

August 6, 2008

Mr. Keith Boggs, Deputy Executive Officer
Stanislaus County Economic Development Department
1010 10th Street, Suite 6800, Sixth Floor
Modesto, CA 95354

**SUBJECT: NOTICE OF PREPARATION (NOP) FOR THE WEST PARK SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT (EIR)**

Dear Mr. Boggs:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the West Park Specific Plan Environmental Impact Report (EIR). The following comments are offered for the County's consideration:

1. As Lead Agency, Stanislaus County is responsible for considering the effects, both individual and collective, of all activities involved in the West Park Specific Plan ("Project"), pursuant to Public Resources Code Section 21002.1. Therefore, the Project description and environmental documentation must include a thorough analysis of all the anticipated service providers for the Project. LAFCO is a Responsible Agency and will utilize the CEQA documentation prepared by the County in reviewing subsequent proposals to provide services.
2. Page 7 of the NOP indicates that the development of the proposed Project would include "provision of sewer and water supply lines to the existing community of [Crows] Landing." The unincorporated community of Crows Landing currently receives water services from the Crows Landing Community Services District (CSD), and utilizes private septic systems. Neither the community of Crows Landing, nor the Crows Landing CSD are located within the proposed Project's boundaries. If the unincorporated community of Crows Landing is to be part of the Project, it should be reflected in the EIR Project Location description and Project Site Map.
3. Page 20 of the NOP also indicates that the Project will include "extension of off-site water and wastewater treatment and conveyance to the Community of Crows Landing." The proposed West Park Specific Plan area is located outside the Crows Landing Community Services District's Sphere of Influence and boundaries (see attached map). Therefore, if the District's inclusion into the proposed Project is as a provider of services to the area, the following actions must be approved by LAFCO: (1) the CSD's Sphere of Influence must be expanded to include the Project area, and (2) subsequent annexation to the CSD. In addition, before the District's Sphere of Influence could be amended, pursuant to Government Code Section 56430, the preparation of a Municipal Services Review (MSR) is required. The MSR requires the consideration of several factors such as: growth and population projections; present and planned capacity of public facilities and adequacy of public services, including infrastructure needs and deficiencies; financial ability of agencies to provide services; status of, and opportunities for shared facilities; and accountability for community service needs, including governmental structure and operational efficiencies.

4. Comments on the West Park Treated Effluent Disposal/Sewer Master Plan, dated November 8, 2007:

Page 1, Section 1.1 indicates that the West Park Project is a 4,800-acre conceptually planned development that encompasses the reuse of the former Crows Landing Air Facility, and that infrastructure master plans have been prepared to help plan for the development of the Project site. This section goes on to state: "This Treated Effluent Disposal/Sewer Master Plan provides information required for the Client/County to better assess the feasibility of the planned development by defining the sewer system infrastructure and improvements necessary to accommodate the future West Park land use development plan, as well as the existing community of Crows Landing, herein referred to collectively as the "Project." Please clarify this statement, as the Preliminary Site Map (Figure 1.1) does not include the unincorporated community of Crows Landing within the West Park Specific Plan Project site boundary.

Pages 2, Section 1.2 – First full paragraph reads: "Existing Project land uses include the former Crows Landing Air Facility, a water district facility, and agricultural land. The study area also includes the existing 83-acre Crows Landing community located southeast of the Project area. The existing land uses in the Crows Landing community consist of residential, commercial, and industrial developments, in addition, to a school."

Likewise, Page 2, Section 2.2 indicates the following: "Existing developed areas within the Project boundary, such as the community of Crows Landing, are currently using a septic sewer system. The proposed Project scope of work includes extending sewer service to the community of Crows Landing. It is anticipated that sewer flows from the existing community will require pumping to convey flows to the Project sewer collection system and, ultimately, to the wastewater treatment plant." Please clarify. As noted previously, the Project maps do not show the community of Crows Landing within the Project boundary.

Additionally, the unincorporated community of Crows Landing is currently on private septic systems. If the Project will have an onsite sewer treatment plant, please explain why a sewer force main along Highway 33 to the unincorporated community of Crows Landing is necessary to serve an area currently located outside the Project area? In addition, the Crows Landing Community Services District currently provides only water service to the unincorporated community of Crows Landing.

Page 13, Section 8.1 indicates that wastewater could be pumped to either the City of Modesto or the City of Patterson, with an appropriate plant expansion, with West Park contributing to financing to help the City (Modesto or Patterson) to help reduce its expansion costs. If this is the case, would the project still include the provision of sewer services to the unincorporated community of Crows Landing?

It is noted that Page 20 of the NOP states that the EIR will also analyze "growth-inducement potential from construction of the off-site sewer main to the community of Crows Landing."

5. If the County plans to maintain the storm drainage facilities necessary for the Project, the formation of a new County Service Area (CSA) or some other mechanism for maintenance may be required. Any anticipated such mechanism should be included and discussed in the EIR. LAFCO would be a Responsible Agency with respect to the formation of a County

Service Area.

6. Comments on the West Park Water System Master Plan, dated November 8, 2007:

Page 1, Section 1.2 indicates that the Project area falls partly in the Del Puerto Water District and Oak Flat Water District. Page 2 states that the existing Project land uses include the former Crows Landing Air Facility, a *water district facility*, and agricultural land. Please clarify which water district facility, and its location.

Page 6, last paragraph, reads: "In addition to the existing COP [City of Patterson] groundwater wells, an existing 16-inch water distribution main delivers emergency water from a groundwater well located in the northern area of the Project to the Diablo Grande development, located approximately 3 miles west of the Project (Figure 2.1). The distribution main alignment continues north from the well site that runs west along West Marshall Road, south along Ward Road, and west along Oak Flat Road, exiting the Project boundary. The Project has no intention of utilizing the existing COP or Diablo Grande groundwater wells as a water supply source." Please change "Ward Road" to "Ward Avenue" as reflected in Figure 2.1. Also, the Diablo Grande development is served with water from the Western Hills Water District, which is located outside the proposed West Park Specific Plan project area.

Page 8, Section 4.1 states that adequate water supplies are needed to meet the municipal and industrial demands of the Project. Various water supply alternatives to serve the Project listed include: surface water, groundwater (with aquifer storage and recovery), conjunctive mix of surface and groundwater, regional conjunctive mix of surface water and groundwater. The EIR should provide a comprehensive analysis of identified and reliable sources of water, quantities and quality of the water and expected longevity of the water supplies to serve the entire proposed Project site, including Crows Landing.

7. Prime Farmland – The proposed Project includes prime farmland and numerous lands under active Williamson Act Contracts. The Williamson Act is considered a mechanism to preserve agricultural land both in the short and long term. The redesignation of land to a use other than "Agriculture" on an agency's general plan tends to prematurely cease the use of the land for agricultural purposes. The EIR should discuss the location of these lands as it relates to possible phasing and financing scenarios which would preserve the agricultural viability of this land as long as possible. The Alternatives Section of the EIR could include a reduced-size scenario based on the location of Williamson Act Contracted lands.

Additionally, the Fiscal and Financial Analyses document for the project identifies \$27 million under the heading of "agricultural mitigation" as "costs for the purchase of conservation easements needed to satisfy State conservation regulations." This amount is in addition to \$30 million identified as off-site habitat conservation costs. It is expected that these mitigations will be detailed further in the EIR.

8. Fire Protection. The West Stanislaus Fire Protection District provides fire services within the Project area. Many rural fire protection districts within the County are experiencing problems providing services within their districts due to decreased funding and increased state and federal requirements. The EIR should identify the current level of services provided in the District, the impacts and/or increased demands to the District proposed by

the proposed development of the West Park Specific Plan Project, the expected level of service by the District upon development, and proposed mitigation measures.

The California Department of Forestry (CALFIRE) has a station in Stanislaus County, near the proposed Project area. The Del Puerto Station is located at 2142 Sperry Road, Patterson, CA 95363. The EIR should also include a discussion of this agency as it relates to any potential affects the project would have on the organization.

9. In addition to the West Stanislaus Fire Protection District discussed above, the following Special Districts can be considered as affected agencies, as their boundaries are located within and/or near the proposed Project area: Del Puerto Water District, Oak Flat Water District, Western Hills Water District, Del Puerto Healthcare District, and the Crows Landing Community Services District. Therefore, the EIR should discuss the impacts and/or increase demands the development of the West Park Specific Plan Project will have on these Districts.
10. Various tables refer to the "Patterson Hospital District." The District is no longer referred to as such and references should be corrected to read, "Del Puerto Healthcare District."

In conclusion, the Project description should include these subsequent actions in the environmental documents prepared for the Project by the County as Lead Agency. If the Project's environmental documentation is ultimately approved by the County, LAFCO, as a Responsible Agency, will also use this documentation in the consideration of any associated requests to expand the sphere and annex the proposed territory to the Crows Landing Community Services District.

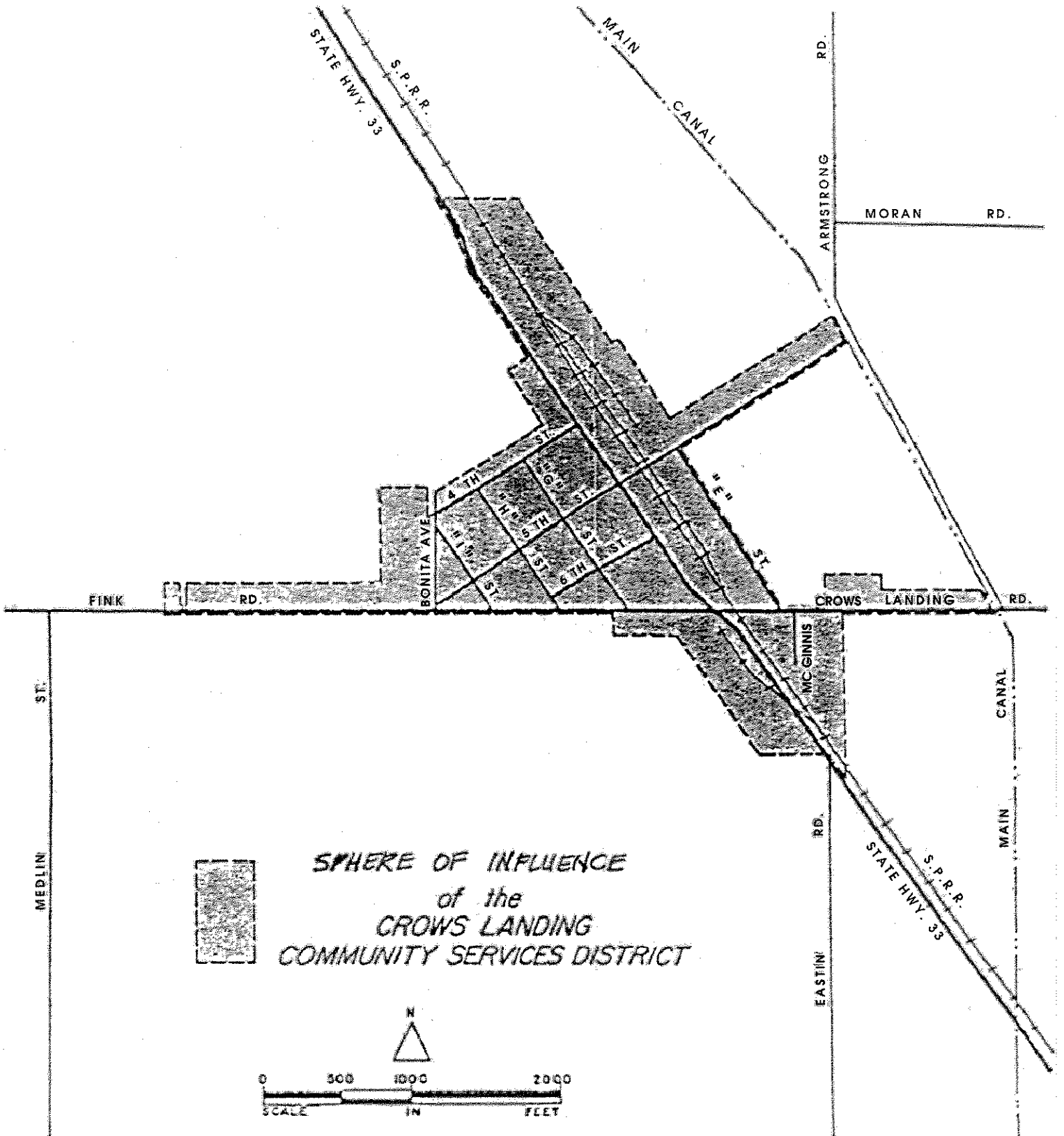
Should you have any questions regarding the above comments, please contact me at your earliest convenience.

Sincerely,

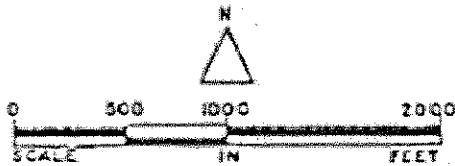


Marjorie Blom
Executive Officer

Attachment: Crows Landing Community Services District Sphere of Influence and Boundaries



*SPHERE OF INFLUENCE
of the
CROWS LANDING
COMMUNITY SERVICES DISTRICT*



**TOWN OF
CROWS LANDING**