as follows:

NOISE-1: The proposed project would not expose people to or generate noise levels in excess of standards established in the General Plan or the Municipal Code, and/or the applicable standards of other agencies.

NOISE-1 refers back to the City's General Plan, which does not identify any construction noise levels to evaluate noise related to construction activities. However, the City's General Plan does reference that a project use "applicable standards of other agencies." Thus, the FTA construction noise criteria was used for the basis of the short-term noise impact analysis.

Response to Comment L 2-161

Section 3.11, Noise and Vibration of the Final EIR was revised to provide clarity on nighttime construction activities near sensitive receptors. Additional text was added indicating that nighttime construction activities would be limited to track work and other construction necessary to connect the existing and relocated tracks, and that noise-intensive pile driving would not be conducted at night (per Measure MM-NV-1 in the EIR).

Response to Comment L 2-162

The proposed mitigation is both reasonable and feasible and would lower the impact below the level of significance. If a property owner rejects the mitigation, that is their choice, but it does not negate the appropriateness of the offered mitigation. There is available mitigation to lessen the impact below the level of significance. The impact would not become significant and unavoidable.

Response to Comment L 2-163

As stated in Measure MM NV-1, in Section 3.11, Noise and Vibration of the Draft EIR, SJRRC would be responsible for regulating the Noise Control Plan. The measure has been modified to include a



reference that SJRRC will coordinate with the City during the development of this Noise Control Plan to ensure that no City standards will be violated during construction of the Project in the same section of the Final EIR.

Response to Comment L 2-164

The Project does not allow for direct boarding or unboarding of trains and does not have a train station located at the Stockton Diamond. Thus, any connectivity to existing parks within the area would not be applicable.

As stated in Section 3.15, Recreation of the Draft EIR, the two parks that will be impacted are Union Park and Independence Park.

As stated in Section 3.15, Recreation, of the Draft EIR, the proposed Project will require 0.03-acre (1,316-square-foot) of TCE in the northwest corner of Union Park.

This TCE, considered a short-term direct impact. The TCE would not directly impact access to the existing facilities at Union Park in the short term, as multiple access locations are available along the perimeter of the unfenced park.

Access to Independence Park, located in the southwest quadrant of South Aurora Street and East Market Street, may be indirectly impacted by the temporary closure of South Market Street during construction.

However, indirect short-term impacts related to access during construction would be reduced with the implementation of the proposed Project Construction Transportation Plan, that aims to minimize impacts of construction traffic on nearby roadways (Measure BMP TRA-2 in Section 3.15, Transportation) a Construction Management Plan (CMP) that aims to address maintenance and pedestrian access during the construction period (Measure BMP TRA-4 in Section 3.15, Transportation), a CMP for the maintenance of bicycle access during construction (Measure BMP TRA-5 in Section 3.15, Transportation), and a TMP which requires alternate access or detour plans be available early and continuously throughout the proposed Project construction as part of ongoing public outreach (Measure BMP TRA-7 in Section 3.15, Transportation).

After the completion of Project construction, there would be no change to the existing access to Union Park or Independence Park.

Independence Park is not within the Noise RSA. However, noise related impacts at Union Park, which will be directly impacted during construction was analyzed in Section 3.11, Noise and Vibration of the Draft EIR. As identified in Table 3.11-9, Category 3 Institutional and Passive-Use Park Noise Impacts of the Draft EIR, there are no noise impacts at Union Park.

Response to Comment L 2-165

The Project will coordinate with the City's Parks division during final design in regard to the specific temporary use of the Union Park as a TCE to construct the underpasses at East Hazelton Avenue and East Scotts Avenue.



Response to Comment L 2-166

As stated in Section 3.15, Transportation of the Draft EIR, under CEQA Threshold b) Would the project conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b):

The “Technical Advisory on Evaluating Transportation Impacts in CEQA,” prepared by the State of California Office of Planning and Research in December 2018, was the primary source used to assess the need for project-specific VMT analysis. Pages 19-21 of the Technical Advisory identify transportation project types that are, and are not, likely to lead to measurable or significant increases in VMT.

According to the Technical Advisory, “Projects that would not likely lead to a substantial or measurable increase in vehicle travel, and therefore generally should not require an induced travel analysis [i.e., VMT analysis], include:

- Grade separation to separate vehicles from rail, transit, pedestrians, or bicycles, or to replace a lane in order to separate preferential vehicles (for example, HOV, HOT, or trucks) from general vehicles (OPR 2018:20-21)

Following the guidance in the Office of Planning and Research Technical Advisory, because the proposed Project is primarily a grade separation project to partially grade separate passenger rail from freight rail, and to separate rail from roadway traffic, the proposed Project is not likely to lead to measurable or significant increases in VMT. As such, VMT analysis is not required for analyzing the proposed Project’s transportation impacts.

However, because the City of Stockton continues to use LOS to evaluate the operating conditions of selected congested roadway segments and interchanges, an LOS analysis was prepared for the proposed Project. Note that this LOS analysis was not used to determine the significance of transportation impacts under CEQA.

Response to Comment L 2-167

As stated in Section 3.15, Transportation of the Draft EIR, the proposed Project would have no impacts on existing transit routes except on Charter Way (Route 49). In the long term, Route 49 will remain on Charter Way. During construction, however, the proposed Project will construct two new bridges across Charter Way and will demolish a portion of an existing bridge.

Temporary closures, detours, or narrowing to two lanes on Charter Way may be necessary during construction. Measure BMP TRA-6, in Section 3.15, Transportation of the Draft EIR, which stipulates the protection of freight and passenger rail during construction, would ensure that any structural damage to freight or public railways that may occur during the construction period would be repaired and any damaged sections be returned to their original structural condition. Measure BMP TRA-6 would reduce potential short-term impacts related to transit resources. After the completion of the proposed Project, transit operations would be improved from the existing condition and no long-term impacts would occur.



Response to Comment L 2-168

Consideration of vegetative barriers and urban greening and a means to potentially reduce air pollution exposure on sensitive receptors will be evaluated and considered as part of the proposed Project.

A new measure, identified as Measure BMP AQ-2, has been included within Section 3.2, Air Quality, of the Final EIR.

Response to Comment L 2-169

The Draft EIR includes a robust Environmental Justice evaluation of potential disproportionately high and adverse effects on minority and low-income populations in Chapter 5. The analysis considered all resource areas for which there would be an impact to determine if the impact would disproportionately affect the minority or low-income populations in the nearby community.

The environmental justice analysis also considers the effects after mitigation is in place for any significant impacts as well as offsetting benefits.

The methodology utilized to analyze environmental justice impacts is described in Section 5.2.2, Methods for Analysis of Effects on Minority and Low-Income Populations of the Draft EIR.

As discussed in Section 5.7, Draft Environmental Justice Determination of the Draft EIR, the Project would result in adverse effects on minority and/or low-income populations. However, with BMP measures and mitigation measures implemented in Chapter 3, Environmental Impact Analysis, these adverse effects would be minimized or mitigated.

The determination of whether the proposed Project results in disproportionately high and adverse effects is based on the totality of the following considerations:

- The location of adverse effect in relation to minority and low-income populations
 - With the proposed Project, all improvements are located in minority and low-income communities. The location of the proposed Project is fixed, since it addresses the needs at the currently at-grade Stockton Diamond crossing. Both the proposed Project burdens and benefits would be experienced by the local minority and low-income communities.
- The severity of the adverse effect and the success of the proposed mitigation measures in reducing the effect
 - The mitigation measures identified in Chapter 3 address the potentially adverse impacts related to property acquisitions and displacements, parks and recreation, noise, and hazardous materials would reduce the severity of the potentially adverse effects of the proposed Project. With implementation of these mitigation measures, the proposed Project will not result in significant adverse effects.



- Whether mitigation measures reduce impacts equally for both minority and low-income populations as for non-minority and non-low-income populations
 - The mitigation measures incorporated into the proposed Project would be applied equally to all residents in the environmental justice RSA and would have a positive effect on minority and low-income populations since the RSA for environmental justice is predominantly high-minority and low-income.
- The project benefits that would be received by minority populations and low-income populations
 - The proposed Project's benefits would be experienced by minority and low-income populations. There would be no denial of these benefits to these populations; moreover, many of benefits from the proposed Project would be received predominantly by the local communities, such as the reduced local congestion and improved safety, which are high- minority and low-income.

Based on the evaluation of potential adverse effects (burdens) related to environmental justice, as presented in Section 5.6 in the Draft EIR, and the off-setting benefits discussed in Section 5.7 of the Draft EIR, the proposed Project would not result in disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations, and no additional mitigation is required as a result of Project impacts.

Response to Comment L 2-170

These comment observations are acknowledged and appreciated and have been documented as part of the public record.

Through multiple virtual engagement opportunities during the formal Scoping period and follow-up meetings with stakeholders during the public circulation period of the Draft EIR summarized in Chapter 8, Public Outreach, of the Final EIR, SJRRC received valuable input into the development of analysis within the Draft EIR, including the effects on minority and low-income individuals in the community.

The findings of the environmental justice evaluation, included in Chapter 5 of the Draft EIR, indicate there are no disproportionately high and adverse effects on minority populations and low-income populations; and therefore, no addition mitigation measures are required. Please refer to Response L 2-169 for additional information.

Response to Comment L 2-171

At this phase of Project development, SJRRC has not yet engaged directly with potentially affected property owners. As the Project advances through design and construction, SJRRC will meet with impacted property owners to incorporate their concerns, as applicable, into the Project.

Response to Comment L 2-172

Please refer to Response L 2-154.



L 3. City of Stockton

From: Wes Johnson
Sent: Thursday, April 29, 2021 4:24 PM
To: info@stocktondiamond.com
Subject: city comments to traffic study
Attachments: Draft Traffic Report DEIR Comments 4-29-21 Part 1 of 2.pdf

L 3

1 of 2

Wes Johnson P.E.
Engineering Services Manager
City of Stockton, Capital Projects
(209) 937-8088

L 3-1



Response to Comment L 3-1

The City submitted comments on the Draft Traffic Report, Appendix E of the Draft EIR. These comments were submitted via PDF mark-up and have been considered, evaluated, and revised where applicable within the Appendix E of the EIR. The commenter has been added to the distribution list in Appendix J of the Final EIR for future notifications regarding this Project.



L 4. City of Stockton

L 4

From: Wes Johnson
Sent: Thursday, April 29, 2021 4:25 PM
To: info@stocktondiamond.com
Subject: FW: City comments on traffic report Appendix E
Attachments: Draft Traffic Report DEIR Comments 4-29-21 Part 2 of 2.pdf

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Forgot to attach 2 of 2

Wes Johnson P.E.
Engineering Services Manager
City of Stockton, Capital Projects
(209) 937-8088

From: Wes Johnson
Sent: Thursday, April 29, 2021 4:24 PM
To: 'info@stocktondiamond.com' <info@stocktondiamond.com>
Cc: Dodgie Vidad <Dodgie.Vidad@stocktonca.gov>; Ray Deyto <Ray.Deyto@stocktonca.gov>; Eric Alvarez <Eric.Alvarez@stocktonca.gov>
Subject: City comments on traffic report Appendix E

2 of 2

Wes Johnson P.E.
Engineering Services Manager
City of Stockton, Capital Projects
(209) 937-8088

L 4-1



Response to Comment L 4-1

The City submitted additional comments on the Draft Traffic Report, Appendix E of the Draft EIR. These additional comments were submitted via PDF mark-up and have been considered, evaluated, and revised where applicable within the Appendix E of the Final EIR. The commenter has been added to the distribution list in Appendix J of the Final EIR for future notifications regarding this Project.



M.2.5 COMMENTS FROM THE PUBLIC



PC 1. Chris Seminario

Stockton Diamond Grade Separation Project
SCH# 2020080321

Hotline Message

PC 1

Date: March 15, 2021

Project: Stockton Diamond Grade Separation Project PA/ED; SCH #: 2020080321

Name: Chris Seminario

Agency/
Stakeholder/
Public: Stockton Record Newspaper

Contact
Information: (209) 405-0781

Subject: **Draft EIR Comment(s)**

Message Received:

"Hi, good afternoon, my name is Chris Seminario and I'm with the Stockton Record, the newspaper. I was wondering if you guys are interested in ___ especially for the Stockton Diamond project that you guys are currently having. Please, if you can return my call, phone number here is (209) 405-0781. Again, Chris Seminario with the Stockton Record (209) 405-0781. Thank you."

PC 1-1



Response to Comment PC 1-1

This comment has been acknowledged and documented as part of the public record.

On March 15, 2021, a member of the Project Team returned Mr. Seminario's telephone call and left a message asking for clarification of his comment or question on the Project. Mr. Seminario did not follow-up on the telephone message left by the Project Team.



PC 2. Martin

Stockton Diamond Grade Separation Project
SCH# 2020080321

Hotline Message

PC 2

Date: March 23, 2021
Project: Stockton Diamond Grade Separation Project PA/ED; SCH #: 2020080321
Name: Martin
Agency/
Stakeholder/
Public: Member of the Public
Contact
Information: (209) 992-7750

Subject: **Draft EIR Comment(s)**

Message Received:

"Hey, this is Martin. I received a letter. You can reach me at (209) 992-7750. This is regarding the Stockton Diamond Project that you folks want to get underway. We own a few properties around that area, so I want to know if it's going to impact us. Thank you."

PC 2-1



Response to Comment PC 2-1

On March 25, 2021 at 12:49 pm, a member of the Project Team left a voicemail at the telephone number provided by the commenter. A member of the Project team then spoke to the commenter on the same date at 2:18 pm.

The commenter explained that he did not have a computer, so electronic viewing and commenting on the contents of the Draft EIR was not an option for him. The commenter identified the location of his properties, and based the information provided, the Project team was able to determine that the commenter's properties would not be directly impacted by the Project.

The commenter was encouraged to attend the April 6, 2021, public meeting and informed that he could contact the Project team member via phone with any additional questions.



PC 3. Jeffrey Wykoff

Stockton Diamond Grade Separation Project
SCH# 2020080321

Hotline Message

PC 3

Date: March 26, 2021
Project: Stockton Diamond Grade Separation Project PA/ED; SCH #: 2020080321
Name: Jeffrey Wykoff
Agency/
Stakeholder/
Public: Member of the Public
Contact
Information: (626) 430-4461

Subject: **Draft EIR Comment(s)**

Message Received:

"Hi, good morning this is Jeffrey Wykoff. I'm an engineer and marketing person at the Cell-Crete Corporation.

We placed the lightweight cellular concrete at the Colton Crossing project several years ago. I think your new project is proposed to be similar to that project.

I'd like to just offer you some input upfront on the environmental benefits of going that route. It reduces the number of trucks coming into the job site by a factor of 10 or more and also avoids mining of sand and gravel from the aggregate mining operations and I'd like to just offer my information and offer to help you as much as I can.

My phone number is 626-430-4461 and I think some of this information would be helpful for the people working on the environmental paperwork and also in terms of people reviewing the different options and alternatives and the benefits of reducing the trucking on a site like this is very important.

The Colton Crossing, the original estimates were based on a different design. It was \$202 million dollars and we changed it over to the lightweight cellular concrete with MSE panels in the final at-built cost was \$93 million dollars, less than half. And we also shortened the schedule by eight months so very successful project. I'd really like to talk to you and just offer my assistance. Thank you. My number again is 626-430-4461."

PC 3-1



Response to Comment PC 3-1

This comment has been acknowledged and documented as part of the public record.

On March 29, 2021 a member of the Project Team contacted Mr. Wykoff and informed him that he could make a comment providing the aforementioned environmental impacts or benefits associated with the Colton Crossing Project. The commenter has been added to the distribution list in Appendix J of the Final EIR for future notifications regarding this Project.



PC 4. Jeffrey Wykoff

PC 4

PC 4-1

Comment Information		Related To	—
Subject	Want to help	Comment Origin	Web Comment
Comment Date	Mar 26, 2021	Status	Closed
Comment	<p>Hello, We would like to help based on our Colton Crossing Experience. The original estimate was \$202 million. Value engineering with LCC resulted in as-built cost of \$93 million and completion 3 months early. Thanks, Jeff Wykoff, PE</p>	Join Mailing List	—
Comment Coding		Comment Topic	—
Comment Tone	—		
Project Phase	—		
Commentor Details (for webforms)		Street Address	135 E. Railroad Ave.
First Name	Jeff	Unit ID	—
Last Name	Wykoff	City	Monrovia
Email	jwykoff@cell-crete.com	State	CA
Phone	—	Zipcode	91016
Org-Company	—		
Title	—		



Response to Comment PC 4-1

This comment has been acknowledged and documented as part of the public record. The commenter has been added to the distribution list in Appendix J of the Final EIR for future notifications regarding this Project.



PC 5. David Armstrong

PC 5

PC 5-1

Comment Information

Subject Notification for upcoming bid opportunities

Comment Date Apr 5, 2021

Comment I would like to obtain the future bid advertisement notices for your agency.

Related To —

Comment Origin Web Comment

Status comment logged

Join Mailing List

Comment Coding

Comment Tone —

Project Phase —

Comment Topic —

Response Information

Response Date —

Response Type —

Response —

Other Follow-up Date —

Other Follow-up —

Commentor Details (for webforms)

First Name David

Last Name Armstrong

Email darmstrong@axistrackreport.com

Phone —

Org-Company —

Street Address 5543 Edmondson Pike

Unit ID #227

City Nashville

State TN

Zipcode 37211



Response to Comment PC 5-1

The commenter has been added to the distribution list in Appendix J of the Final EIR for future notifications regarding the Project.



PC 6. Nathan Werth

		PC 6		
PC 6-1	Comment Information			
	Subject	Please sign me up for email list	Related To	—
	Comment Date	Apr 12, 2021	Comment Origin	Web Comment
	Comment	—	Status	comment logged
	Comment Coding		Join Mailing List	✓
	Comment Tone	—	Comment Topic	—
	Project Phase	—		
	Response Information			
	Response Date	—	Other Follow-up Date	—
	Response Type	—	Other Follow-up	—
	Response	—		
	Commentor Details (for webforms)			
	First Name	NATHAN	Street Address	6218 Pine Meadow Circle
	Last Name	WERTH	Unit ID	—
	Email	nwerth@gmail.com	City	Stockton
	Phone	—	State	CA
	Org-Company	—	Zipcode	95219
	Title	—		



Response to Comment PC 6-1

The commenter has been added to the Project email list for future information on this Project.
Nathan Werth's contact information has been added to Appendix J, Distribution List of the Final EIR
to ensure that Nathan Werth will receive all future notifications regarding this Project.



PC 7. Ector Olivares

4/21/2021

Gmail - Diamond Comments

PC 7



Stockton Diamond <stocktondiamondproj@gmail.com>

Diamond Comments

Ector Olivares <eolivares@ccstockton.org>
To: info@stocktondiamond.com

Mon, Apr 19, 2021 at 9:12 AM

Good Afternoon

I would like some questions about this project addressed, thank you

1. There will be a significant increase in noise for the residents next to the fly over. Why are there no plans to include natural barriers such as trees along this area to assist in blunting the noise volume? Also, are there any plans to replace windows that are currently single paned with doubled paned to decrease the level of noise that enters the house.
2. What if any are the plans to address the large homeless population that is camped in the immediate area of the constructions?

PC 7-1

PC 7-2

--

Ector Olivares
Program Manager, Environmental Justice Program

Catholic Charities of the Diocese of Stockton

1106 N. El Dorado St. [Stockton, CA 95202](#)

Direct: (209) 396-6930 Fax: (209) 444-5933

<https://ejstockton.org/>

ccstockton.org



Response to Comment PC 7-1

As stated in Section 3.11, Noise and Vibration, of the Draft EIR, because of engineering and operational limitations of the proposed Project, including the multiple levels of the proposed tracks, track turnouts and clearance issues, noise barriers would not be a feasible option for noise mitigation.

The commenter's request that natural barriers, such as trees, be included to assist in minimizing noise would not provide a clear quantifiable noise mitigation improvement; and thus, not considered a viable option for noise mitigation. Any vegetation improvements that would be considered would be for other reasons, such as potentially reducing greenhouse gas (GHG) emissions, or to provide an aesthetic enhancement based on the structure type selected as part of the Project. Therefore, sound insulation is recommended for the twelve residences with severe noise impacts.

As identified in Measure MM NV-3, in Section 3.11, Noise and Vibration, of the Draft EIR, the goal of these sound insulation improvements is to reduce the interior noise levels to below the 45 dBA Ldn noise threshold set by the U.S. Department of Housing and Urban Development. Sound insulation may include the replacement of single paned windows with double paned windows.

Response to Comment PC 7-2

As discussed in Section 3.12, Population and Housing of the Draft EIR, prior to and during construction, transient populations currently occupying part of the Mormon Slough would need to be temporarily relocated.

This will be accomplished through the implementation of Measure BMP PH-1, which requires SJRRC to prepare an Outreach and Engagement Plan. SJRRC will proactively coordinate with the City and the County, as well as local community stakeholder groups, to assist these transient populations in finding alternative housing options consistent with the strategies, goals, and policies of the San Joaquin County Community Response to Homelessness Strategic Plan, and San Joaquin County's policies related to homelessness.



PC 8. Steve Roberts, Rail Passenger Association of California and Nevada



P.O. Box 22344 San Francisco CA 94122

www.railpac.org

April 24, 2021

Public Outreach Stockton Diamond EIR 2379 Gateway Oaks Drive, Ste. 200 Sacramento, CA 95833

PC 8

RE: Stockton Diamond Environmental Impact Report

I am writing on behalf of Rail Passenger Association of California and Nevada (RailPAC) members living and working in the San Joaquin Valley, East Bay and Sacramento areas. RailPAC is an all-volunteer statewide organization that advocates for the improvement of commuter, intercity passenger rail service and freight rail service. RailPAC is a strong advocate for expanded rail capacity both for passenger rail and freight rail. Capacity expansion is critical to handling additional traffic which aids in the reduction of Green House Gas (GHG) emissions. The existing northern California rail network offers a great potential for expansion within the existing right-of-way. Addressing rail network choke-points, such as the Stockton Diamond, will allow the current underutilized northern California rail network to fully support continued economic growth in the region. In support of this goal, RailPAC strongly supports the Stockton Diamond project.

PC 8-1

The Stockton Diamond is the busiest, most congested at-grade railway junction in California. The current, at-grade configuration of the track results in significant delays to Union Pacific Railroad (UPRR) and BNSF Railway (BNSF) freight trains serving their nationwide networks and the Port of Stockton, as well as other freight and passenger trains in the area. These delays make the Stockton Diamond the worst freight rail bottleneck in California, inhibiting the expansion of the Amtrak San Joaquins and Altamont Corridor Express (ACE) service through the Bay Area/Central Valley region.

In addition to expanded ACE and San Joaquin service, there are other benefits from the project, including:

- Improved reliability of ACE and Amtrak San Joaquins services
Travel time savings from a reduction in freight delays
Fuel cost savings from a reduction in idling
Greater efficiency for freight rail movement, especially to the Port of Stockton
Reduced grade crossing delays from stopped trains and improved air quality

PC 8-2

Given the many benefits associated with this project for the Bay Area/Central Valley region, the Rail Passenger Association of California and Nevada recommends that this project be constructed. Thank you for your attention to this request.

Sincerely,

Steve Roberts, President Rail Passenger Association of California and Nevada



Response to Comment PC 8-1

This comment states that Rail Passenger Association of California and Nevada has reviewed the document and has provided comments for the Draft EIR. This comment has been acknowledged and has been documented as part of the public record.

The commenter's support for the Project and preference for the Build Alternative has been documented as part of the public record and was considered in the decision-making process. The Project Team has selected Alternative 1A, the Build Alternative, as the Preferred Alternative.

Response to Comment PC 8-2

The commenter lists potential additional benefits of the Project. The commenter's support for the Project and preference for the Build Alternative has been documented as part of the public record and was considered in the decision-making process. The Project Team has selected Alternative 1A, the Build Alternative, as the Preferred Alternative.



PC 9. Rise Stockton

PC 9

From: Morokot Uy <morokot@thirdcity.co>
Sent: Thursday, April 29, 2021 4:52 PM
To: info@stocktondiamond.com
Subject: Stockton Diamond Draft Environmental Impact Report Public Comment
Attachments: Rise Stockton - Stockton Diamond Public Comment.pdf

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern:

Thank you for the opportunity to submit public comment regarding the Stockton Diamond Draft EIR. Attached, you will find a joint letter from our Rise Stockton coalition partners outlining our questions, ideas, and concerns regarding the project.

Responses to this letter will be shared with all partners. Once again, we thank you for your time and look forward to your addressing these issues.

Sincerely,
Morokot Uy
Rise Stockton Engagement Coordinator

PC 9-1

--
Morokot Uy (*pronouns: she/her/hers*)
Rise Stockton Engagement Coordinator
morokot@thirdcity.co | 209.244.5417



Dear San Joaquin Railroad Commission Staff,

Thank you for the opportunity to present a public comment for the Stockton Diamond grade separation project’s CEQA-mandated Environmental Impact Report. This comment is submitted on behalf of our Stockton-based environmental justice coalition, Rise Stockton, and the undersigned partners.

PC 9-2

Background

Rise Stockton is an independent coalition of partners focused on environmental justice, building collective capacity to create equitable environmental outcomes. Our goals are to advocate for underrepresented groups; identify gaps and program opportunities in policy and programming; communicate the environmental justice to the Stockton community; and provide low-barrier capacity-building opportunities for our partners.

PC 9-3

Since its inception in November 2017 with the award of a Transformative Climate Communities (TCC) Planning Grant, Rise Stockton and its partners have focused on addressing the explicit environmental needs and priorities of our shared community. The community engagement and planning conducted during the TCC Planning Grant resulted in a Sustainable Neighborhood Plan. That body of work eventually led to the award of a \$10.8 million TCC Implementation Grant in June 2020.

The Stockton Diamond grade separation project is an enormous infrastructural investment into Downtown and South Stockton neighborhoods. We see benefits in this project, including increased access to transportation options, potential decreases in idling emissions from vehicles and rail, and improved levels of service for local vehicular traffic. However, we have also identified several concerning points in this Environmental Impact Report (EIR) as well as the process by which SJRCC has solicited feedback from stakeholders of the project area. We must also recognize the history of social and economic damage caused by similar investments in these neighborhoods--most egregiously, the construction of CA-4. Our comments below may be read in light of that history and the intention to not repeat it.

PC 9-4

General Comments

This EIR consistently lacks rigorous substantiation or clarity for some of its claims. When describing coordinating with the City and County to “prepare and implement an Outreach and Engagement Plan,” there is very little context given on what that plan may contain (ie, what community partners will be engaged, what strategies are being considered, etc.) Similarly, the draft EIR claims that the project will improve air quality through GHG emissions reductions, but is unable to provide context and a quantitative analysis of current emissions and future projections to prove this benefit.

PC 9-5



We understand that this EIR was written as a regulatory requirement of CEQA. However, it provides SJRRC an opportunity to go above and beyond for a community that has undergone generations of disinvestment. For example, the Resource Study Areas (RSA) for the Air Quality and Greenhouse Gas Emissions Environmental Impact Analyses contain the legally mandated area (the San Joaquin Valley and state of California, respectively). But there is much higher resolution data at the city-level for both air quality and climate impacts, and using this data would have resulted in a much finer analysis of these environmental impacts.

PC 9-6

We have questions concerning the description of the community’s visual preferences in the Aesthetics section (3.1-9) as “modest; essentially, they express a desire to live, work, and recreate in a landscape that contributes to the vibrancy of the community with evidence of a healthy natural environment, a clean and cared for cultural environment, and with Project corridor environments that are visually coherent.” Did this assessment come from a resident(s) of the Aesthetics RSA? If not, this section is premised on an enormous assumption of community preference.

PC 9-7

Additionally, that the “existing visual quality in the aesthetics RSA is poor” is a contributing factor to the finding that the project would have a “less than significant impact” on the community’s viewshed is likely unsympathetic to the true visual preferences of the community. The evidence offered as support for this statement is appalling: “There is a preponderance of abandoned and derelict buildings, abandoned or stored cars and trucks, and piles of discarded materials and trash. The absence of natural resources, particularly those associated with water, vegetation, or wildlife, create an impression that existing natural harmony is less than desired.” There is an assumption here that residents in the project area had significant influence over how healthy their environment is, how clean and cared for their cultural environment is, how visually appealing their surroundings are, and more specifically, their proximity to railroad and industrial land uses. We hope that improving aesthetics in the project area in collaboration with residents is something SJRRC and other project beneficiaries will strongly consider.

In Chapter 5, the EIR states that the Project would not result in “disproportionately high and adverse human health and environmental effects...” The first reason listed reads as follows: “With the proposed Project, all improvements are located in minority and low-income communities.” Essentially, because the whole project area is predominantly minority and low-income communities, they are not disproportionately affected. For context, the three converging Census Tracts encompassing the Stockton Diamond Grade DEIR have higher Overall Pollution Burden Scores of 100%, 100% and 99% in CalEnviroScreen 4.0. This is a fundamentally flawed framework for equitable decision-making and in flagrant opposition to the chapter’s title, Environmental Justice. That the project area primarily comprises an EJ community should alert SJRRC that greater mitigation efforts are needed. Rise Stockton would be a willing partner of SJRRC to identify solutions to the impacts on project area residents. These may include solutions for homelessness displacement, urban greening, continued engagement with local community based organizations and residents, or any other solution that may benefit from a local environmental justice perspective.

PC 9-8

The rest of our comments are structured along four overarching themes:

PC 9-9



1. Community Engagement Challenges
2. Housing & Homelessness
3. Greenhouse Gas Emissions & Climate Mitigation
4. Economic Development
5. Water Rights in Mormon Slough

↑
PC 9-9

Community Engagement Challenges

The community engagement process for both the overall project and this draft EIR has been woefully inadequate. A number of external challenges exist given the project area and current circumstances borne from the global pandemic. Still, there were many signals to the community and working group members that this particular aspect of the project was an afterthought and insufficient consideration was given to the ways in which residents could meaningfully engage in the process. This was made evident in the structure and frequency of Stakeholder Working Group (SWG) meetings, lack of communication and community participation regarding the design of the project, and especially the presentation of this draft EIR.

↑
PC 9-10

On page 8-5, the EIR reads, “SWG members have been asked to meet with the Project team up to six times during the Project’s planning process. Between Project inception and the public comment period for this Draft EIR, only two SWG meetings have been held to date.” To clarify, the “working group” meetings held throughout this process have looked less like a “working group,” which encourages two-way communication between the members of the group, and more like webinars or marketing presentations with little time at the end for participants to ask questions. In addition to redesigning these meetings, it is recommended that the project team re-evaluate the composition of the SWG to include more grassroots community organizations and residents from the project boundaries. Specifically, it would be ideal to include an organization that has an explicit mission to work with unhoused residents.

Other concerns:

- How will community members be notified of permanent street closures?
- What will community engagement look like in order to ensure residents who are impacted by noise and vibrations will be compensated for home improvements to mitigate these impacts?
- The draft EIR is very difficult to navigate; could the format be changed to be more navigable (ie, clickable table of contents, more clear page numbering conventions, etc.)?

↑
PC 9-11
↑
PC 9-12
↑
PC 9-13

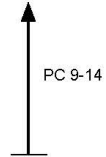
Housing & Homelessness

The Best Management Practice (BMP) associated with this impact is called an Outreach and Engagement Plan. According to BMP PH-1, “The Outreach and Engagement Plan will include goals and strategies of the County’s Community Response to Homelessness Strategic Plan and will focus on a targeted proactive response for temporary and permanent relocation assistance for transient populations affected by the proposed Project.” As mentioned in the General Comments section, BMP PH-1 lacks rigorous detail. It also does not address the topic of funding for an issue that is historically costly. Building spaces to accommodate unsheltered residents displaced by construction will be a significant amount of work, and

↑
PC 9-14
↓

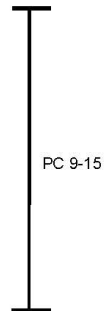


it will require funded solutions to be effective. We encourage SJRRC to work with project beneficiaries, the City, and the County to identify *funded* means of displacement mitigation. Rise Stockton is also available as a resource to access local community-based organizations focused on housing and homelessness in Stockton. We also recommend that SJRRC continue to engage with local property owners and residents through the design and implementation phases of the project.



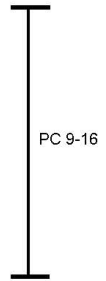
Greenhouse Gas Emissions & Climate Mitigation

The draft EIR has identified and listed GHG emissions reductions and better air quality as a benefit from completion of the Stockton Diamond Grade Separation Project in (Sec. 1.5). In making these claims, there is a lack of quantitative analysis of greenhouse gas emissions accounting for the full suite of sources that would be created and eliminated by the project.

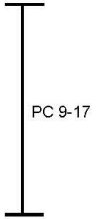


It's given that the estimated short-term emissions from demolition, construction, and clearing activities would generate 7,480 to 12,913 MT of CO2e (3.7.5). But where is the accounting of approximate annual emissions at the Stockton Diamond junction and the net benefit that would be provided over time by reducing congestion and, hence, idling of trains and vehicles?

The lack of a quantitative analysis of long-term air quality and GHG emissions is based upon the idea that "the Project in and of itself would not increase the number of freight and passenger trains or change regional VMT" (Sec 3.7.3). However, there has been little to no substantial evidence offered that this project would not increase traffic to the area, despite plans for expansion of the Altamont Corridor Express's Valley Rail program and identification of rail projects in progress in Chapter 6. As such, the DEIR has failed to appropriately evaluate the cumulative impacts on air quality and GHG emissions associated with this project and anticipate increases in traffic resulting from planned increases in efficiency and capacity. To better understand that potential expansion, are there any growth projections available, and how would traffic and congestion then be affected?

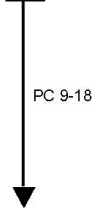


Additionally, there is no emissions inventory accounting for any vegetation that would be removed and planted to accommodate the new development, as referenced in Sec. 3.2-3. There is also a lack of clarity as to whether new vegetation would be used as a buffer to reduce the impacts of air pollution, noise, vibrations, and odors between neighborhoods and the development (ie, urban greening and vegetative barrier projects). We are grateful for pledges to work together to address sound and air pollution. However, we feel it is incumbent upon the lead agency of this project to specify mitigation strategies for Displacement, Sound & Air pollution, even at this early stage.



Economic Development

In Chapters 1, 3, 4, 5, 6, 7, and the executive summary of this EIR, SJRRC refers to an increase in economic growth and competitiveness as a result of this project. However, there is little evidence presented to corroborate this consistent claim. Section 3-12 reads, "A full analysis of the socioeconomic impacts of the proposed Project can be found in Chapter 5, Environmental Justice." But Chapter 5 does not provide any further indication of economic growth--just how the project may or may not affect





minority or low-income populations. Can SJRRC share by what measures economic growth will occur in the project area, and potentially beyond?

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PC 9-18

In addition to the suggested economic growth stemming from this project, Chapter 2 describes the number of workers per crew to work on various phases of construction. Can the SJRRC identify exactly how many jobs are created and/or enabled by construction of this project? Further, will the SJRRC commit to weighting local contractors more heavily in the bid process to show preference for Stockton's workforce?

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PC 9-19

In Section 3.10 Land Use and Planning, the EIR describes SJRRC's acquisition of six private parcels on which five businesses sit. Mitigation Measure LU-2 describes the relocation assistance offered: "payment of fair market compensation and provision of relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act." However, it also provides a minimum of only 90 days written notice to vacate before the project requires possession of the property. If SJRRC has not already notified these businesses of this project's proposed acquisitions, we recommend that notification be sent as soon as possible to provide business owners ample time to strategically relocate.

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PC 9-20

Finally, the potential impacts on property values in the project area are not reflected in the draft EIR. Is there any information on this subject that SJRRC may make available?

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PC 9-21

Water Rights in Mormon Slough

On Page 244 of this EIR the following narrative regarding Mormon Slough and critical habitat for Central Valley steelhead and Chinook salmon claims that no direct impacts will result on these species due to lack of perennial flow, but that direct impacts would result in critical habitat for these species. The EIR adds that "although Mormon Slough does not currently support habitat for these species, Project activities in Mormon Slough have potential to affect its long-term restoration potential for use by these species." This analysis is incomplete, short sighted and goes against the goals of the Central Valley Improvement Project for doubling salmon numbers in Central Valley rivers and the San Francisco Bay-Delta Estuary.

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PC 9-22

First, this analysis fails to address community desires and input for the restoration of Mormon Slough. Members of this coalition see the restoration of Mormon Slough as a multi-benefit project for the public good. Perennial flows can be restored easily through pumps and pipes using toilet-to-tap water discharge from Stockton's new municipal drinking water plant which will be on-line in the near future. Such flows would provide perennial flows for the restoration of both Central Valley steelhead and Chinook salmon, and would recreate much needed water circulation to flush out Mormon Slough and the Stockton shipping channel. This type of water recirculation moving from the slough into the shipping channel would help with the dilution of legacy pollutants in Mormon Slough from the Port of Stockton and industries operating from the Slough, and would assist in combating toxic algal blooms which were recorded as containing 200 times over dangerous level of cyanotoxins last year by the State Water Boards. The claim that the project would not result in impacts on fish species because perennial flow does not exist ignores how poorly designed flood control in Mormon Slough (by local government, the

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PC 9-23
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Port of Stockton, and State agencies) has contributed to transforming Mormon Slough into a toxic and dangerous waterway in need of clean up and restoration, and suggests by inference that seeing that water circulation has already been altered eliminating perennial flows there is no harm for yet one more project and industry to add to the destruction of its water quality. Flow is a component of discharge mitigation.

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PC 9-23

Under the Clean Water Act, section 101(a), efforts must be made by dischargers to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters,” and attempts must be made to eliminate discharge of pollutants into navigable waters. The proposed project would increase the potential for aggravating discharge and pollution conditions for steelhead and salmon by impacting long-term restoration potential as native habitats function as natural water pollution filtering systems when flows are adequate. Habitat for fisheries consists first of cool, clean, flowing water, in addition to gravel beds, native plants, and shade for waterways. Any project that eliminates the community’s ability to restore such physical habitat for both fisheries and for the use of area residents is a direct negative impact on the public trust because it impedes the public’s right to fishing, to recreation, and to access of America’s waterways. Mormon Slough for decades has been utilized as a publicly subsidized pollution pond for Stockton industries, rather than as the public trust resource that it is under California’s public trust doctrine.

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PC 9-24

Last, enacted by the US Congress in 1992, the Central Valley Project Improvement Act (CVPIA) requires improvements to water management to protect fish and wildlife, including achieving the state and federal doubling goal for Central Valley Chinook salmon natural production relative to 1967-1991 levels. To achieve these goals, restoration of perennial flows and physical habitat is required. Any project that eliminates the potential for such restoration is in violation of the CVPIA and is off the table for community groups desiring the environmental restoration of Mormon Slough for public benefit.

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PC 9-25

Conclusion

Rise Stockton is interested in the equitable treatment of Stockton residents. As this project will have a substantial impact on the lives of central and south Stockton residents, our comments center on how the Stockton Diamond grade separation will contribute to the project area’s social, economic, and environmental health. As this project moves from design to construction and eventual operation, Rise Stockton would like to continue being a partner in this project and proponent of the Stockton community. There is much that this project has to offer, and we are an enthusiastic ally to make sure that benefits are distributed equitably and adverse impacts are mitigated as much as possible.

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PC 9-26

Thank you for your time in reading this letter and the opportunity to comment.

Sincerely,
Morokot Uy
On behalf of the Rise Stockton Coalition



Community Partners:

Ector Olivares
Environmental Justice Program Manager
Catholic Charities of the Diocese of Stockton

Justina Caras
Senior Community Engagement Manager
Rising Sun Center for Opportunity

Davis Harper
Stockton Regional Coordinator
The Climate Center

Kenda Templeton
Executive Director
P.U.E.N.T.E.S.

Matt Holmes
Community Engagement Specialist
Little Manila Rising

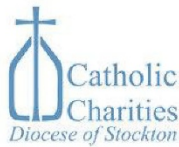
Taylor Williams
Manager - Workforce & Green Economy
Edge Collaborative

Jasmine Leek
Managing Director
Third City Coalition

Barbara Barrigan-Parrilla
Executive Director
Restore the Delta

Darryl Rutherford
Executive Director
Reinvent South Stockton Coalition

Ann Rogan
Principal
Edge Collaborative





Response to Comment PC 9-1

The commenter states their appreciation to provide comments on the Project. The comments presented in the attached letter are a joint letter from the Rise Stockton Coalition and their partners. This comment has been acknowledged and documented as part of the public record.

Response to Comment PC 9-2

The commenter stated that the Environmental Justice Coalition, Rise Stockton Coalition, and their partners have reviewed the Draft EIR and appreciates the opportunity to provide comments. This comment has been acknowledged and documented as part of the public record.

Response to Comment PC 9-3

The commenter is providing background on the commenting party, Rise Stockton. This comment has been acknowledged and documented as a part of the public record.

Response to Comment PC 9-4

The commenter sees both benefits and points of concern regarding the Project. The commenters concerns/comments are provided in the following paragraphs. This comment is acknowledged and has been documented as a part of the public record.

Response to Comment PC 9-5

This comment has been acknowledged and documented as part of the public record. Your input is appreciated.

The Outreach and Engagement Plan identified in Measure BMP PH-1, in Section 3.12, Population and Housing of the Final EIR will be developed with engagement from various stakeholders during final design, which will include input from the San Joaquin County, City of Stockton, and various community stakeholder groups, such as Stockton Rise.

SJRRC welcomes input from community partners such as Rise Stockton on the specific outreach plan during the final design phase.

SJRRC acknowledges Stockton Rise's request for air quality emissions to be quantified in the Draft EIR. Quantitative Air Quality impacts are now addressed in Section 3.2, Air Quality of the Final EIR.

Response to Comment PC 9-6

This comment has been acknowledged and documented as part of the public record. Your input is appreciated.

SJRRC acknowledges Rise Stockton's request for air quality emissions to be quantified in the Draft EIR. Quantitative Air Quality impacts are now addressed in Section 3.2, Air Quality of the Final EIR.



Response to Comment PC 9-7

The information presented within Section 3.1, Aesthetics of the Draft EIR, stating the community's aesthetic preferences were indicated by comments made by the public during the Public Scoping period for this Project as well as the research found in Appendix A, Stockton Documents Affecting Visual Quality, of the Draft EIR.

Further, existing visual quality is accurately described in Section 3.1, Aesthetics, and the several photos of existing visual quality within the Project Study Area support the corresponding characterizations.

Categorization of the aesthetics resource study area as having poor visual quality derives from an aesthetics analysis by a qualified practitioner. It reflects research and comparison with visual quality in other nearby areas. The identified visual quality is not intended to reflect on the community or to suggest that nearby residents had any influence on the visual quality of the aesthetic RSA.

Indeed, the text indicates that "within the Project construction limits, the industrial and railroad land uses do not present the aesthetic qualities of cleanliness or order that the community would prefer", and "The absence of natural resources... create an impression that existing natural harmony is less than desired."

The visual character of the aesthetics resource study area outside the project construction limits is described in a positive light: "The visual quality of the balance of the aesthetics resource study area, outside of the railroad ROW and industrial land uses, is defined by neatly arranged single- and multifamily houses along residential streets and some well-maintained commercial structures ... Parks within the aesthetics RSA, such as Union Park, Liberty Park, and Independence Park, are characterized by grassy areas, trees, and pathways that present natural harmony within the urbanized community."

As stated in the Draft EIR, to improve aesthetics in the aesthetics resource study area, the Project will incorporate Measure BMP AES-1, which will coordinate design elements to reduce visual impacts to the community. Should the retaining wall flyover design option be chosen, street trees along the west side of South Union Street between East Weber Street and East Scotts Avenue, particularly across from Union Park to screen the flyover and railroad operations, as discussed in Measure BMP AES-2, would substantially enhance natural harmony in the Project corridor and minimize potential negative effects.

Response to Comment PC 9-8

SJRRC appreciates Rise Stockton's interest to assist the Project Team in the identification of solutions to any impacts on the local community. In SJRRC's commitment to deliver a project that results in no disproportionate impacts on the nearby minority and low-income communities, ongoing engagement with Rise Stockton and other local community groups is important to project success.

Please refer to Response L 2-169 for a detailed response to the detailed level of Environmental Justice analysis conducted for the Project.



Response to Comment PC 9-9

The commenter is summarizing the topics of concern for their comments within this comment letter. This comment has been acknowledged and recorded as part of the public record.

Response to Comment PC 9-10

SJRRC acknowledges that the COVID 19 pandemic has presented the Project Team with obstacles to conduct a comprehensive and inclusive community engagement program in-person.

As stated in Section 1.7.3, Public Scoping Process, in Chapter 1 Introduction of the Draft EIR, the normal scoping period of 30 calendar days required under CEQA was extended an additional 15 calendar days to allow additional time for stakeholders and members of the public to provide their input on the proposed Project. In addition, three scoping meetings were held virtually via WebEx to solicit feedback from the public on the scope of the EIR environmental analysis.

During the public scoping period, several public outreach and engagement tactics were deployed by the Project Team to raise awareness, including alerts on the Project's bilingual website, SJRRC/ACE social media platforms, media releases and ads, a direct mailer, electronic notices, and stakeholder coordination through telephone discussions. These efforts resulted in a total reach of over 275,000 community members through the following:

- 16 social media posts on three platforms / 1 social media advertisement
- 11 electronic notices (eight from the Project, one from the Latino Times, and two from San Joaquin Joint Powers Authority (SJJPA) to ACE ridership)
- 6,065 mailers distributed to the Project's contact database (regional stakeholders, property owners, and occupants within a one-mile radius)
- Two advertisements (Stockton Record and Vida en el Valle)
- Three press releases distributed to 235 media outlets resulting in 11 earned articles

During the scoping period, comments could be submitted through several different mediums in an effort to provide convenience to participants. Electronic comment submittal was established through the website, email, and virtual public meetings. Comments were also able to be submitted via hard copy mailers or voicemail on the Project information line.

To raise awareness of the availability of the Draft EIR for public review, several notices and other activities were undertaken pursuant to CEQA requirements. All communications were implemented in English and Spanish, and included the following:

- Two Notice of Availability (NOA) publication advertisements (Stockton Record and Vida en el Valle)
- One press release distributed to 235 media outlets
- Eight bilingual standard posts (includes four boosted posts) on three social media platforms and one bilingual social media advertisement



- Eight email blasts to the proposed Project's stakeholder database containing 600 contacts
- One email blast to Latino Times database containing over 100,000 readers
- Multiple email blasts to ACE ridership of 600 contacts
- 5,463 mailers with a perforated comment card distributed to the Project contact database (regional stakeholders, property owners, and occupants within a one-mile radius of the proposed Project Study Area)
- A bilingual poster with comment cards displayed at 13 repositories/ stakeholder locations in Stockton (see list below). as well as emailed to the Project's stakeholder database to help post via their locations and established online tools.
 - Cafe Coop (42 N Sutter Street #208, Stockton, CA)
 - Catholic Charities Stockton (1106 N El Dorado Street, Stockton, CA)
 - Cesar Chavez Central Library (605 N El Dorado Street, Stockton, CA)
 - Community Partnership for Families: Dorothy L. Jones/CUFF Family Resource Center (2044 Fair Street, Stockton, CA)
 - Fair Oaks Library (2370 E Main Street, Stockton, CA)
 - Huddle Cowork by Launch Pad (110 N San Joaquin Street. 2nd Floor, Stockton, CA)
 - In-Season Market (215 E Alpine Avenue, Stockton, CA)
 - Maya Angelou Branch Library (2324 Pock Lane, Stockton, CA)
 - Restoration for Life Ministries (1234 E Anderson Street, Stockton, CA)
 - San Joaquin County (44 N San Joaquin Street, Stockton, CA)
 - Stockton City Hall (425 N El Dorado Street, Stockton, CA)
 - Troke Library (502 W Benjamin Holt Drive, Stockton, CA)
 - Weston Ranch Branch Library (4606 McCuen Avenue, Stockton, CA)
- A mass text alert sent from a local Stockton realtor and friend of a SJRRC employee to 3,128 local property owners. The Project team confirmed there were no privacy violations prior to the text being sent on April 20, 2021.

The Draft EIR was also made available on the Project and SJRRC websites. (<https://stocktondiamond.com/>), on CD if requested and printed copies of the Draft EIR along with comment cards were available for review at:

- Catholic Charities Diocese of Stockton – 1106 N. El Dorado Street, Stockton, CA
- Café Coop – 42 N Sutter Street, Stockton, CA
- El Concilio – 445 N San Joaquin Street, Stockton, CA



- Bishop Bridges, Restoration for Life Ministries – 1234 Anderson Street, Stockton, CA
- San Joaquin Regional Rail Commission – 949 E Channel Street, Stockton, CA
- California High Speed Rail Authority – 770 L Street, Suite 620, Sacramento, CA
- Stockton City Hall – 425 N El Dorado Street, Stockton, CA
- San Joaquin County – 44 N San Joaquin Street, Stockton, CA

In an effort to reach all interested and potentially impacted public members during the circulation period for the Draft EIR as well as allow convenient participation in a safe environment while social distancing due to COVID-19 mandates, the Project Team identified additional engagement opportunities, including:

- Hosting a bilingual virtual public meeting, one in English and one in Spanish concurrently.
- Developing a Citizen’s Guide to serve as a quick reference about the Project including local benefits, key findings of the Draft EIR and details on how to comment. The guide condensed and streamlined very technical information with simplified content and graphics to visually tell the story to the public. An electronic copy was distributed to key stakeholders via email blasts as well as posted on the Project website and social media. Hardcopies of the guide were also placed at the eight repository locations (listed above) and eight additional locations throughout Stockton (listed below).
 - Fair Oaks Library: 2370 E Main Street, Stockton, CA
 - Cesar Chavez Central Library: 605 N El Dorado Street, Stockton, CA
 - Troke Library: 502 W Benjamin Holt Drive, Stockton, CA
 - Weston Ranch Branch Library: 4606 McCuen Avenue, Stockton, CA
 - Maya Angelou Branch Library: 2324 Pock Lane, Stockton, CA
 - In-Season Market: 215 E Alpine Avenue, Stockton, CA
 - Community Partnership for Families: Dorothy L. Jones/CUFF Family Resource Center: 2044 Fair Street, Stockton, CA
 - Huddle Cowork by Launch Pad: 110 N San Joaquin Street, 2nd floor, Stockton, CA

Since the release of the Draft EIR, the Project Team has hosted five virtual stakeholder forums, including:

- Downtown Stockton Alliance – Virtual presentation on March 17, 2021 to give an overview of the Project and a summary of the key findings of the Draft EIR.
- Rise Stockton – Virtual presentation on April 15, 2021 to give an overview of the Project and a summary of the key findings of the Draft EIR.



- Stockton Rotary – Virtual presentation on April 21, 2021 to give an overview of the Project and a summary of the key findings of the Draft EIR.
- Catholic Charities Healthy Neighborhood Collaborative – Virtual presentation on April 21, 2021 to remind attendees that there’s still time to submit input and how to comment.
- San Joaquin Partnership – Virtual presentation on April 22, 2021 to remind attendees that there’s still time to submit input and how to comment.

These Stakeholder Working Group meetings were timed to provide opportunities for two-way communications at key milestones. While presentations were incorporated into these meetings, all participants were encouraged to ask questions and provide comments both through the webinar application as well as through the telephone.

In addition, through operation of the project hotline, updates to and monitoring of the project website, and regular engagement through social media, the community was provided a range of opportunities to continue engagement throughout the environmental process.

While CEQA does not require specific environmental justice analysis or targeted outreach, SJRRC understood the importance of stakeholder input; and thus, went above and beyond the required outreach requirements under CEQA to engage with community groups, such as Rise Stockton, throughout the environmental process, so that the local minority and lower income populations could be represented throughout the public outreach and Stakeholder Working Group process.

Response to Comment PC 9-11

As stated in Section 3.15, Transportation, of the Draft EIR, Measure BMP TRA-7 will include a TMP.

Measure BMP TRA-7 indicates that this A TMP will be developed in the final design phase of the Project, and will provide notifications of permanent street closures to the local community, including businesses and residents that will be directly or indirectly impacted by these permanent street closures as part of the Project.

Response to Comment PC 9-12

As stated in Section 3.11, Noise and Vibration, of the Draft EIR, sound insulation improvements will be installed in the residential properties that would be exposed to severe noise impacts. Engagement and coordination with owners and occupants of these affected properties will be initiated during final design and will continue through until the improvements have been made to the structure in accordance with noise thresholds set by the U.S. Department of Housing and Development. During final design, SJRRC will coordinate with the City of Stockton to ensure that sound insulation improvements identified at these residential properties are implemented.

Response to Comment PC 9-13

The document has been modified to include bookmarks and clickable table of contents within the PDF document for easier navigation throughout the document.



Response to Comment PC 9-14

The Outreach and Engagement Plan identified in Measure BMP PH-1, in Section 3.10, Land Use of the EIR will be developed with engagement from various stakeholders during final design, which will include input from the San Joaquin County, City of Stockton, and various community stakeholder groups, such as Stockton Rise, interested property owners or residents within Project Study Area.

SJRRC welcomes input from community partners such as Stockton Rise on the specific Outreach and Engagement Plan details during the final design phase, this includes the topic of costs for temporary and permanent relocation of transient populations, build spaces to accommodate unsheltered residents displaced by construction to allow the Outreach and Engagement Plan to be effective.

Response to Comment PC 9-15

Estimated Project-generated criteria air pollutants and GHG emissions during construction and operations in Tables 3.2-5 through 3.2-7, in Section 3.2, Air Quality of the Draft EIR.

Although the Draft EIR does not include estimation of the existing emissions at the Stockton Diamond junction, there is a thorough evaluation of the Project's contribution to air quality and GHG impacts within the Final EIR.

Please refer to Table 3.2-11, in Section 3.2, Air Quality of the Final EIR for the total emissions reduction over long-term project operations. As summarized in Section 3.2, Air Quality of the Final EIR, reductions in air pollutant emissions can lead to long-term health benefits for residents and employees along the existing rail corridors, addressing health problems associated with air pollution such as lung irritation, inflammation, asthma, heart and lung disease, and worsening of existing chronic health conditions.

Response to Comment PC 9-16

Long-term reductions in criteria air pollutant and GHG emissions are quantified and summarized in Table 3.2-11, Section 3.2, Air Quality of the Final EIR. Please refer to Response R 4-3 for further information regarding long-term emissions from the Project.

The Project is an operational and safety improvement and would not induce future growth. Future passenger and freight train volumes were included in 2045 conditions to understand traffic congestion and impacts of the Project in the future. As shown, passenger trains operated by ACE and Amtrak are forecasted to remain the same in 2045 with or without the Project.

Future freight train volumes are dependent on market conditions irrespective of the grade separation. Future freight train forecasts were based on applying growth rates assumed in publicly available data. Based on the train and vehicle volumes forecasted, emissions are projected to decrease due to the reduced train delays at the diamond crossing, and reduced wait times for vehicles at the road crossings of the tracks.



Various traffic volume flow maps, volumes, and reports from multiple sources, including the City's traffic flow maps and General Plan, Caltrans counts, and other available general plans, were reviewed to determine a realistic traffic growth rate from 2019 to 2045.

The Project Team worked with the City's consultant and used the flows by major and minor roads within the Project traffic study area while also including adjacent segments such as I-5, SR 99 and SR 4.

The average annual growth rate from this data was computed at an average of 1.0 percent, compounded annually to 2045. This growth rate was well within the range identified by the City's consultant for this area near Downtown. SR 4 growth factors were derived based on the City of Stockton General Plan and Caltrans historical and estimated future traffic growth percentages, which was maintained at a flat level (no) of growth.

Response to Comment PC 9-17

In response to this comment, quantitative air quality impacts are now addressed in Section 3.2, Air Quality of the Final EIR, and indicates that the improved freight mobility would reduce the total daily occupancy of the roadway crossings by approximately 30 percent in 2045.

The reduction in crossing occupancy would improve on-road traffic flow and reduce vehicle idling in the Project Study Area.

A BCA was conducted in 2019 for a grade separation of the Stockton Diamond. This BCA calculated the 30-year reduction in train idling and on-road vehicle idling emissions associated with the elimination of the existing at-grade crossing.

Although the Project design considered in the BCA varies slightly from what is currently proposed the emission reductions associated with the elimination of the existing at-grade crossing are still applicable.

Table 3.2-11 in Section 3.2, Air Quality, of the Final EIR summarizes the total emission reduction and the average annual emission reduction for the proposed Project. As shown in Table 3.2-11, the proposed Project would result in long-term reductions in criteria pollutant emissions.

Reductions in air pollutant emissions can lead to long-term health benefits for residents and employees along the existing rail corridors, addressing health problems associated with air pollution such as lung irritation, inflammation, asthma, heart and lung disease, and worsening of existing chronic health conditions.

In addition, consideration of vegetative barriers and urban greening and a means to potentially reduce air pollution exposure on sensitive receptors will be evaluated and considered as part of the proposed Project.

A new measure, identified as Measure BMP AQ-2, has been included within Section 3.2, Air Quality, of the Final EIR.



Response to Comment PC 9-18

An economic analysis was not conducted as part of the Draft EIR to quantify economic benefits. Rather, economic benefits were evaluated qualitatively, such as the potential added direct and indirect jobs resulting from the Project's construction (see comment PC 9-19), and the general economic benefits and competitiveness created by reducing vehicle delays at the crossings and reducing passenger and freight rail delays with the grade separation.

Lastly, a BCA was prepared for the BUILD application, which cited a 1.5 percent Benefit to Cost (B/C) ratio with 7 percent discount rate and 2.8 percent B/C ratio with a 3 percent discount rate. This means that the Project would provide a \$1.50 to \$2.80 return on investment for every \$1.00 spent. While this is not directly or quantitatively correlated to jobs created, or to localized economic development, it provides a relative sense of the Project's overall economic benefits.

Response to Comment PC 9-19

Direct and indirect job creation was not calculated for this Project and there are many different tools to estimate jobs created. For example, IMPLAN software uses the capital cost estimate as key input for determining the number of jobs created by a project. The direct job estimate is based on a direct multiplier of 8.34 jobs per million dollars of construction spending. The indirect and induced job estimate is based on a direct multiplier of 8.63 jobs per million dollars of construction spending. Using a scenario of \$150 million in capital costs, that would equate to 1,251 direct jobs and 1,294 indirect, induced jobs

The CWTA, adopted on July 26, 2016 by Stockton City Council, only applies to City of Stockton Public Works projects worth over \$1 million that are bid after August 25, 2016. Since the Project is not a City Public Works project, the CWTA was not applied to this Project, as federal regulations prohibit the use of such agreements.

In addition, federal regulations prohibit the use of such agreements. Since the project is partially funded with federal transportation dollars, DBE program rules apply. DBE rules require that consultants and contractors either meet a calculated project specific DBE participation goal or undertake and document good faith efforts to do so. If the apparent low bidder does not meet the project goal, a Good Faith Efforts Evaluation must be made examining several specific factors. Failure to meet the goal or make adequate good faith efforts are grounds for rejecting the bidder as non-responsive.

By definition, a DBE is a socially and economically disadvantaged small business owned by a woman or by a specific ethnic group that has been properly certified by Caltrans. These groups include:

- African American
- Asian Pacific American
- Native American



- Women
- Hispanic American
- Subcontinent Asian American

The federal funding restrictions prohibit the use of the Local Employment Ordinance SMC section 3.68.095), the Local Business Preference Ordinance (SMC section 3.68.090), or any other local hiring preferences.

Response to Comment PC 9-20

This comment has been acknowledged and documented as part of the public record. Your input is appreciated.

Notifications that the Draft EIR were made available to public for review and comment for a period of 45-calendar days. The distribution list for these public outreach notifications included the properties that will be relocated as part of the Project.

The initiation of ROW acquisition discussions with these property owners will occur during final design, as specified in Measure MM LU-3, (formerly Measure MM LU-2 in the Draft EIR) in Section 3.10, Land Use and Planning of the Final EIR, and there will be ample time for businesses owners to strategically relocate.

Response to Comment PC 9-21

A property valuation assessment was not prepared for this Project as it is not traditionally part of the formal ROW appraisal and acquisition process.

Response to Comment PC 9-22

SJRRC has committed to designing the Mormon Slough crossing in order to avoid precluding future restoration of fish habitat, by SJAFCA or other entity, in the Mormon Slough.

Through informal consultation with National Marine Fisheries Service (NMFS), SJRRC has committed to maintain a natural substrate channel free of rip-rap at the crossing of Mormon Slough. A description of the three potential crossing designs have been included in the Final EIR. The proposed crossing will consist of a single-span bridge, a multi-cell box culvert with a natural bottom, or a precast arch culvert with a natural bottom. SJRRC has also committed to avoiding the use of riprap to armor the channel. The commitment to implement a crossing design that will allow for future restoration of fish habitat in the Mormon Slough was included in the Final EIR Measure MM BIO-7 in Section 3.3, Biological Resources. Selection of a preferred crossing design will occur during the final design phase.

On May 17, 2021, the NMFS concurred that the proposed Project is not likely to adversely affect species listed as threatened or endangered or critical habitats designated under the Endangered Species Act. This concurrence letter has been included in the Final EIR under Appendix C.



Response to Comment PC 9-23

Through informal consultation with NMFS, SJRRC has committed to maintain a natural substrate channel free of rip-rap at the crossing of Mormon Slough.

A description of the three potential crossing designs have been included within the Final EIR; all of which will allow for future restoration of perennial flows and fish habitat in Mormon Slough. The proposed crossing will consist of a single-span bridge, a multi-cell box culvert with a natural bottom, or a precast arch culvert with a natural bottom. SJRRC has also committed to avoiding the use of riprap to armor the channel. The commitment to implement a crossing design that will allow for future restoration of fish habitat in the Mormon Slough will be added to the Final EIR as Measure MM BIO-7 in Section 3.3, Biological Resources. Selection of a preferred crossing design will occur during the final design phase.

On May 17, 2021, the NMFS concurred that the proposed Project is not likely to adversely affect species listed as threatened or endangered or critical habitats designated under the Endangered Species Act. This concurrence letter has been included in the Final EIR under Appendix C.

Response to Comment PC 9-24

SJRRC will commit to implementing a crossing design that will allow for future restoration of fish habitat in the Mormon Slough will be added to the Final EIR as Measure MM BIO-7 in Section 3.3, Biological Resources. The bridge design will maintain the existing natural bottom of the Mormon Slough within the Project Study Area.

SJRRC will obtain any Clean Water Act permits that are needed during final design of the Project, prior to Project grading activities. The permits will include any conditions determined necessary by the United States Army Corps of Engineers and State Water Resources Control Board to comply with the Clean Water Act.

Response to Comment PC 9-25

SJRRC recognizes the importance of maintaining the future restoration potential of Mormon Slough within the Project Study Area.

Through informal consultation with NMFS, SJRRC has committed to maintain a natural substrate channel free of rip-rap at the crossing of Mormon Slough for all three crossing designs.

On May 17, 2021, the NMFS concurred that the proposed Project is not likely to adversely affect species listed as threatened or endangered or critical habitats designated under the Endangered Species Act. This concurrence letter has been included in the Final EIR under Appendix C.

A discussion of the three potential crossing designs have been included within the Final EIR; all of which will allow for future restoration of perennial flows and fish habitat in Mormon Slough. The proposed crossing will consist of a single-span bridge, a multi-cell box culvert with a natural bottom, or a precast arch culvert with a natural bottom. SJRRC has also committed to avoiding the use of riprap to armor the channel.



These design options will allow for future fish passage through the Mormon Slough within the Project area, should future restoration of the Mormon Slough as a perennial waterway occur.

Response to Comment PC 9-26

The commenter is stating their concern for the residents of Stockton as well as the Project's potential impacts to the residents. The commenter has expressed interest in further involvement in the Project. The commenter has been added to the distribution list found in Appendix J, of the Final EIR and SJRRC will continue to work with Rise Stockton throughout final design. This comment has been acknowledged and recorded as a part of the public record.



PC 10. Union Pacific Railroad

From: Peggy E. Harris <PEHARRIS@up.com>
Sent: Thursday, April 29, 2021 2:45 PM
To: info@stocktondiamond.com
Cc: Kevin Sheridan <kevin@acerail.com>; Halsted, Patrick <Patrick.Halsted@hdrinc.com>; Adrian Guerrero <aguerre@up.com>; Francisco J. Castillo JR <FCASTILLO@up.com>
Subject: Union Pacific Railroad Comments - Stockton Diamond Grade Separation Project DEIR

PC 10

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Union Pacific submits the attached comments in response to the SJRRC Draft Environmental Impact Report: Stockton Diamond Grade Separation Project. Please let me know if you have any questions.

PC 10-1

- Peggy

(See attached file: UPRR Comments - Stockton Diamond DEIR - 04.29.21.pdf)

[Peggy E. Harris](#) | Gen Dir Network Development | [Union Pacific Railroad](#) | [1400 Douglas St - STOP 1120 | Omaha, NE 68179](#)
☎: 402.544.5448 📞: Cell 402.968.6589 | ✉: peharris@up.com

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BUILDING AMERICA®

April 29, 2021

VIA EMAIL: info@stocktondiamond.com

Stockton Diamond Grade Separation Project
c/o Public Outreach
2379 Gateway Oaks Drive, Ste. 200
Sacramento, CA 95833

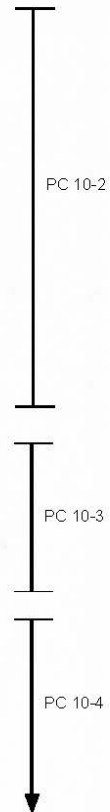
To Whom It May Concern:

Union Pacific Railroad Company (UPRR) submits these comments in response to the San Joaquin Regional Rail Commission (SJRRRC) Draft Environmental Impact Report: Stockton Diamond Grade Separation Project. SJRRRC proposes to construct a grade separation of two principal railroad lines at the Stockton Diamond in Stockton, CA. UPRR has a direct interest in the proposed project because it owns and operates a significant portion of the rail corridor noted throughout the DEIR.

UPRR owns and operates a common carrier freight railroad network in the western two thirds of the United States, including the State of California. Specifically, UPRR owns and operates rail main lines connecting the San Francisco Bay Area to Sacramento and points east and north, and to Los Angeles and points east and southeast. UPRR is the largest rail carrier in California in terms of both mileage and train operations. UPRR also has a multitude of public private partnerships across the state, including active and planned projects with various state agencies and passenger rail partners. UPRR's network in California is vital to the economic health of the state and the nation as whole, and its rail service to California customers is crucial to the current and future success and growth of those customers.

SJRRRC's DEIR proposes a Preferred Alternative alignment that seeks to grade separate the diamond where UPRR's Fresno Subdivision crosses BNSF's Stockton Subdivision by shifting and/or elevating UPRR's tracks between approximately Weber Ave and E 4th St to create a flyover. Introduction of the flyover also requires reconfiguring existing connections between the two railroads, modifying the access from UPRR's tracks to the ACE Cabral Station, and reconfiguring the north end of UPRR's Stockton Yard to maintain existing switching capabilities.

UPRR has been engaged in discussions with SJRRRC in order to ensure that the safety and efficiency of the UPRR system, including UPRR's ability to serve current and future customers, its ability to access and fully utilize existing switching yard facilities, and its ability to host reliable passenger services would be preserved during the planning and construction and upon the completion of the proposed grade separation project. UPRR has also submitted formal comments in response to both the SJRRRC ACEforward DEIR (subsequently withdrawn by Agency) and the SJRRRC ACE Extension DEIR.



UNION PACIFIC RAILROAD 1400 Douglas Street, Stop 1120 Omaha, Nebraska 68179	Peggy Harris General Director Network Development	p 402-544-5448 c 402-968-6589 e peharris@up.com
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2

While SJRRC and its consultants have to date been responsive to UPRR review and comments of the project scope and design, UPRR requests incorporation of these additional considerations if the Preferred Alternative is chosen and advanced:

- Project must maintain UPRR's current flexibility to access the ACE Cabral Station track from either Fresno Sub main line immediately south of the station. This requires the addition of a left-hand crossover to the proposed design between main lines 1 and 2 at approximately milepost 84.5.
- As currently designed, Lafayette ST, DOT#752770X, may remain at grade in a configuration with a large gap between the main line and wye track, creating long signal approach requirements and longer traversal of the crossing by motorists, bicycles, and pedestrians. UPRR proposes additional traffic analysis of potential at grade crossing closures to eliminate this less than desirable crossing configuration.
- Any increase in the grade of the flyover track structure from that described in the Preferred Alternative may adversely affect UPRR's ability to move freight trains with existing or modeled locomotive power configurations and should be avoided in order not to compromise stated project benefits.

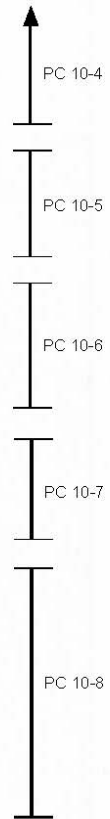
Considering the magnitude of potential impacts to UPRR facilities, operations, current and future customer access, and to passenger train performance, it is imperative that SJRRC continue working with UPRR to develop an alignment that meets UPRR safety and engineering guidelines and addresses the concerns identified in this letter or that have yet to be identified. UPRR looks forward to continuing good-faith discussions with SJRRC regarding the proposed project. UPRR reserves the right to comment on any modified drafts of the DEIR and on the final EIR when it is presented in the future. UPRR likewise notes that construction of the improvements will require execution of definitive agreements between the parties.

Thank you for considering our comments.

Sincerely,

Peggy Harris

General Director Network Development





Response to Comment PC 10-1

Commenter states the comments on the Draft EIR can be found in the attached letter. This comment has been acknowledged and recorded as a part of the public record.

Response to Comment PC 10-2

The commenter is stating their direct interest in the Project because of the rail lines they own and operate within the Project limits. The commenter has been added to the distribution list found in Appendix J, of the Final EIR. This comment has been acknowledged and recorded as a part of the public record.

Response to Comment PC 10-3

The commenter provides a summary of the Project location and Project description. This comment has been acknowledged and documented as part of the public record.

Response to Comment PC 10-4

The commenter is summarizing previous coordination as well as future coordination with SJRRC with regards to the Project. UP has comments with regards to the Draft EIR in the remainder of the comment letter. This comment has been acknowledged and recorded as a part of the public record.

Response to Comment PC 10-5

SJRRC acknowledges that the Project must maintain UP's current flexibility to access the ACE Cabral Station track from either of the Fresno Subdivision mainline tracks immediately south of the station.

SJRRC will continue to coordination efforts with UP through the final design phase, to address UP's operational concerns.

Response to Comment PC 10-6

The commenter stated that the Lafayette Street closure component of the Project should be analyzed separately.

Please refer to Response L 2-4, which states that, as part of BMP TRA-8, in Section 3.15, Transportation, of the Final EIR, additional evaluation and coordination will occur as part of the CPUC GO 88B process, to formalize recommendations for street closures.

Response to Comment PC 10-7

SJRRC acknowledges this comment on the flyover track grade and will work closely with UP throughout the final design phase to address UP's operational concerns.



Response to Comment PC 10-8

The commenter is stating continued interest and communication with SJRRC regarding the Project. The commenter also acknowledges that the Project Team will continue the good-faith discussions with the commenter and will require definitive agreements between the two parties prior to construction as well as their right to provide additional comments on the document. This comment is acknowledged and has been recorded as a part of the public record.



PC 11. BNSF Railway

From: Casler, Patricia J <Patricia.Casler@bnsf.com >
Sent: Thursday, April 29, 2021 8:02 AM
To: info@stocktondiamond.com
Cc: Thompson, French F; Rankin, David T
Subject: RE: Two more days...to submit input!

PC 11

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to offer the following comments concerning the proposed Stockton Diamond Grade Separation project.

PC 11-1

The BNSF Railway continues to support the proposed project and will continue to work with all appropriate public agencies in the advancement of necessary design and, at one point in the future, we assume, construction activities related to the proposed rail-over rail grade separation.

PC 11-2

If you have any questions, please feel free to contact me.

DJ Mitchell II
AVP, Passenger Operations
BNSF Railway

From: Stockton Diamond [mailto:info@stocktondiamond.com]
Sent: Tuesday, April 27, 2021 1:25 PM
To: info@stocktondiamond.com
Subject: Two more days...to submit input!

EXTERNAL EMAIL



STOCKTON DIAMOND

STOCKTON DIAMOND GRADE SEPARATION
Unlocking Northern California's Freight and Passenger Rail Potential

Dear Stakeholder:

The Stockton Diamond Grade Separation Project is reaching a milestone as the 45-day public review and comment period for the Draft Environmental Impact Report (EIR) comes to a close this Thursday. This is the final opportunity for all parties to weigh in on the Draft EIR and provide comments prior to the deadline of April 29 at 5 p.m.

OBTAIN PROJECT INFORMATION

We have created an informative Citizen's Guide (English / Spanish) to serve as a quick project reference about local benefits, key Draft EIR findings and ways to comment. If you need more information, you can also check out our virtual meeting recording or presentation on our website.

ASK QUESTIONS



If you have questions, reach out to our project team this week either by calling the number below or emailing us at: info@stocktondiamond.com.

SUBMIT COMMENTS

The Draft EIR can be viewed electronically [here](#) and comments must be submitted within the **next TWO DAYS prior to 5 p.m. on April 29** via the following options:

Mail: c/o Public Outreach
2379 Gateway Oaks Drive, Ste. 200
Sacramento, CA 95833


Website: stocktondiamond.com/contact/
Email: info@stocktondiamond.com
Phone: (209) 235-0133

GET SOCIAL WITH US

Just because the project's public comment period is coming to an end, doesn't mean we don't want to hear from you so stay connected with us on social media. You can find us on [Facebook](#), [Twitter](#), and [Instagram](#) where we will continue to share project news and information about this important rail project.

Thank you again for helping us promote the Stockton Diamond Grade Separation Project. We appreciate your continued support and efforts as we near the end of this critical project milestone.

STAY INFORMED


 STOCKTONDIAMOND.COM

 INFO@STOCKTONDIAMOND.COM

 209-235-0133

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Please call or email for additional accessibility preferences. For the deaf, hard of hearing or speech impaired (TDD) users may contact the California Relay Service TTY and/or Voice Line at 1-800-735-2929, or 711.



Response to Comment PC 11-1

The commenter stated that BNSF Railway has review the Draft EIR and appreciates the opportunity to provide comments. This comment has been acknowledged and documented as part of the public record.

Response to Comment PC 11-2

The commenter's support for the Project has been documented as part of the public record. The commenter's preference for the Project was considered in the decision-making process. The Project Team has selected Alternative 1A, the Build Alternative, as the Preferred Alternative.



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M.2.6 COMMENTS FROM COMMENT CARDS



CC 1. Josie V. Sanchez

COMMENT CARD / TARJETA DE COMENTARIOS

To submit comments on the Draft EIR, please fill out the comment card below then detach, affix stamp and place in mailbox.

Para someter comentarios sobre el EIR preliminar, llene la tarjeta de comentarios aquí abajo, córtela, póngale un sello postal y colóquela en un buzón de correos.

CC 1

Name / Nombre: Josie Sanchez Email / Correo electrónico: Mrs Fina D@Hotmail.Com
Address / Domicilio: 3425 Mt. Diablo Dr Phone / Teléfono: un listed
San Jose, Ca.

CC-1-1

ACTA mont
My husband and I always rode the A/C Commuter
from San Jose to Stockton nice pleasant ride
it will ease a lot of traffic and it is the
greatest help for all commuters I'm totally
in favor of this project Sincerely Josie Sanchez



Ms. Josie V. Sanchez
3425 Mount Diablo Dr.
San Jose, CA 95127-4836

SAN JOSE CA 950
26 MAR 2021, PM 4 L



Stockton Diamond
c/o Public Outreach
2379 Gateway Oaks Dr.
Suite 300
Sacramento, Ca. 95833-4239

95833-423899





Response to Comment CC 1-1

The commenter's support for the Project and preference for the Build Alternative has been documented as part of the public record and was considered in the decision-making process. The Project Team has selected Alternative 1A, the Build Alternative, as the Preferred Alternative.



CC 2. Rajinder Sharma

CC 2

COMMENT CARD / TARJETA DE COMENTARIOS

To submit comments on the Draft EIR, please fill out the comment card below then detach, affix stamp and place in mailbox.

Para someter comentarios sobre el EIR preliminar, llene la tarjeta de comentarios aquí abajo, córtela, póngale un sello postal y colóquela en un buzón de correos.

Name / Nombre: RAJINDER SHARMA Email / Correo electrónico: 2rajindersharma@gmail.com

Address / Domicilio: 33215 FALCON DR. FREMONT CA. 94555 Phone / Teléfono: (510) 825-5251

I HAVE PROPERTIES @ 147 N. AURORA ST. STOCKTON, RENTAL
@ 801 S. CALIFORNIA ST. STOCKTON RENTAL

THIS PROJECT IS GOOD FOR ENVIRONMENTS OF STOCKTON,
THIS PROJECT WILL BRING MOVE JOBS & ECONOMY TO CITY
OF STOCKTON, WITH LESS CORBON. THIS PROJECT WILL
BE VERY CONVICIENCE TO PUBLIC, AND LESS CARS
ON ROAD. GO FOR THIS PROJECT.

CC 2-1



Response to Comment CC 2-1

The commenter's support for the Project and preference for the Build Alternative has been documented as part of the public record and was considered in the decision-making process. The Project Team has selected Alternative 1A, the Build Alternative, as the Preferred Alternative.



CC 3. Jackson Hurst

CC 3

COMMENT CARD / TARJETA DE COMENTARIOS

To submit comments on the Draft EIR, please fill out the comment card below then detach, affix stamp and place in mailbox.

Para someter comentarios sobre el EIR preliminar, llene la tarjeta de comentarios aquí abajo, córtela, póngale un sello postal y colóquela en un buzón de correos.

Name / Nombre: Jackson Hurst Email / Correo electrónico: JHurst@stok.com

Address / Domicilio: 4116 Cornell Crossing, Laguna Hills, CA 90644 Phone / Teléfono: 628-628-4232

CC 3-1

I have reviewed the draft EIR for the Stockton diamond project. The alternative that I support is Alternative 1A because this alternative will reduce the risk of raising demand because of high speed curves.



Response to Comment CC 3-1

The commenter's support for the Project and preference for Alternative 1A, the Build Alternative, has been documented as part of the public record, and was considered in the decision-making process. The Project Team has selected Alternative 1A, the Build Alternative, as the Preferred Alternative.



CC 4. Yolanda Martinez

COMMENT CARD / TARJETA DE COMENTARIOS

To submit comments on the Draft EIR, please fill out the comment card below then detach, affix stamp and place in mailbox.

CC 4

Para someter comentarios sobre el EIR preliminar, llene la tarjeta de comentarios aquí abajo, córtela, póngale un sello postal y colóquela en un buzón de correos.

Name / Nombre: Yolanda M. Martinez Email / Correo electrónico: mm.violet33@yahoo.com
Address / Domicilio: 602 E. Anderson Phone / Teléfono: Stockton CA.

I do NOT agree with the work or improvement they are going to do with the improvement of the CA High Speed rail; Disagree with the digging they will do to earth, How is it going to help the people, who is going to pay for it is the taxpayer going to pay for it; The poor and the middle class and the poor won't be riding it as much as the ELITE; You worried about Emissions what about earthquakes, tornados, Hurricanes, weather, it's a disturbance to Earth.

CC 4-1
Yolanda M. Martinez



Response to Comment CC 4-1

The commenter's opposition to California High Speed Rail Project improvements, a separate project from the proposed Project, has been acknowledged and documented as part of the public record.



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M.2.7 FORMAL COMMENTS FROM THE VIRTUAL PUBLIC MEETING



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FPM 1. Matt Holmes

Stockton Diamond Grade Separation Project
SCH# 2020080321

Formal Comment – Virtual Public Meeting

VPM 1

Date: April 6, 2021
Project: Stockton Diamond Grade Separation Project PA/ED; SCH #: 2020080321
Name: Matt Holmes
Agency/
Stakeholder/
Public: Member of the Public
Contact
Information: matt@littlemanila.org

Subject: **Draft EIR Comment**

Verbal Formal Comment during the Public Meeting:

"Yeah, I'm revisiting my comment from earlier about air quality impacts. It seems to make sense that this would improve air quality, but those are claims that we have to kind of stop making without proving, and so my formal public comment is that there needs to be measures taken to collect before and after air quality monitoring. And there is an opportunity to work with a community air monitoring project to capture baseline and post project air quality status. And so, you know, increasing speed is great. It reduces the combustion PM but increasing speed also increases the shearing factor which increases PM 10, and I think that's the concern that we should take seriously and it's one of the things that could be easily mitigated with a planned vegetation strategy with forestry and green belt, bio filters alongside the rail corridor. Negligible cost in the grand scheme of that dollar amount that we saw earlier. Thank you."

VPM 1-1



Response to Comment VPM 1-1

SJRRC acknowledges the commenter's request for air quality emissions to be quantified in order to prove the air quality benefits stated in the Draft EIR.

In response to this comment, quantitative air quality impacts are now addressed in Section 3.2, Air Quality of the Final EIR, and indicates that the improved freight mobility would reduce the total daily occupancy of the roadway crossings by approximately 30 percent in 2045.

The reduction in crossing occupancy would improve on-road traffic flow and reduce vehicle idling in the Project Study Area.

A BCA was conducted in 2019 for a grade separation of the Stockton Diamond. This BCA calculated the 30-year reduction in train idling and on-road vehicle idling emissions associated with the elimination of the existing at-grade crossing.

Although the Project design considered in the BCA slightly varies from what is currently proposed the emission reductions associated with the elimination of the existing at-grade crossing are still applicable.

Table 3.2-11 in Section 3.2, Air Quality summarizes the total emission reduction and the average annual emission reduction for the proposed Project. As shown in Table 3.2-11, the proposed Project would result in long-term reductions in criteria pollutant emissions.

Reductions in air pollutant emissions can lead to long-term health benefits for residents and employees along the existing rail corridors, addressing health problems associated with air pollution such as lung irritation, inflammation, asthma, heart and lung disease, and worsening of existing chronic health conditions.

In addition, consideration of vegetative barriers and urban greening and a means to potentially reduce air pollution exposure on sensitive receptors will be evaluated and considered as part of the proposed Project.

A new measure, identified as Measure BMP AQ-2, has been included within Section 3.2, Air Quality, of the Final EIR. This page is intentionally blank.