



**ADDENDUM TO PORT OF STOCKTON
WEST COMPLEX DEVELOPMENT PLAN
ENVIRONMENTAL IMPACT REPORT**

***for Community Fuels
Biodiesel Production Facility
Lease Approval***

June 26, 2006

Port of Stockton
2201 West Washington Street
Stockton, CA 95203

TABLE OF CONTENTS

1.	COMMUNITY FUELS BIODIESEL PRODUCTION FACILITY PROJECT.....	1-1
1.1.	PROJECT OVERVIEW.....	1-4
1.2.	LOCATION AND ACCESS.....	1-5
1.3.	BUILDINGS.....	1-5
1.4.	PROPOSED FACILITIES.....	1-7
1.4.1.	Storage Areas.....	1-7
1.4.2.	Process Areas.....	1-9
1.4.3.	Office and Parking Areas.....	1-10
1.5.	CONSTRUCTION.....	1-10
1.6.	OPERATION.....	1-11
1.6.1.	Utilities.....	1-11
1.6.2.	Delivery and Shipping.....	1-12
1.6.3.	Hazardous Materials Management.....	1-13
1.7.	ADDITIONAL APPROVALS.....	1-13
2.	ENVIRONMENTAL ANALYSIS.....	2-1
2.1.	AESTHETICS.....	2-1
	Visual Environment, Regulatory Setting, and Significance Criteria.....	2-1
	Impacts of Community Fuels Biodiesel Production Facility.....	2-2
	Light and Glare.....	2-5
2.2.	AGRICULTURE.....	2-6
	Agricultural Environment, Regulatory Setting, and Significance Criteria.....	2-6
	Impacts of Community Fuels Biodiesel Production Facility.....	2-6
2.3.	AIR QUALITY.....	2-7
	Air Quality Environment, Regulatory Setting, and Significance Criteria.....	2-7
	Impacts of Community Fuels Biodiesel Production Facility.....	2-9
	Construction-Related Impacts.....	2-9
	Operations-Related Impacts.....	2-11
	Potential Impacts Not Covered in the West Complex EIR.....	2-13
	Criteria Pollutants.....	2-13
	Hazardous Air Pollutants.....	2-14
	Operational Odors.....	2-15
2.4.	BIOLOGICAL RESOURCES.....	2-16
	Biological Environment, Regulatory Setting, and Significance Criteria.....	2-16
	Impacts of Community Fuels Biodiesel Production Facility.....	2-17
	Impacts to Waters of the United States.....	2-18
	Impacts to Special-Status Habitat, Plant, or Wildlife Species.....	2-18
2.5.	CULTURAL RESOURCES.....	2-20
	Cultural Environment, Regulatory Setting, and Significance Criteria.....	2-20
	Impacts of Community Fuels Biodiesel Production Facility.....	2-21
	Impacts to Unknown Cultural Resources.....	2-22
	Impacts to Historic Resources.....	2-24
2.6.	Geology and Soils.....	2-25
	Geology and Soils Environment, Regulatory Setting, and Significance Criteria.....	2-25
	Impacts of Community Fuels Biodiesel Production Facility.....	2-26

Site-Specific Geotechnical and Soils Hazards.....	2-26
Liquefaction, Settlement, and Levee Failure.....	2-26
Levee Bank and Surface Erosion.....	2-26
2.7. HAZARDS AND HAZARDOUS MATERIALS.....	2-27
Existing Hazards, Regulatory Setting, and Significance Criteria.....	2-27
Impacts of Community Fuels Biodiesel Production Facility.....	2-29
Impacts of Construction on Contaminated Soils.....	2-29
Use and Storage of Hazardous Materials during Construction and Renovation	2-29
Damage to Overhead and Underground Utilities.....	2-30
Hazardous Material and Waste Exposure to Individuals	2-30
Asbestos and Lead Exposure Impacts	2-32
2.8. HYDROLOGY AND WATER QUALITY	2-33
Hydrological Environment, Regulatory Setting, and Significance Criteria.....	2-33
Impacts of Community Fuels Biodiesel Production Facility.....	2-34
Construction Activities	2-35
Drainage	2-36
Accidental Spills.....	2-37
Groundwater Supplies	2-38
2.9. LAND USE AND PLANNING.....	2-39
Land Use & Planning Environment, Regulatory Setting, and Significance Criteria ...	2-39
Impacts of Community Fuels Biodiesel Production Facility.....	2-40
2.10. MINERAL RESOURCES	2-41
Mineral Resource Environment, Regulatory Setting, and Significance Criteria	2-41
Impacts of Community Fuels Biodiesel Production Facility.....	2-41
2.11. NOISE.....	2-42
Noise Environment, Regulatory Setting, and Significance Criteria.....	2-42
Impacts of Community Fuels Biodiesel Production Facility.....	2-43
Construction-Related Impacts	2-43
Operational Impacts.....	2-44
Operation Impacts from Additional Traffic Noise.....	2-45
Other Potential Impacts	2-46
2.12. POPULATION AND HOUSING	2-47
Population & Housing Environment, Regulatory Setting, and Significance Criteria .	2-47
Impacts of Community Fuels Biodiesel Production Facility.....	2-47
2.13. PUBLIC SERVICES	2-48
Public Services Environment, Regulatory Setting, and Significance Criteria.....	2-48
Impacts of Community Fuels Biodiesel Production Facility.....	2-49
Operations.....	2-49
2.14. RECREATION.....	2-50
Recreational Environment, Regulatory Setting, and Significance Criteria.....	2-50
Impacts of Community Fuels Biodiesel Production Facility.....	2-50
2.15. TRANSPORTATION AND CIRCULATION.....	2-51
Transportation Environment, Regulatory Setting, and Significance Criteria.....	2-51
Impacts of Community Fuels Biodiesel Production Facility.....	2-52
Trip Generation.....	2-53
Intersection LOS Impacts	2-54
Freeway Facility LOS Impacts	2-55
2.16. UTILITIES AND SERVICE SYSTEMS	2-56

Utility Environment, Regulatory Setting, and Significance Criteria 2-56
Impacts of Community Fuels Biodiesel Production Facility 2-58
 Impacts to Non-Potable Water System..... 2-58
 Impacts to Wastewater Service 2-59
 Impacts to Potable Water Supply 2-59
 Impacts to Water Distribution Infrastructure 2-61
 Impacts to Landfills..... 2-61

1. COMMUNITY FUELS BIODIESEL PRODUCTION FACILITY PROJECT

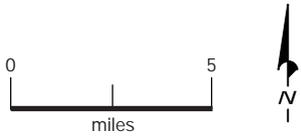
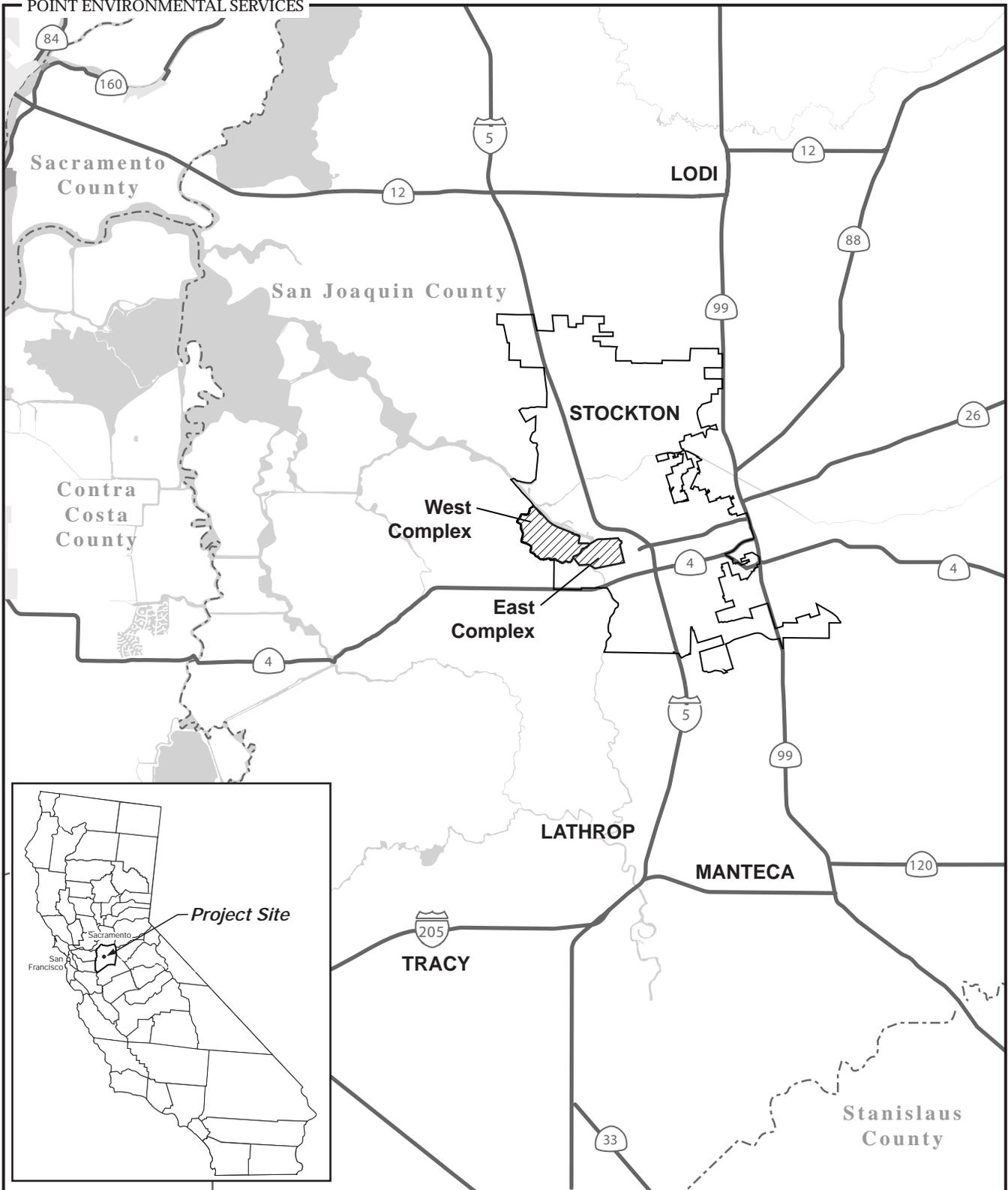
American Biodeisel, Inc. (DBA Community Fuels, hereafter referred to as “Community Fuels”) proposes to lease approximately three acres in the West Complex of the Port of Stockton (Port) to build a biodiesel production facility. The proposed production plant would produce up to ten million gallons of biodiesel, an alternative fuel derived from vegetable oil or animal fat, for sale to regional suppliers who would blend and distribute it.

The Port is located on the Stockton Deep Water Ship Channel (DWSC), 75 nautical miles east of the Golden Gate Bridge at the edge of the San Joaquin Delta. The Port has berthing space for 17 vessels, 1.1 million square feet of dockside transit sheds and shipside rail trackage, 7.7 million square feet of warehousing for both dry bulk and general cargoes, including steel. The Port is located within the City of Stockton in San Joaquin County, CA. Stockton is near the center of the Central Valley, 40 miles southeast of Sacramento (Figure 1-1).

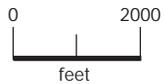
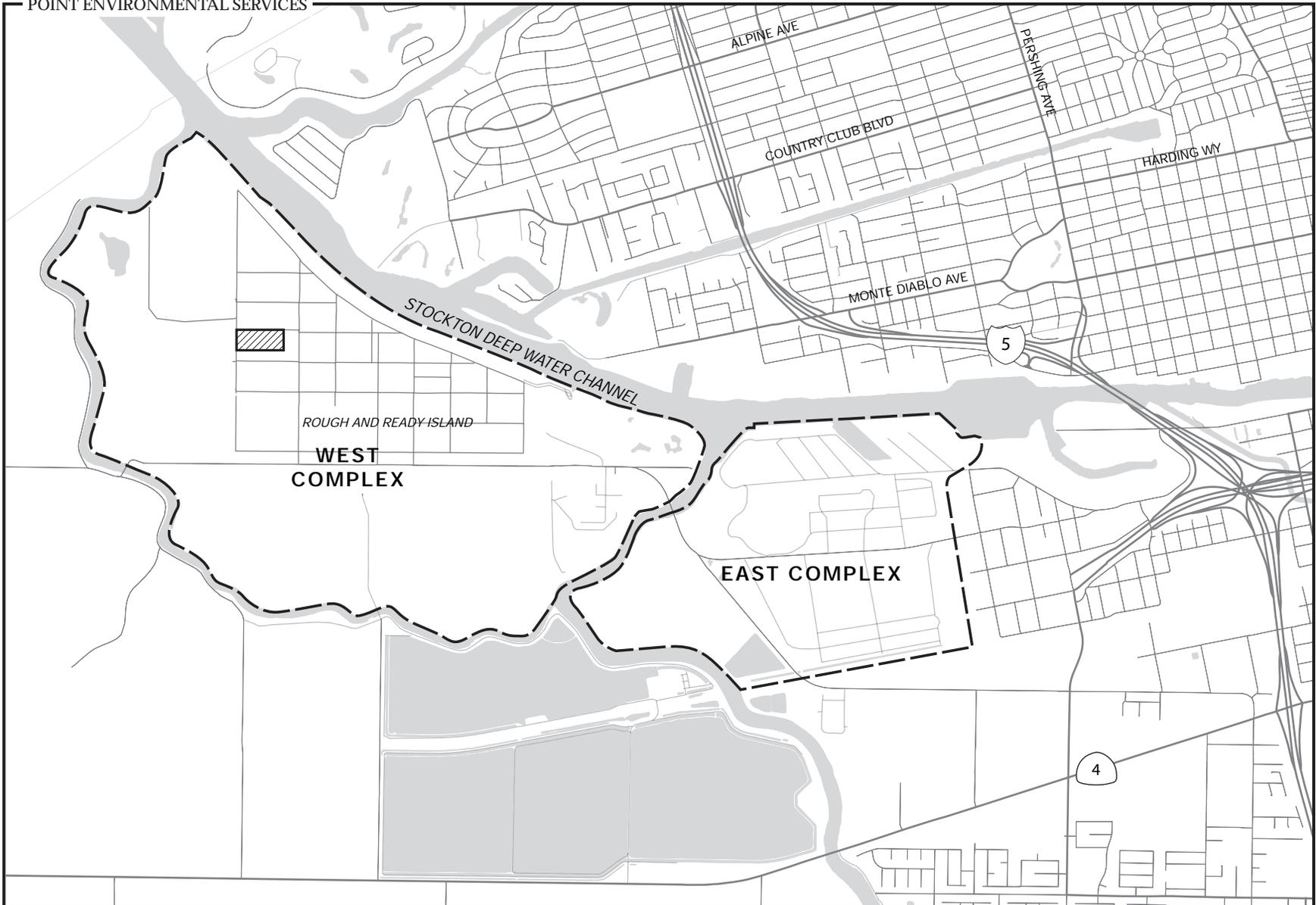
The West Complex, formerly a U.S. Naval Communication Station known as Rough and Ready Island, covers approximately 1,459 acres. An Environmental Assessment (EA) for compliance with the National Environmental Policy Act (NEPA) was prepared in 1998 to determine environmental impacts of transferring Rough and Ready Island from the Navy to Port ownership. The EA found that the transfer would not result in significant impacts to the environment and issued a Finding of No Significant Impact. In July, 2000 the Navy and the Port signed the Lease in Furtherance of Conveyance at which point areas of Rough and Ready Island began being transferred to Port ownership.

In May 2004, the Port certified the Final Environmental Impact Report (EIR) for the Port of Stockton West Complex Development Plan. The West Complex EIR is a program EIR that evaluated the impacts of the uses being considered by the Port for the entire complex as one large project. Under Section 15168 of the California Environmental Quality Act (CEQA) Guidelines, when subsequent activities are within the area covered by a program EIR, the agency should evaluate the site and activity to determine if the operations were covered in the program EIR. If the activities are found to be within the scope of the project described in the program EIR, no further environmental documentation is required. This document identifies the impacts of leasing to Community Fuels project, compares them to the impacts evaluated in the West Complex EIR, and considers whether the Community Fuels project would result in any potentially new significant impacts.

The Community Fuels proposed lease consists of the western third of Warehouse #809, a 120,000 square-foot building on Snedeker Avenue, and two adjacent acres west of the warehouse near Humphreys Drive (Figure 1-2).



Community Fuels Biodiesel Production Facility
FIGURE 1-1
REGIONAL MAP



Legend

-  Port Boundary
-  Project Site

Community Fuels Biodiesel Production Facility

**FIGURE 1-2
PROJECT LOCATION**

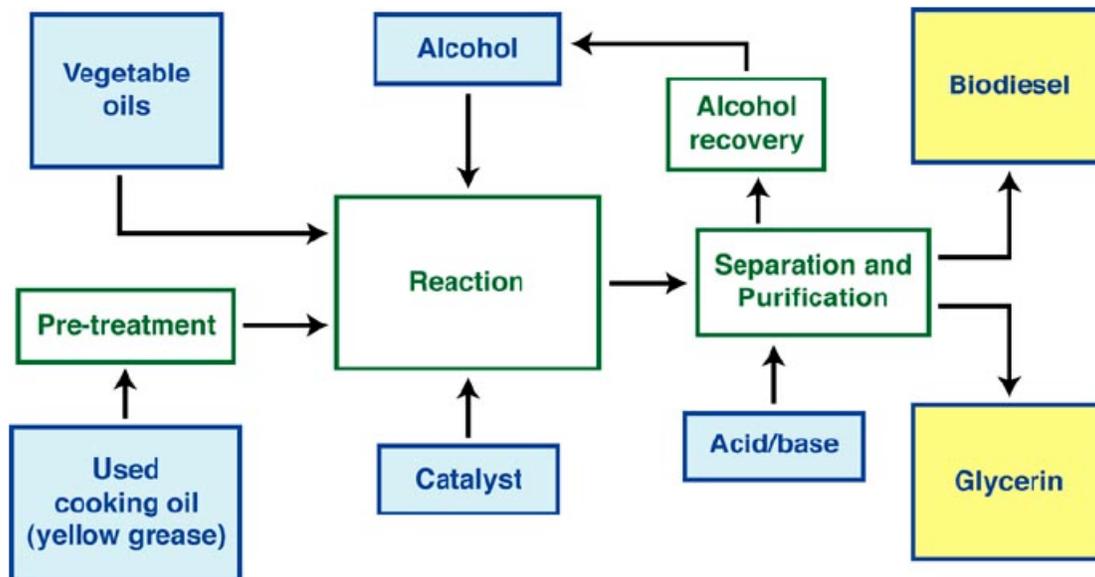
1.1. PROJECT OVERVIEW

Community Fuels would produce biodiesel fuel by removing glycerin from vegetable oil or animal fat and replacing it with an alcohol. This process produces a fuel source, biodiesel, and a byproduct, glycerol. Community Fuels plans to sell the biodiesel wholesale in bulk to fuel distributors and the glycerol to third parties for use in manufacturing applications.

Construction of the biodiesel production facility is anticipated to last no more than four months. Community Fuels plans to produce five million gallons of biodiesel during the first year of operation. After 12 to 18 months of operation Community Fuels anticipates increasing production to ten million gallons per year.

Community Fuels would use non-petroleum oils (e.g. vegetable oils, animal fats, recycled restaurant greases) as feedstocks in a process called transesterification (Figure 1-3). The feedstock reacts with alcohol using methyl oxide as a catalyst to produce methyl esters (biodiesel fuel) and glycerol. Any alcohol not fully used in the process is recovered for reuse. If yellow grease (i.e. used cooking oils) is used as the feedstock, the oil would undergo an acid pre-treatment prior to transesterification.

**Figure 1-3
BIODIESEL PRODUCTION**



Biodiesel is suitable for use in regular compression-ignition (diesel) engines and is nontoxic and biodegradable. It is registered with the Environmental Protection Agency (EPA) as a fuel source and meets clean diesel standards established by the California Air Resources Board. Combustion of biodiesel reduces emissions of air pollutants such as particulates, carbon monoxide, hydrocarbons and toxic air contaminants but slightly increases emissions of nitrogen oxides (EPA 420P-02-001, October 2002).

Biodiesel can be used as a pure fuel or blended with petroleum diesel fuel. The term biodiesel usually refers to pure biodiesel before blending. Biodiesel blends are referenced by percentage of biodiesel in the blend (e.g. B20 denotes 20% biodiesel blended with 80% petroleum diesel). B2 (i.e. 2% biodiesel, 98% petroleum diesel) is denoted as a fuel component to extend engine life through exceptional lubricity. Community Fuels proposes to sell the biodiesel wholesale to distributors who would blend it, as appropriate, and sell the blend as a retail product.

Biodiesel has the highest energy content (120,000 BTUs per gallon) of any alternative fuel and is the nation's fastest growing alternative fuel source. Biodiesel has a flash point (i.e. the lowest temperature at which a liquid can form an ignitable mixture) of over 300°F, making it safer to use, store, and handle than petroleum diesel, which has a flash point of over 147°F, or gasoline with a flash point of 113°F.

Biodiesel has been promoted as an alternative fuel that reduces emissions of greenhouse gases. Biodiesel replaces petroleum with a renewable fuel drawn from a closed carbon cycle. According to the National Biodiesel Board, the US's demand for biodiesel has increased from 500,000 gallons in 1999 to 75 million gallons in 2005. Lisa Mortenson, CEO of Community Fuels, estimates that California's 2005 demand for biodiesel was approximately 20 million gallons. Thus, the proposed production facility would provide a substantial portion of the regional biodiesel fuel supply.

1.2. LOCATION AND ACCESS

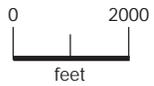
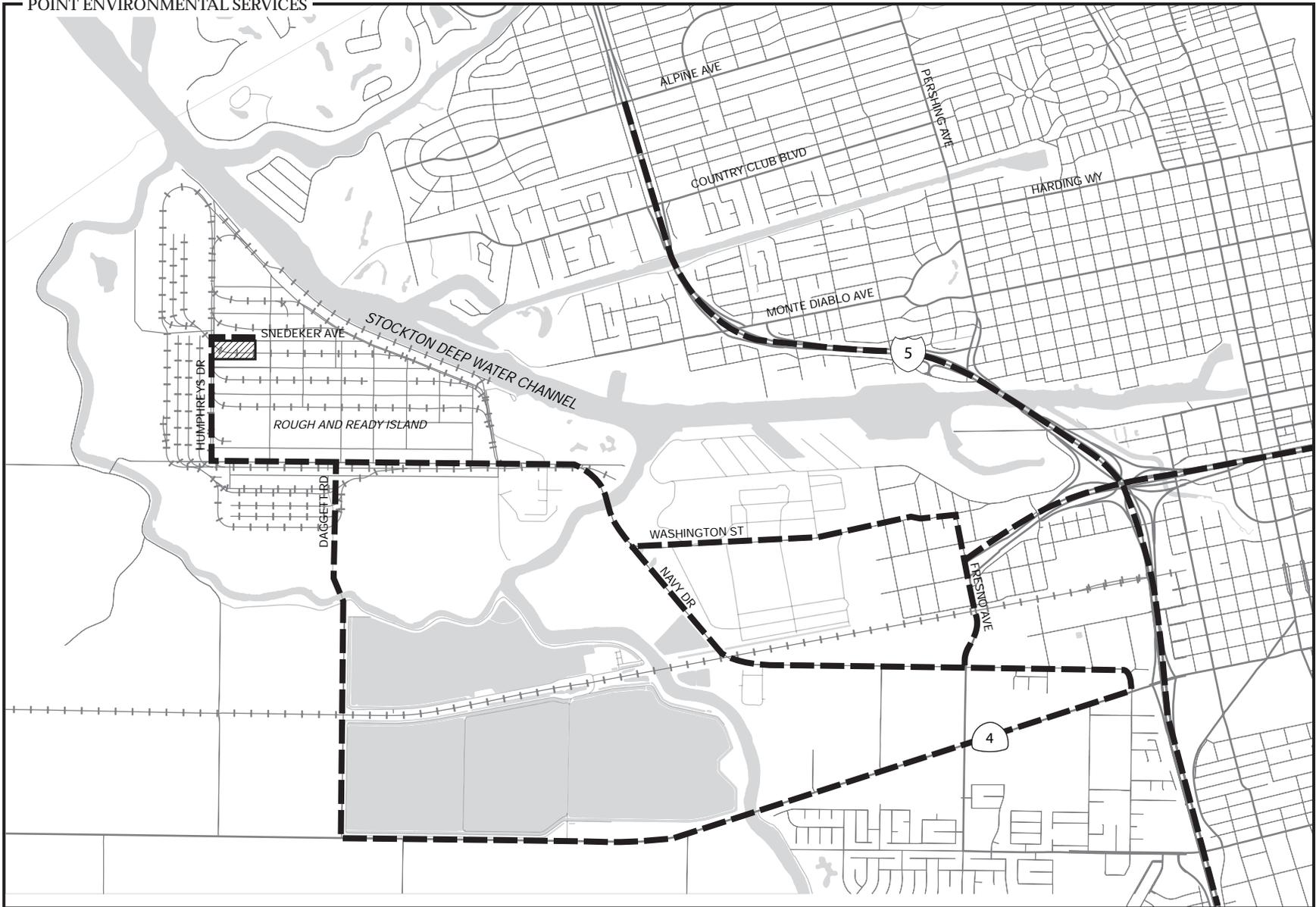
The proposed Community Fuels project site is located in the northwestern section of the West Complex. The site is surrounded by former military buildings, which currently remain vacant or are used for light-industrial purposes and as warehouse space. Access to the Community Fuels site is from Michelson Drive, Snedeker Avenue, and Humphreys Drive. Snedeker Avenue borders the site to the north and an active railroad line borders the site to the south. Currently the West Complex is accessible via Navy Drive and Washington Street, which connect with Fresno Avenue to the east. Fresno Avenue connects with Charter Way (State Route (SR) 4) and the Crosstown Freeway. Regional access to the site is via Interstate 5 (I-5) and SR4. Once the Daggett Road Bridge is completed, Daggett Road would become the major artery for the West Complex. Daggett Road is connected to SR 4 (Figure 1-4).

1.3. BUILDINGS

Warehouse #809 is a single-story building measuring 200 feet by 600 feet. It has steel structural members clad in coated metal (corrugate) siding with gable roofs clad in the same material. The interior consists of concrete floors and open ceilings. The 40,000 square feet that Community Fuels would lease comprises the western section of three divided parts of Warehouse #809, which are separated by fire doors. The remaining 80,000 square feet would not be affected by the proposed project and remain available for lease by the Port to other tenants.

Warehouse #809 is one of 30 metal and concrete warehouses built by the U.S. Navy starting in 1945. The Navy used Warehouse #809 for storage. Most recently, Cal-Agrex used the space for storage and binding of hay. Cal-Agrex vacated the building in 2005.

The warehouse currently has potable water, electric, and gas connections.



Legend

-  Access Routes
-  Project Site
-  Rail Line

Community Fuels Biodiesel Production Facility

FIGURE 1-4
FACILITY ACCESS ROUTES

1.4. PROPOSED FACILITIES

The proposed facilities would consist of outside delivery and storage areas, enclosed production and support facilities, and an office and control room (Figure 1-5).

1.4.1. Storage Areas

Table 1-1 shows the quantity of feedstocks and products to be stored on site at full production.

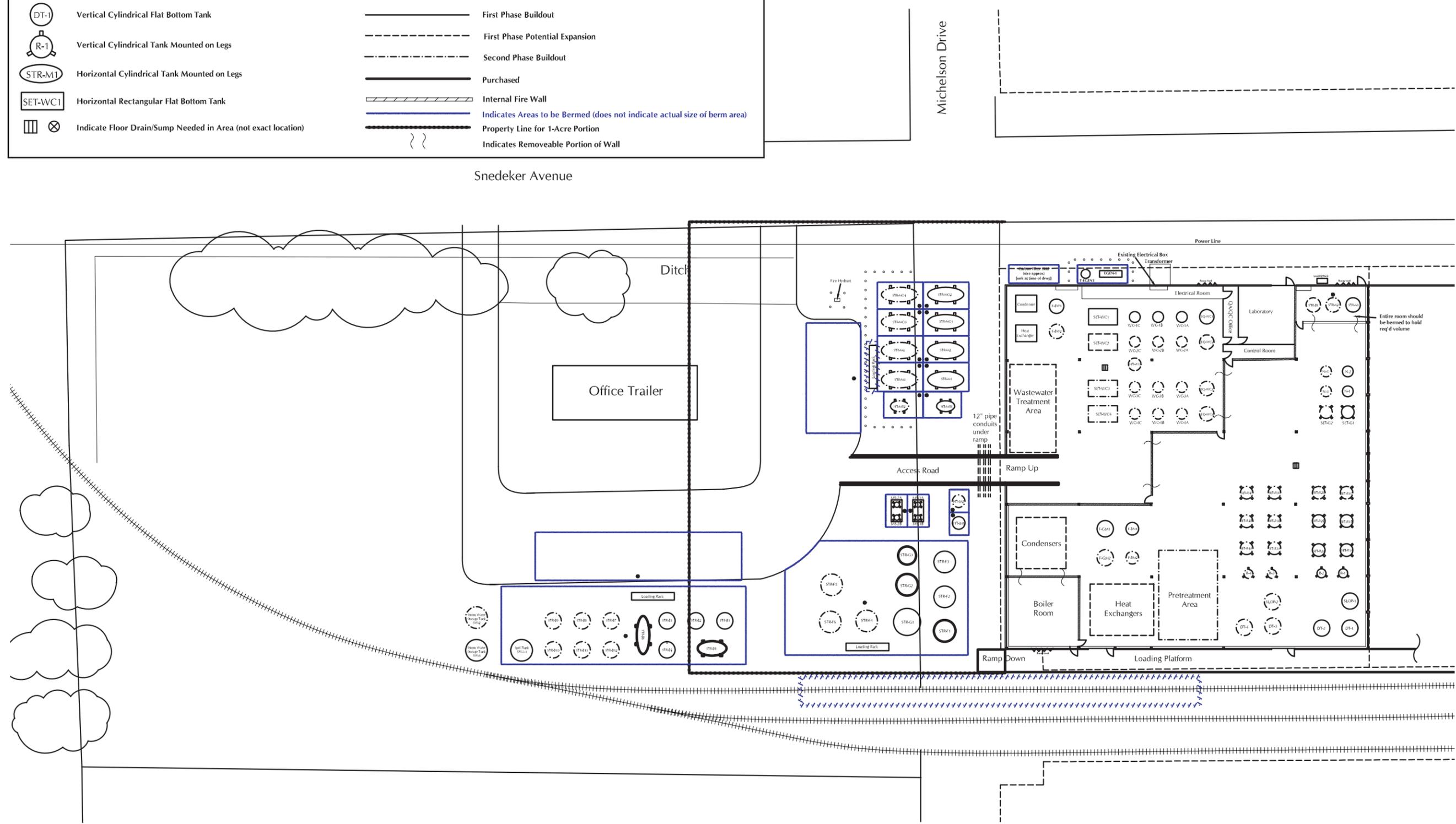
**Table 1-1
FEEDSTOCKS AND PRODUCTS**

Feedstock	Quantity Stored on Site
Non-petroleum oils	152,000 gallons
Methanol/ethanol/isopropyl alcohol	32,000 gallons
Methyl oxide	23,200 gallons
Sulfuric acid	13,000 gallons
Product	Quantity Stored on Site
Biodiesel	81,000 gallons
Glycerol	130,000 gallons

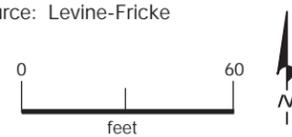
The vegetable and animal oil feedstocks would be stored in up to six 25,000-gallon vertical steel tanks on concrete slabs with secondary containment. The alcohol (methanol, ethanol or isopropyl alcohol) would be stored in four 7,900-gallon steel tanks with carbon filters for capturing and controlling the release of vapors. The alcohol tanks would be separated from the other facilities by walls composed of concrete masonry units (CMUs), commonly known as concrete blocks, and would have additional bermed areas surrounding each tank. The sulfuric acid would be stored in three 4,900-gallon vertical flat bottom tanks. The methyl oxide (a salt added to methanol) would be stored in four 5,800-gallon horizontal tanks with CMUs and carbon filters. The biodiesel would be stored in ten 6,700-gallon vertical flat bottom tanks and two 6,000-gallon horizontal tanks while the glycerol would be stored in three 34,400-gallon vertical flat bottom tanks, one 12,000-gallon vertical cone bottom tank, and one 15,000-gallon vertical flat bottom tank. Two 900-gallon emergency generator biodiesel fuel tanks would be located on site. The tanks for feedstocks and products (biodiesel and glycerol) would be located on the southern portion of the site, adjacent to the railroad. The tanks for storage of sodium methylate (methanol) and alcohol and the alcohol recovery (distillation) station would be along the northern boundary of the project site.

Legend

- | | | | |
|--|---|--|---|
| | Vertical Cylindrical Flat Bottom Tank | | First Phase Buildout |
| | Vertical Cylindrical Tank Mounted on Legs | | First Phase Potential Expansion |
| | Horizontal Cylindrical Tank Mounted on Legs | | Second Phase Buildout |
| | Horizontal Rectangular Flat Bottom Tank | | Purchased |
| | Indicate Floor Drain/Sump Needed in Area (not exact location) | | Internal Fire Wall |
| | | | Indicates Areas to be Bermed (does not indicate actual size of berm area) |
| | | | Property Line for 1-Acre Portion |
| | | | Indicates Removeable Portion of Wall |



Source: Levine-Fricke



Community Fuels Biodiesel Production Facility
FIGURE 1-5
PROPOSED FACILITIES

Sulfuric acid would be stored in the northeastern section of the warehouse. The emergency generator would be located to the north of the warehouse and contained within a bermed area. Stormwater falling within the containment areas and the loading and unloading areas would be collected and stored in two 11,000-gallon vertical flat bottom stormwater tanks planned to be located adjacent to the eastern side of the office trailer. The stormwater would be tested and, if found not to contain detectable levels of contaminants, discharged to the drainage ditch at the northern end of the site. If contaminants were found in the stormwater, Community Fuels would either treat the water in its recycling operation or dispose of it according to regulations. Community Fuels is considering placing additional trees on site and irrigating them with stormwater.

1.4.2. Process Areas

The biodiesel processing and related equipment would be located inside Warehouse #809, which would be divided into separate areas for the reaction of feedstocks with alcohol, purification of the products, and recovery of methanol and wash water.

At full production, the reaction process would require the use of up to two 6,200-gallon vertical flat bottom tanks for drying feedstocks, one 6,200-gallon vertical bottom slop tank for reprocessing feedstocks not completely reacted, and four 2,800-gallon vertical cone bottom pressure vessel reactors with feedstock, methanol, sodium methoxide, esters, glycerol, and other by-products.

Separation of the biodiesel product (an ester) and glycerol byproduct would occur in twelve 3,200-gallon vertical cone bottom settling tanks. A mixture of methanol and water would be removed from the biodiesel in two 3,200-gallon vertical column flash vessels. The glycerol phase would be sent to two 4,500-gallon neutralization tanks, where the excess sodium methoxide catalyst would be neutralized with sulfuric acid (stored in three 4,900-gallon flat-bottom vertical tanks). After neutralization, a mixture of methanol and water would be removed from the glycerol in two 10,000-gallon vertical column flash vessels.

The reaction area would also contain the natural-gas boiler, heat exchanger, condenser, and pretreatment units for yellow greases or other alternate feedstocks. The boiler would provide heat for the reaction tanks and for maintaining storage tanks at 40°F to improve the viscosity of the glycerol and other fluids. A two-hour fire wall would separate the boiler area from the reaction area where methanol, a combustible liquid, would be present. The reaction area would also be equipped with a methanol vapor detection system.

The biodiesel would be washed to remove the remaining residual methanol and other impurities. The water wash and ester drying area would contain twelve 4,300-gallon vertical packed wash columns, four 4,600-gallon vertical flat bottom pre-wash equalization tanks, four 7,700-gallon two-chamber flat bottom settling tanks, and three 2,400-gallon water storage tanks.

Washed esters would be dried in two 7,700-gallon vertical column flash vessels. The wash area would also contain a water treatment system that would allow the spent wash water to be recycled onsite and reused in the wash process. A two-hour fire wall would separate the reaction area from the wash area, where methanol would be present only in trace amounts.

A distillation column would be used to purify and recover methanol for reuse in the biodiesel production process. Purification is the process of removing the water to less than 0.3% by weight from the recycled methanol. Methanol vaporized from the flash units would be directed to the distillation column as a vapor. In addition methanol losses from the methanol storage tanks, the sodium methoxide storage tanks, and the reactor, settling, and neutralization process vessels would all be directed to the distillation column as a form of emission control. The purified methanol recovered from the distillation column would be piped to the condenser, which would recover 99.88% of the methanol. The remaining methanol would be vented to the atmosphere through a stack at the top of warehouse. Any temporary holding of methanol would occur in two 2,400- gallon vertical flat bottom tanks and two 2,000-gallon horizontal methanol recovery tanks.

The methanol recovery and purification system would be located outside in the yard area adjacent to the western wall of the warehouse. The methanol holding/recovery tanks would be separated from the other facilities by CMUs and would have additional bermed areas. No wash water recycling would occur during the initial months of testing and optimization, when the facility would produce an estimated 2,000 gallons/day of biodiesel and would discharge up to 2,000 gallons/day of wash water. This water would contain diluted concentrations of biodiesel, methanol, and other organics that would contribute to biological oxygen demand (BOD). Community Fuels expects BOD concentrations to vary considerably during the initial optimization period. The City of Stockton Regional Wastewater Control Facility has a pretreatment goal of 800 mg/l for BOD (Bill Barahaf, City of Stockton, June 12, 2006). Community Fuels expects to be able to manage its discharge to meet the required levels, but if it is not able to discharge the wash water to the sewer lines, it would either store the water in onsite tanks for later treatment or transport the nonhazardous fluids by truck to an East Bay Municipal Utility District facility that can handle these wastes. Less than 20 tanker trucks would be needed during the two-month optimization period. Once the optimization is complete, Community Fuels would recycle wash water, and the discharges would typically be boiler blowdown and sanitary wastes.

On-site and remote monitoring of the process through the implementation of extensive electronic control tools would provide an early warning system of any irregularities in the process operation. The warehouse would also contain a laboratory, a control room, an electrical room, and a transformer. A small 200-gallon per minute (gpm) cooling tower may be located adjacent to the warehouse.

1.4.3. Office and Parking Areas

Community Fuels would install a new modular structure and parking lot on the northwest portion of the site. The modular structure would contain offices, bathrooms, and the process control room. The entire yard would be fenced and lighted for security.

1.5. CONSTRUCTION

Community Fuels anticipates the completion of construction for the first phase of the tenant improvement of the proposed biodiesel production facility in less than four months. The site is essentially flat and would require only minor grading. The proposed new outside storage facilities, access roads, parking, and office trailer would occupy approximately one-acre of the land. The remainder of the leased area would be used for lay down of equipment and potential

future expansion. During the construction of the second phase, additional tanks and process equipment would be installed within the process areas shown in Figure 1-5. Construction equipment usage is shown in Table 1-2.

Warehouse #809 would remain as is with the addition of interior walls and the installation of the proposed processing equipment. The existing utilities to Warehouse #809 would be extended to serve the western third of the building, including the natural gas fuel line, the 2-inch water supply line, and the sewer line.

**TABLE 1-2
MAJOR EQUIPMENT USED IN CONSTRUCTION**

Type of Equipment	Estimated Number of Operational Hours
Forklift	100 hours
Concrete truck	40 hours
Crane	8 hours
Backhoe	32 hours
Dump truck	32 hours
Debris truck	20 hours
Delivery truck	60 hours
Grader	64 hours
Gravel truck	40 hours
Loader	64 hours
Paving equipment	40 hours

1.6. OPERATION

After an initial period of optimization, Community Fuels plans to produce up to five million gallons of biodiesel. After 12 to 18 months, Community Fuels anticipates increasing production to ten million gallons per year. At full production, Community Fuels would employ up to 24 people. The plant would operate round the clock, with up to ten employees in the daytime shift (8 AM to 4 PM), eight on the evening shift (4 PM to 12 AM), and six on the night shift (12 AM to 8 PM).

1.6.1. Utilities

During operation, Community Fuels anticipates using electricity, natural gas, potable water, stormwater, and waste water utility service.

Community Fuels estimates peak electrical usage at 600 amps and assumes an average usage of 60% of peak over 24-hours operation, with an estimated annual electric power consumption of approximately 3.2 million kWh at maximum processor flow rate. The Phase 1 Environmental Site Assessment, performed by LFR Inc., found adequate electrical supply.

The project would consume approximately 80,000 therms a year of natural gas in the boilers, assuming that the boiler has a four million Btu/hr capacity and operates, on average 23% of the time.

Construction would require a one-time usage of 5,000 gallons of water. Community Fuels estimates the initial fill of the boiler would require approximately 2,000 gallons of water. The initial pressure-testing of the process equipment, would require roughly 2,150 gallons/day of water for an approximate two week period.

During the initial system optimization phase (approximately two months), Community Fuels plans to use one gallon of wash water per gallon of biodiesel. At the reduced rate of production during the initial optimization phase (approximately 2,000 gallons of biodiesel per day), the water demand for the wash process would be approximately 2,000 gallons of water/day (a total of 120,000 gallons for a two month period). Total water use for the initial system optimization, including one-time and continuous use would be 248,660 gallons. During production at five million gallons of biodiesel per year the one-time water wash initialization is estimated at 5,000 gallons while continuous use is estimated at 4,411 gallons/day. Total water use for production of five million gallons of biodiesel per year including one-time and continuous use would be approximately 1,615,015 gallons/year. After 12 to 18 months, when full production of ten million gallons of biodiesel per year is anticipated, Community Fuels anticipates a one-time use of 7,000 gallons for initial fill of a second boiler and water wash initialization. At this production rate continuous use is estimated at 7,511 gallons/day. Total water use at ten million gallon production would be, including one-time and continuous use, 2,748,515 gallons/year. The water would be provided by CalWater through the existing lines to the site.

Wastewater would be discharged to the wastewater system. Community Fuels anticipates a one-time discharge of up to 30,000 gallons during system optimization, 1,750 gallons/day for the five million gallon biodiesel production rate, and up to 2,100 gallons/day at the production rate of ten million gallons/year.

1.6.2. Delivery and Shipping

Feedstocks and products would be delivered to the site by rail and truck through existing access routes.

The non-petroleum oils feedstocks would typically be delivered by train at a rate of approximately ten tank cars a week. Glycerol product shipments are also expected via the railroad line. The individual tank cars would be attached to trains serving other tenants at the Port and would be dispatched according to current rail schedules. The Central California Traction Company (jointly owned by Union Pacific and Burlington Northern Santa Fe) train tracks run throughout the West Complex and connect to Burlington Northern Santa Fe (BNSF) tracks outside of Port boundaries. Central California Traction Company tracks run along the southern side of Warehouse #809.

Tank trucks would transport the biodiesel shipments from the site at a rate of approximately five trucks per day. Trucks would also deliver methanol, methyl oxide, sulfuric acid, office and production supplies to the site. While rail would be the preferred method of delivery for feedstocks and glycerol, some shipment of certain feedstocks and some shipments of glycerol

may be delivered by truck. Truck loading docks are also located on the southern side of the building.

Table 1-3 shows delivery and shipping specifics, assuming ten million gallon production rates.

**TABLE 1-3
DELIVERY AND SHIPPING**

Material	Transportation Method	Quantity Per Month	Capacity
Non-petroleum oils *	Train	42 tank rail cars	24,000 gallons/tank car
Non-petroleum oils *	Truck	70 tank trucks	8,000 gallons/tank car
Methanol	Truck	35 tank trucks	7,700 gallons/tank truck
Methyl oxide	Truck	5 tank trucks	5,500 gallons/tank truck
Sulfuric Acid	Truck	11 tank trucks	2,100 gallons/tank truck
Office and production supplies	Truck	25 trucks	----
Biodiesel	Truck	140 tank trucks	7,500 gallons/tank truck
Glycerol*	Train	4 rail cars	24,000 gallons/tank car
Glycerol*	Truck	12 trucks	8,000 gallons/tank truck

*Delivery by train is the preferred and anticipated transportation method

1.6.3. Hazardous Materials Management

Community Fuels plans to use approximately 270,000 gallons of methanol, 27,000 gallons of methyl oxide (20-30% solution), and 23,100 gallons of sulfuric acid per month. The methanol tanks would have carbon filters which Community Fuels estimates would produce 20 tons of waste carbon from air pollution control per year. After the initial period of optimization, no waste from water treatment and from off-specification chemicals is anticipated.

Hazardous materials would be piped above ground so that potential leaks would be visible and repaired. Other aspects of the handling and containment process would be documented in a Federal Spill Prevention Control and Countermeasure (SPCC) Plan, which would be certified by a licensed professional engineer and in the hazardous materials business plan.

1.7. ADDITIONAL APPROVALS

Community Fuels would seek local, state and federal permits for production plant operations once the lease is finalized. Table 1-4 indicates the permitting agencies.

**Table 1-4
AUTHORIZING AGENCIES AND APPROVALS**

Agency	Permit
Discretionary Approvals Port of Stockton	Lease of 3 acres and 120,000 square feet of Warehouse #809
San Joaquin Valley Air Pollution Control District Ministerial Approvals	Authority to Construct/Permit to Operate
City of Stockton Community Development City of Stockton Public Works	Grading permit, building permits Sewer Discharge Permit
California Division of Occupational Safety and Health	Boiler and Pressure Vessel Permits
Regional Water Quality Control Board, Central Valley Region	Notice of Intent to Comply with General Permits for Construction Activity and to Discharge Stormwater Associated with Industrial Activity

In addition to the above approvals, Community Fuels is required to prepare the following plans required by the Code of Federal Regulations (CFR) and the California Code of Regulations (CCR). Table 1-5 indicates the regulatory requirements.

**Table 1-5
APPLICABLE REGULATORY PLANS AND REGISTRATIONS**

Plan	Regulatory Requirement
Spill Prevention Control and Countermeasure Storm Water Pollution Prevention Plan	Compliance with 40 CRF 112 Required for General Stormwater National Pollutant Discharge Elimination System (NPDES) Permits, reviewed by Port of Stockton
Illness and Injury Prevention Plan	Title 8, Section 3203, California Division of Occupational Safety and Health
Hazardous Materials Business Plan	San Joaquin County Office of Emergency Services
Emergency Response Planning and Community Right to Know Act Chemical Hygiene Plan	Compliance with 40 CFR 302 Occupational Safety and Health Administration
Hazardous Waste Generator Identification Registration as Biodiesel Fuel Producer	Environmental Protection Agency Environmental Protection Agency

REFERENCES

Community Fuels, 2006. Port of Stockton Application: California Environmental Quality Act Determination. 2006.

Community Fuels, 2006. Community Fuels: Use Description. January 2006.

Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.

National Biodiesel Board, 2006. National Biodiesel Board Official Website. www.biodiesel.org. Accessed April 2006.

Port of Stockton, 2003. *Port of Stockton 2002 Annual Report*. 2003

United States Environmental Protection Agency, 2002. *EPA Comprehensive Analysis of Biodiesel Impacts on Exhaust Draft Technical Report*. October, 2002.

2. ENVIRONMENTAL ANALYSIS

The following environmental analysis shows that the proposed Community Fuels Biodiesel Production Facility Project would not result in additional significant environmental impacts not addressed in the West Complex EIR.

2.1. AESTHETICS

This section identifies the impacts to aesthetics from the proposed Community Fuels project, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to aesthetics and visual resources.

The following analysis identifies the impacts of the proposed Community Fuels project to aesthetics and visual resources. The analysis compares potential impacts of the Community Fuels project to the impacts previously considered in the West Complex EIR and considers whether the project would result in any new potentially significant impacts to aesthetics.

Visual Environment, Regulatory Setting, and Significance Criteria

The project area is located the northwestern portion of the West Complex at the Port of Stockton. The West Complex EIR identified the West Complex as visible from residences adjacent to the Stockton DWSC, the Stockton Country Club, and Louis Park. Viewsheds in the direction of the Port include wharf equipment and facilities, ships, marina, and storage warehouses. To the northwest, west, and south of the complex are areas of agricultural lands or open space. Views from these locations are not sensitive to Port projects and activities.

The project site would encompass the western third of Warehouse #809 and two acres of adjacent undeveloped land. Warehouse #809 is one of 30 warehouses constructed of metal and concrete built by Navy beginning in 1945. To the east of Warehouse #809 sit two warehouses of identical shape and size with four more identical warehouses to the north. Humphreys Drive is immediately west of the site, and beyond it concrete pads stretch towards undeveloped areas to the west until meeting Burns Cut Off, which forms the West Complex's property boundary. To the south of the site are four other identical warehouses.

The West Complex EIR addressed generation of new sources of light or glare that would adversely affect day or nighttime views in the area. The West Complex EIR anticipated an increase in the number of vessels berthing and number of berthing days, and that those vessels would operate exterior lights during nighttime hours. The increase in light emissions visible during nighttime hours resulting from West Complex vessel activity was determined to be significant and unavoidable due to the Port not having authority to regulate light sources on vessels berthed in the maritime area. During daylight hours glare is emitted from reflective surfaces such as vehicle window glass, equipment and structures and is visible within sensitive receptor viewsheds. The West Complex uses nighttime lighting for worker safety and Port security. Currently the Port implements measures to decrease the amount of light visible to areas outside of its boundaries through replacing older fixtures with newer fixtures designed to focus light sources downward.

The Port is located within Stockton City Limits and the City is currently in the process of updating its General Plan. Adopted in February 2005, the Draft General Plan established the following goal:

LU-5.6 Development Design

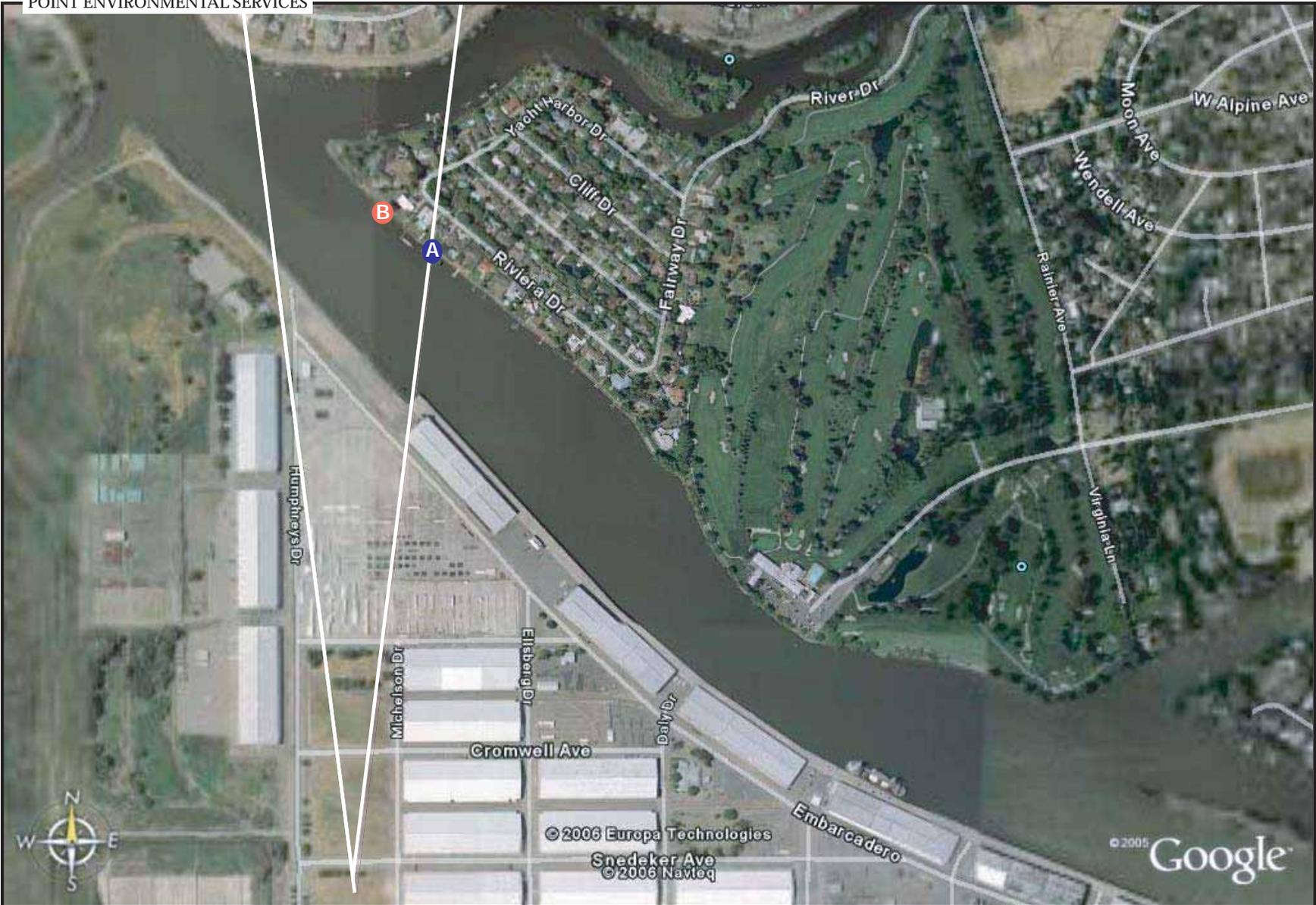
The City shall require that industrial development incorporate landscaping and good design in accordance with Citywide Design Guidelines.

The West Complex EIR found that development in the West Complex would not conflict with latest applicable environmental plans or policies adopted by agencies with jurisdiction over the project. The West Complex EIR used common standards of visual compatibility and CEQA Guidelines to establish significance criteria. The West Complex EIR determined that projects would have significant impacts to aesthetics and visual resources if a project has substantial adverse effects on scenic vistas and resources, including areas within state scenic highways, degrades existing visual character or quality of an area, or generates new sources of light or glare which adversely affect day or nighttime views in the area. The criterion established inconsistency with applicable environmental plans or policies issued by agencies with jurisdiction as significant.

Impacts of Community Fuels Biodiesel Production Facility

The Community Fuels project site is not readily visible from sensitive receptors across the Stockton DWSC as it is obscured by wharf equipment and facilities, ships when in port, and other existing warehouses. Community Fuels would place a modular structure, which would contain offices, bathrooms, and a process control room, on the northern section of the empty two acres of land at the proposed project site. Storage tanks for the feedstocks would be placed within the two acres adjacent to the warehouse. The storage tanks would be located on the southwest section of the site and are anticipated to be up to 42 feet in height, the tallest structure on the project site and potentially visible to the nearest sensitive receptors.

The modular structure has the potential to be visible to residences to the north of the West Complex across the Stockton DWSC more than 3,000 feet away. The site falls within the viewshed of residences located at the north end of Riviera Drive and along the southwest corner Saint Andrews Drive (Figure 2.1-1). Residences on Saint Andrews Drive are unable to see the project site because the levee running along the backyards of residences obstructs views of the Stockton DWSC and beyond. The project site is within the viewshed of residents along Riviera Drive, located over 3,000 feet from the site. The resident closest to the project site is represented as Location A in Figure 2.1-1. Location B of Figure 2.1-1 represents the most direct view of the site and is located over 3,500 feet away. The view from Location A to the project area is the topmost picture in Figure 2.1-2 while the lowermost picture is the line of site from Location B to the project area. The line of site between Location A and the Community Fuels site is obscured by trees on the northern boundary of the Community Fuels site and two lines of trees located at 900 feet and 1000 feet north of the site along the northern boundary of two acres of vacant land west of Warehouse #805. The project site is barely visible from Location B as the fifth warehouse beyond the wharf area as shown in Figure 2.1-2. Various structures, including fences, telephone poles, and trees lay between the line of site from Location B to the project site.



Community Fuels Biodiesel Production Facility
FIGURE 2.1-1
LINE OF SITE TO SENSITIVE RECEPTORS



Community Fuels Biodiesel Production Facility
FIGURE 2.1-2
VIEWS OF PROPOSED SITE FROM
RIVIERA DRIVE

The Community Fuels project site is not located in the viewshed of any scenic vistas or highways. There are no scenic resources located on the site. The project proposes actions that would not degrade the character or quality of the site. Construction and operation activities would not remove existing trees, and trees may be planted to reduce stormwater discharge. The project would not conflict with current applicable environmental plans or policies. Beneficial impacts to the character or quality of the site may occur through the maintenance and upkeep of the warehouse and from planting trees on site.

Light and Glare

The Community Fuels project would add additional lighting to the area for safety and security. The West Complex EIR Impact 4.10.4 addressed the impacts of light and glare.

4.10.4 The Proposed Project could increase sources of light and glare that would adversely affect day or nighttime views in the area. This is a potentially significant impact.

Light and glare from the site would be obscured by intervening warehouses and trees. The following West Complex EIR Mitigation Measures are applicable to the Community Fuels Project:

4.10.4a Stationary overhead light fixtures shall be shaded and directed away from adjacent residential areas.

4.10.4b Exterior lighting shall only be used where necessary for safety and security purposes.

The West Complex EIR determined that mitigation measure implementation would reduce impacts from light and glare associated with facilities to less than significant levels. The West Complex EIR found the impact of light and glare resulting from West Complex development significant and unavoidable after mitigation because the plan would cause an increase in the number of ships and in ship berthing time. Community Fuels would not use ships for delivery, transportation, or any other operation. Community Fuels would comply with Mitigation Measure (MM) 4.10.4a-b to further decrease impacts to day and nighttime views.

The Community Fuels project would not result in any potentially significant impacts to visual resources and aesthetics that were not addressed in the West Complex EIR.

REFERENCES

City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.

Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.

Point Environmental Services, 2006. Site Visit to Riviera Drive. June 12, 2006

2.2. AGRICULTURE

This section identifies the agricultural impacts of the proposed Community Fuels project, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to agriculture.

Agricultural Environment, Regulatory Setting, and Significance Criteria

The proposed Community Fuels project is located north of Fyffe Avenue on land designated by California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) as Urban and Built-up Land (Department of Conservation, 2002). The FMMP maintains databases of important agricultural lands to allow for informed planning decisions regarding California's agricultural resources. Established in 1982, the FMMP categorizes land use into eight types, including Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, and Urban and Built-up Land. According to FMMP, approximately 272 acres of Prime Farmland and 58 acres of Farmland of Statewide Importance are found in the West Complex, south of Fyffe Avenue.

The West Complex EIR identifies all 435 acres of agricultural land within the West Complex as located south of Fyffe Avenue. Fyffe Avenue is one-half of a mile south of the proposed project site. Thus, none of the regulatory policies intended for the protection of agricultural land apply to the development of the proposed project. The project site is not under Williamson Act Contract (San Joaquin County District Viewer, 2006). The updated Draft General Plan does not contain any goals or policies applicable to the Community Fuels project. With no agricultural land at or adjacent to the site, the potential impacts of the project do not need to be compared to agricultural significance criteria in the West Complex EIR.

Impacts of Community Fuels Biodiesel Production Facility

The Community Fuels project site is designated "Port District" (PT) by the City of Stockton. The PT designation is consistent with the industrial land use designation of the City's General Plan. The project would be located on Urban and Built-up Lands, and would not result in the conversion of Prime or other important farmlands. The proposed project site is not under Williamson Act contract, and would not involve other changes in the environment that would result in the loss of economically viable farmlands.

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant impacts to agricultural resources that were not addressed in the West Complex EIR.

REFERENCES

City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.

Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.

2.3. AIR QUALITY

The following analysis identifies the impacts the proposed Community Fuels project would have on air quality, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to air quality.

Air Quality Environment, Regulatory Setting, and Significance Criteria

The West Complex EIR describes the air quality setting of the San Joaquin Valley Air Basin (SJVAB). The basin is bordered by mountains on the south, east, and west and is susceptible to the build-up of air pollutants.

Air quality in the basin has improved since certification of the West Complex EIR. Table 2.3-1 updates the air pollutant data from the Stockton air quality monitoring stations contained in Table 4.4.2 of the West Complex EIR. The number of days during which ozone concentrations violated the one-hour state standard in Stockton is lower than in 1998, when it peaked. Based on data from 2001 through 2005, ozone concentrations in the City violated state ozone standards an average of three days per year, down from 4.5 days for the eight year period between 1996 and 2003 reported in the West Complex EIR. Background PM10 concentrations in Stockton have exceeded state 24-hour average standards each year between 2001 and 2005. The number of days above the state 24-hour standard peaked in 2001 at 64, and has since improved to 47 days in 2005, with a low of 17 days in 2003.

The West Complex EIR identified the SJVAB as an area of severe nonattainment for national and state ozone standards, serious nonattainment for national PM10 standards, and nonattainment for state PM10 standards. The classification for the national eight-hour ozone standard has since been reduced to serious nonattainment. The national one-hour ozone standard was revoked June 15, 2005. The SJVAB continues to be an area of attainment for all other criteria pollutants, including Carbon Monoxide, Sulfur Dioxide, Lead, and Nitrogen Oxide.

The West Complex EIR identifies regulatory agencies and management plans designed to achieve attainment status, increase air quality, and reduce emissions from mobile and stationary sources. The nonattainment status of the basin for national and state ozone and PM10 standards places restrictions on the amount of ozone precursor (NOx and ROG) and PM10 emissions that can occur from stationary and indirect sources. The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local agency responsible for regulating emissions within the basin.

The Draft General Plan contains two new policies applicable to the project:

HS-4.9 Dust Suppression Measures

The City shall require contractors to implement dust suppression measures during excavation, grading, and site preparation activities. Techniques may include, but are not limited to, the following:

Table 2.3-1
SUMMARY OF MONITORING DATA FOR THE STOCKTON AREA, 2001 - 2005

Pollutant	State Standard	National Standard	Pollutant Concentration by Year ^a				
			2001	2002	2003	2004	2005
Ozone (Hazelton Street)							
Highest 1-hour average, ppm ^b	0.09	NA ¹	.10	.10	.10	.10	.10
Days over State Standard			5	2	3	1	3
Days over National Standard			0	0	0	0	0
Highest 8-hour average, ppm	NA ²	0.08	0.09	0.08	0.09	0.08	0.09
Days over National Standard			1	0	1	0	1
Ozone (East Mariposa Road)							
Highest 1-hour average, ppm ^b	0.09	NA ¹	0.11	0.11	*	*	*
Days over State Standard			5	5	*	*	*
Days over National Standard			0	0	*	*	*
Highest 8-hour average, ppm	NA ²	0.08	0.09	0.09	*	*	*
Days over National Standard			1	1	*	*	*
Respirable Particulate Matter (PM10)							
Highest 24-hour State average, µg/m ³ ^b	50	150	147	91	90	61	84
Year coverage ^c			0	0	0	0	100
Calculated Days > State Standard			64	58	17	18	47
Calculated Days > National Standard			0	0	0	1	0
Annual State Average, µg/m ³	20	50	37	36	28	29	30

Note: Bold values are in excess of state or federal standard. NA = Not Applicable or Not Available

^a Data was collected at the Hazelton Street monitoring station unless otherwise noted. The East Mariposa Road station monitors for ozone only.

^b ppm=parts per million; µg/m³=micrograms per cubic meter

^c PM10 is measured for 24 hours every sixth day of the year. The term Year Coverage indicates, on a scale of 0 to 100, the extent that monitoring data are available for the time of year that historically has experienced the highest concentration.

* Insufficient (or no) data available to determine the value

The National 1-hour Ozone standard was revoked on June 15, 2005.

The California Air Resources Board has approved a state 8-hour standard expected to become effective in 2006.

SOURCE: California Air Resources Board, Air Quality Data Statistics, http://www.arb.ca.gov/adam/php_files/aqdpdp/sc8start.php, 2006.

- Site watering or application of dust suppressants
- Phasing or extension of grading operations
- Covering of stockpiles
- Suspension of grading activities during high wind periods (typically winds greater than 25 miles per hour)
- Revegetation of graded areas.

HS-4.10 Travel Demand Measures

Coordinating with the SJVAPCD, the City shall require large development projects to mitigate air quality impacts. As feasible, mitigations may include, but are not limited to the following:

- Providing bicycle access and parking facilities
- Providing preferential parking for high occupancy vehicles, car pools, or alternative fuels vehicles
- Establishing telecommuting programs or satellite work centers

The West Complex EIR established air quality significance criteria for regulated pollutants based on SJVAPCD guidelines for determining CEQA significance. Construction impacts are considered significant if they would violate SJVAPCD Regulation VIII dust control measures. Operational impacts are considered significant if they result in ozone precursors greater than 10 tons/year, increase the probability of contracting cancer for the maximally exposed individual (MEI) to greater than ten in one million, or result in a Hazard Index for ground level concentrations of non-carcinogenic toxic air contaminants (TAC) greater than one. Any individual project resulting in an air quality impact is also considered to have a cumulative impact under District guidelines. Significance criteria for objectionable odors were based on the potential to affect a substantial number of people, as contained in Appendix G of the CEQA Guidelines.

Impacts of Community Fuels Biodiesel Production Facility

The proposed project would use standard construction equipment on two acres of land over a period of less than four months, and would implement dust control measures pursuant to Draft General Plan Policy HS-4.9.

Operational, direct sources of emissions would include boilers, storage tanks, process units, an emergency generator, and a potential cooling tower. Indirect sources of emissions would include vehicle and rail traffic, yard equipment, and area sources (space and water heating, landscaping equipment). The project would emit methanol, a hazardous air pollutant and potential source of odor. The production process would use yellow grease, another potential source of odor. The use of carbon filters on the methanol storage tanks would control odors.

Construction-Related Impacts

The West Complex EIR analyzed potential construction related dust and exhaust emissions based on conformance with SJVAPCD Regulation VIII dust control measures. The analysis

also used a program developed by the Sacramento Metropolitan Air Quality Management District (SMAQMD) to calculate daily dust and exhaust emissions for anticipated construction projects at the West Complex. Emissions estimates were based on the use of typical construction equipment, including: stationary and mobile gas powered equipment, tractors, crushers, scrapers, trenchers, and surfacing equipment.

For fugitive dust emissions, the West Complex EIR assumed two acres of soil disturbance per day as a worst case scenario and estimated that 122 lbs/day of fugitive dust and PM10 exhaust would be produced. With the adoption of standard dust mitigation measures required by the SJVAPCD, fugitive dust and PM10 emissions would be reduced to 53 lbs/day, below the SMAQMD significance level of 275 lbs/day.

For ROG exhaust emissions, the West Complex EIR assumed up to 12.6 acres of paving operations per day as a worst case scenario and estimated that 35 lbs/day of ROG's would be generated. This level is below the SMAQMD threshold level of 85 lbs/day and would be reduced with implementation of feasible Construction Equipment Mitigation Measures identified in the SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI).

For NOx emissions, the West Complex EIR assumed two acres of soil disturbance per day and 1,200 cubic yards of fill transported as the worst case scenario and estimated that 79 lbs/day NOx would be generated. This level is below the SMAQMD threshold level of 85 lbs/day and would be reduced with implementation of feasible Construction Equipment Mitigation Measures identified in the SJVAPCD's GAMAQI.

The proposed project would generate constructed related dust and exhaust emissions. West Complex EIR Impact 4.4.1 considered construction related dust and emissions:

4.4.1 Construction-related activities associated with the Proposed Project would temporarily and intermittently increase fugitive dust and combustion emissions that could violate state air quality standards if the air district's standard dust control measures were not implemented. The increase in fugitive dust is considered a potentially significant impact.

The proposed construction activities are within the scope of the West Complex EIR analysis, which found fugitive dust emissions to be below SJVAQMD and SMAQMD significance levels. Standard construction equipment would be used to disturb less than two acres of land per day during construction of the proposed project. To limit fugitive dust and PM10 exhaust emissions, the Port will require that the SJVAPCD's Regulation VIII Control Measures be incorporated into all project construction plans and specifications and would retain an on-site air quality monitor in satisfaction of MM 4.4.1a of the West Complex EIR. To further reduce the potential for fugitive dust emissions, the following mitigation measure would apply to the proposed project:

4.4.1b Further reduction of emissions of construction-related fugitive dust. When the Port approves a project component implementing the West Complex Development Plan, the Port will require compliance with any feasible and

appropriate SJVAPCD Enhanced and Additional Control Measures applicable to the particular project component.

SJVAPCD Enhanced Control Measures for fugitive dust control consist of limiting traffic speeds on unpaved roads and installing sandbags to prevent silt runoff to public roadways from sites with a slope greater than one percent. The proposed project would limit traffic speeds on all unpaved access roads to 15 miles per hour (mph) but would not require the installation of sandbags adjacent to public roadways. The proposed site does not contain slopes greater than 1%. The proposed project would install wheel washers for exiting trucks and suspend grading activities when winds exceed 25 mph, in satisfaction of the District's Additional Control Measures and Draft General Plan Policy HS-4.9. The proposed project site is sheltered from wind on the east by Warehouse # 809, and the application of water required by Regulation VIII control measures and City policies would limit wind driven fugitive dust. For these reasons, windbreaks are considered inappropriate for the proposed project. Construction activities would disturb less than two acres of land and limiting the areas of excavation and grading is considered inappropriate for the proposed project.

The proposed project would involve approximately 500 feet of access road construction and paving operations and would not exceed SMAQMD threshold levels for ROG or NOx. The Port would require construction contractors to limit idling time to a maximum of ten minutes for heavy duty construction equipment (e.g., scrapers, graders, trenchers, earthmovers) in satisfaction of MM 4.4.1c. The following West Complex EIR Mitigation Measure would apply to the proposed project:

4.4.1d Further reduction of exhaust emissions from construction equipment
When the Port approves a project component, the Port will consider the Construction Equipment Mitigation Measures identified by the SJVAPCD, and will implement those Construction Equipment Mitigation Measures that the Port determines are feasible and appropriate for the specific project-component.

SJVAPD Construction Equipment Mitigation Measures for exhaust emissions control consist of the use of alternative fuels, technologies, or equipment that reduce construction exhaust emissions and activity management plans that reduce short term emissions impacts.. All construction equipment for the proposed project would be post-1985 models and use 5% biodiesel blended diesel fuel (B5). The use of B5 in construction equipment would reduce emissions of ROGs and PM, but would not reduce emission of NOx. To the extent practicable, fossil-fueled equipment would be replaced with electrically driven equipment to reduce NOx emissions. The short construction schedule and limited use of each piece of diesel equipment reduces the feasibility of installing particulate traps on existing diesel-driven equipment or using new alternative technologies for the proposed construction activities.

Operations-Related Impacts

The proposed project would result in operational emissions from motor vehicles, yard equipment, rail traffic, and area sources. The West Complex EIR considered the emissions from these sources in West Complex Impact 4.4.2:

4.4.2 Implementation of the Proposed Project would result in an increase in operational emissions of criteria air pollutants (ROG, NO_x and PM₁₀). This is considered a significant impact

The West Complex EIR considered the operations-based impact of criteria air pollutants from increased area sources, traffic (including trucks, vehicles, and yard equipment), and maritime and rail activity. The analysis assumed 897 acres of build out space at the West Complex for area source emissions, 51,319 additional vehicle trips/day for traffic emissions, an increase in rail usage from 12 to 20 trains per month, and an increase in marine vessel at the Port from 20 to 150 calls per year. Ten pieces of yard equipment each operating 105 days per year were also assumed in the traffic emissions estimate.

The proposed project would develop one acre of land and result in approximately 68 vehicle trips per day and 42 rail cars/month. The proposed project would not result in additional train trips; rail cars would be added to trains already serving the Port. The use of yard equipment is not proposed, but if required would be well within the operating conditions analyzed in the EIR. The proposed project would not increase vessel calls at the Port.

The West Complex EIR identified several measures to reduce the impact from operations based emissions. The Port is currently developing a Travel Demand Management Plan pursuant to MM 4.3.1. This measure would help reduce operational motor vehicle emissions of the proposed project. The Port is also implementing roadway improvements along Daggett Road and McCloy Avenue. Upon completion of the Daggett Road Bridge project, the Port would begin monitoring its roadways pursuant to MM 4.4.2a to reduce congestion. The proposed project does not represent a substantial increase in truck traffic at the West Complex (refer to Section 1.22 Transportation and Circulation). The Port will implement its Truck Driver Information, retrofit incentive, and Heavy Duty Vehicle Education programs pursuant to MM 4.4.2a-d, respectively, prior to completion of the first project that substantially increases truck traffic at the West Complex. These measures will encourage the use of cleaner burning diesel engines and provide funding programs to support the retrofit or replacement of older diesel engines. Once implemented, the Community Fuels project would be subject to these programs.

To further reduce emissions from off-road equipment, the Port will require compliance with California emissions standards for all new cargo-handling diesel equipment pursuant to MM 4.4.2b. The Port will review all diesel equipment purchases for compliance with this measure. In addition, the Port will monitor all project fuel purchases for off-road and portable diesel powered equipment to ensure ARB certified fuel is being used pursuant to MM 4.4.2d of the West Complex EIR.

Even with implementation of the measures identified above, the West Complex EIR found operations-based emissions of criteria pollutants to be a significant and unavoidable impact. The West Complex EIR also analyzed the potential carbon monoxide (CO) impacts from mobile sources of emissions. The analysis concluded that the increased traffic would not result in significant CO concentrations from increased traffic volumes and intersection congestion. The proposed project is within the envelope of traffic estimates for the West Complex EIR and would not result in a violation of national or state CO standards.

Potential Impacts Not Covered in the West Complex EIR

The proposed Community Fuels project would have sources of emissions that were not considered in the West Complex EIR. These sources have the potential to result in emissions of criteria pollutants, hazardous air pollutants (HAPs), and pollutants with objectionable odors.

Criteria Pollutants

The West Complex analyzed the air quality impacts from area sources, but did not predict the impacts from non-area stationary sources. The proposed project would result in operational emissions from stationary sources not covered in the West Complex EIR, including an emergency generator, two boilers, two condensers, ten alcohol storage tanks, and a possible cooling tower. These stationary sources would emit ozone precursor emissions of ROG and NOx. This is a potentially significant impact.

Stationary source emissions were calculated using emissions estimates from the U.S. Environmental Protection Agency’s AP-42 (5th ed.) publication. At buildout, the proposed project would process 12,000,000 tons of methanol and require 420 tank fills of methanol and 60 tank fills of methyl oxide per year. ROG would be emitted from the condenser during the alcohol recovery process, storage tanks, and boilers. The condenser was assumed to have 99.88% control efficiency. Storage tanks would have a vapor recovery and carbon adsorption system with 90% control efficiency. Natural gas fired five MM BTU/hour boilers would operate 24 hours, 365 days per year. The project would maintain a 200 gpm cooling tower and 402 hp backup emergency generator with a maximum of 200 hours pf operation per year. Table 2.3-2 summarizes the emissions from stationary sources not covered in the West Complex EIR.

**Table 2.3-2
PROJECT STATIONARY SOURCE EMISSIONS**

Emission Source	Proposed Emissions (tons/year)				
	NOx	SOx	CO	PM	ROG
Process Units (2)	--	--	--	--	7.4
Alcohol Tanks (4) ¹	--	--	--	--	0.42
Methyl Oxide Tanks (4) ²	--	--	--	--	0.04
Boilers (2)	1.05	0.01	1.8	0.15	0.12
Cooling Tower	--	--	--	1.0	--
Emergency Generator	0.44	0.08	0.05	0.01	0.01
Fugitives (Valve, Flange, Seal leaks)	--	--	--	--	0.2
Total Project Emissions	1.49	0.09	1.85	1.16	8.19

¹Tank dimensions are 8 ft. diameter, 21 ft long. Capacity = 7900 gallons per tank

²Tank dimensions are 7 ft. diameter, 20 ft. long. Capacity = 5800 gallons per tank.

Glycerol and biodiesel storage tanks were not included in the analysis of stationary source emissions. Methanol, with a vapor pressure of 12.3 kilopascals (kPa) (0.121 atmospheres), was considered the only significant source of ROG. Glycerol, with a vapor pressure of < 0.01 kPa, and biodiesel, with a vapor pressure <0.02 kPa, do not volatilize easily and thus would contribute negligible emissions of ROG.

The SJVAPCD has established significance thresholds for operational emissions of ROG and NO_x at 10 tons/year. Operational emissions of the proposed project would not exceed District significance thresholds established for ROG and NO_x, and would, therefore, result in a less than significant impact.

The SJVAPCD has not established significance thresholds for operational PM 10 emissions. The district is, however, an area of nonattainment for PM₁₀ emissions, and the proposed project could contribute to future nonattainment status for PM₁₀ emissions. For reference, the Bay Area Air Quality Management District has established significance thresholds for operation PM₁₀ emissions at 15 tons/year. The proposed project would emit 1.16 tons of PM₁₀ annually (6.4 lbs/day). In addition, the production of biodiesel would contribute to reduced PM₁₀ emissions from motor vehicle operations. B20, the most common blend of biodiesel fuel, is estimated to reduce PM₁₀ emission from combustion engines by 12% (EPA 420-P-02-001, October 2001). For these reasons, operational emissions of PM₁₀ are not considered to result in a significant impact.

Hazardous Air Pollutants

The West Complex EIR analyzed the potential for sensitive receptor exposure from toxic air contaminants associated with stationary and mobile sources. This analysis was limited to diesel engine particulates. The proposed project would emit 8.19 tons/year of methanol, a hazardous air pollutant (HAP). This is a potentially significant impact.

Methanol is classified as a non-carcinogenic compound with acute and chronic health effects. The SJVAPCD requires a health risk evaluation for projects with potential increases in hourly, daily, or annual HAP emissions. As described in the District's Risk Management Policy for Permitting New and Modified Sources (2001) the first step in the health risk evaluation is to determine the facility's prioritization score to see if a detailed assessment is needed. The facility prioritization score is calculated using procedures in the California Air Pollution Control Officers Association (CAPCOA) Facility Prioritization Guidelines, July 1990. Projects with a prioritization score of one or greater require that a detailed health risk assessment be conducted. For projects with a prioritization score less than one, no further assessment is required and potential health risks are considered to be less than significant.

Total annual methanol emissions of the proposed project would be less than 10 tons/year. Maximum short-term methanol emissions are expected to occur during the tank fill process, and are estimated to be about five pounds per hour (lbs/hour). A facility prioritization score analysis was conducted according to the CAPCOA Facility Prioritization Guidelines, and assumed an annual emissions average of ten tons/year (2.3 lbs/hour), a maximum hourly emission average of five lbs/hour, and a nearest residential receptor location of 50 meters. At a distance of 50 meters the acute facility prioritization score was calculated as 0.27 and the chronic facility prioritization score was 0.09. These facility prioritization scores are both

less than one, and the project does not require further assessment. In addition, actual annual methanol emission would be less than 10 tons/year, and the nearest residential receptor is located approximately 800 meters from the proposed project. The potential project health risks to sensitive receptors associated with methanol emissions, therefore, are considered to be less than significant.

Operational Odors

The West Complex EIR did not consider the impacts from operational odors. The proposed project could result in objectionable odors, a potentially significant impact.

Nearby sensitive receptors consist of the Stockton Country Club, located approximately 2,500 feet away across the Stockton DWSC, and residential neighborhoods, located over 3,000 feet away also across the Stockton DWSC. Potential sources of project odor include methanol, which has a pungent alcoholic odor, and yellow grease, a common commercial odor. Detectable odor concentrations for methanol are approximately 2,000 ppm. The acute HAP facility prioritization score for methanol (0.27) corresponds to approximately seven ppm. The risk of odor from methanol emissions, therefore, is not considered significant.

Yellow grease odor is caused by product particulates released into the air, usually at high temperatures required for cooking. No odor threshold for yellow grease has been established. During the production process, yellow grease would be heated to approximately 40° Fahrenheit and stored in tanks. Vegetable oil has a low vapor pressure, and the potential for objectionable odors at sensitive receptor locations, therefore, is considered a less than significant impact.

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant air quality impacts not identified in the West Complex EIR.

REFERENCES

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2.4. BIOLOGICAL RESOURCES

The following analysis identifies the impacts that the proposed Community Fuels project would have on biological resources, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to biological resources.

Biological Environment, Regulatory Setting, and Significance Criteria

The West Complex EIR describes the biologic setting on Rough and Ready Island. Wildlife habitats on the island were categorized according to the California Department of Fish and Game's Guide to Wildlife Habitats. The proposed project is located on lands classified as Industrial and Urban in the West Complex EIR. The site consists of Warehouse #809 and two acres of annual grasslands west of the warehouse. The West Complex EIR described annual grasslands as ruderal and dominated by exotic species such as orchard grass (*Dactylis glomerata*), Johnson grass (*Sorghum halepense*), and yellow thistle (*Centaurea solstitialis*).

Agencies with jurisdiction over special status habitats, plant, and wildlife species are discussed in the West Complex EIR. The Draft General Plan update contains several new policies applicable to the proposed project:

NCR-2.4 Impacts to Sensitive Habitats

The City shall consider the loss of sensitive habitats due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate mitigation for this loss.

NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan

The City shall continue to coordinate with the San Joaquin Council of Governments and the Multi Species Habitat Conservation and Open Space Plan to protect critical habitat areas that support endangered species and other special-status species.

NCR-2.6 New Development in Sensitive Areas

The City shall require careful planning of new development in areas that are known to have particular value for biological resources to maintain sensitive vegetation and wildlife habitat.

NCR-2.12 Requirements for Biological Studies

On sites that have the potential to contain critical or sensitive habitats or special-species or are within 100 feet of such areas, the City shall require the project applicant to have the site surveyed by a qualified biologist. A report on the findings of this survey shall be submitted to the City as part of the application process.

The San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) provides management strategies to balance development with open space conservation and contains measures designed to mitigate impacts to special status plant, fish, and wildlife species covered by the plan. The SJMSCP also establishes compensatory fees and offsite mitigation schedules for the conversion of open space to non-open space uses. Participation in the plan is voluntary, however, and permits activities that may result in “Incidental Take” of species covered by the SJMSCP.

The West Complex EIR established biological significance criteria based on the potential for direct or indirect adverse effects on any special-status species or habitat and the potential for conflict with plans or policies protecting biological resources.

Impacts of Community Fuels Biodiesel Production Facility

The West Complex EIR determined construction activities and project operations in the West Complex could potentially result in direct and indirect adverse impacts to “waters of the United States,” special-status species covered under the SJMSCP, and special-status species not covered under the SJMSCP. West Complex EIR Impacts:

4.8.1 Construction activities in the Project Area could potentially result in direct and indirect impacts to “waters of the United States,” including wetlands. This would be a significant impact.

4.8.2 Construction activities and project operations in the Project Area could result in adverse impacts to special status species covered under the SJMSCP. This is a significant impact..

4.8.3 Future development activities resulting from the Proposed Project could result in direct or indirect impacts to habitat for special-status species not covered under the SJMSCP (soft bird’s beak, round-leaved filaree, Sacramento perch, river lamprey, Kern Brook lamprey, Pacific lamprey, Central Valley fall/late fall-run and spring-run Chinook salmon, Central Valley steelhead, and salt-marsh harvest mouse). This is a significant impact.

To mitigate these impacts to, the West Complex EIR required pre-construction surveys to identify any jurisdictional “waters of the United States” and special-status habitat or plant and wildlife species occurring within the vicinity of proposed projects at the West Complex.

A pre-construction biological resources survey was performed by Moore Biological Consultants for the proposed project. The assessment included a search of the California Department of Fish and Game's (CDFG) California Natural Diversity Database for both the Stockton West and Holt USGS 7.5 topographic quadrangles and a site visit to evaluate the presence of potential "waters of the United States" and identify special-status habitat or plant and wildlife species pursuant to MM 4.8.2b and 4.8.3 of the West Complex EIR.

Impacts to Waters of the United States

The proposed project would not affect jurisdictional "waters of the United States." A historic, rock-lined drainage ditch exists along the western and northwestern boundaries of the proposed lease. This ditch is part of a larger drainage system that drains to the south and west to a pump station at the levee on the southwest side of the island. Discharges from drainage ditches at the West Complex are retained, tested, and then pumped over the levee into Burns' Cutoff under National Pollutant Discharge Elimination System (NPDES) Permit # CA-S0084077. The Jurisdictional Wetlands Delineation Report (US Navy 1996) performed for the Navy transfer EA found that the man-made ditches were not subject to regulation under Section 404 of the Clean Water Act. The 1996 delineation found six wetlands, including one adjacent to the pumping station. The West Complex EIR found that the wetlands in the 1996 delineation may no longer be within Corps jurisdiction and recommended a new delineation where warranted. [add summary of PMC report]

Though no jurisdictional waters exist at the proposed site, construction activities would be required to reduce the potential for impacts to overall water quality through implementation of the following mitigation measures:

4.7.1 Please refer to Section 2.8, Hydrology and Water Quality, for a description of this mitigation measure.

4.11.3 Please refer to Section 2.7, Hazards and Hazardous Materials, for a description of this mitigation measure.

4.7.2 Please refer to Section 2.8, Hydrology and Water Quality, for a description of this mitigation measure.

Impacts to Special-Status Habitat, Plant, or Wildlife Species

The project site contains two acres of heavily disturbed grassland dominated by various non-native annual grass and weed species, including field mustard (*Brassica rapa*), common mallow (*Malva neglecta*), fiddleneck (*Amsinckia intermedia*), foxtail barley (*Hordeum murinum*), ripgut brome (*Bromus diandrus*), annual bluegrass (*Poa annua*), soft chess brome (*Bromus hordeaceus*), and oats (*Avena sp.*). Small to medium-sized black walnuts (*Juglans californica*) exist along the north and west edges of the site. No blue elderberry (*Sambucus mexicana*) shrubs are located at or adjacent to the site.

No sensitive plants or suitable habitat for sensitive plants, including soft birds beak (*Cordylanthus mollis mollis*) and round-leaved filaree (*Erodium macrophyllum*), were observed in or adjacent to the site during the pre-construction survey.

Based on the distribution of regional occurrences, habitat suitability, and field observations, the likelihood of occurrence of listed, candidate and other sensitive wildlife species in the project site is generally considered low. Sensitive wildlife species with the potential to occur at the site include Swainson's hawk (*Buteo Swainsoni*) and burrowing owl (*Athene cunicularia*). These species could be adversely affected by site construction if they nested on or near the project site during construction. The West Complex EIR considered adverse impacts to potential special-status species in Impact 4.8.2, described above. The proposed project would voluntarily participate in the SJMSCP and implement avoidance and other mitigation measures commensurate with the plan to reduce potential impacts to Swainson's hawk and burrowing owls. Potential mitigation measures may include, but are not limited to, the following:

- Specified construction timing to avoid impacts to breeding birds
- Construction monitoring by a qualified biologist
- Maintain buffers from affected species

Actual mitigation measures will be determined prior to project construction by the San Joaquin Council of Governments, the agency responsible for the SJMSCP, and would reduce impacts to special-status species to a less than significant level.

No heritage trees exist at the proposed site. Operation of the project would not result in increased maritime activity at the Port. The proposed project, therefore, would not result in impacts to heritage trees or sensitive natural communities of the Sacramento San Joaquin Delta.

The Community Fuels Biodiesel Production Plant would not result in any potentially significant impacts to biological resources not identified in the West Complex EIR.

REFERENCES

- City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.
- Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.
- Moore Biological Consultants, 2006. Biological Resources Inventory at the Port of Stockton Biodiesel Facility, San Joaquin County, California.
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- San Joaquin Council of Governments, 2000. *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP)*. Stockton, CA.

2.5. CULTURAL RESOURCES

The following analysis identifies the impacts of the proposed Community Fuels project to cultural resources, compares potential impacts of the Community Fuels project to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any new potentially significant impacts to cultural resources.

Cultural Environment, Regulatory Setting, and Significance Criteria

The West Complex EIR describes the prehistoric context, ethnographic setting, and historic setting of Rough and Ready Island.

The West Complex, formerly Rough and Ready Island, was the Naval Supply Annex (NSA) Stockton and has been determined a National Register of Historic Places eligible district. This district occupies approximately 1500 acres within Rough and Ready Island which was part of NSA Stockton during World War II. Under National Register Criteria a and c the Theme, "World War II Supply Depots," has a period of significance for 1944-1946. Under Criterion a, NSA Stockton embodies a new approach to the supply problem - the establishment of inland depots, and a new approach to cargo handling with pallets and forklift trucks. Under Criterion c, NSA Stockton embodies better than any other supply depot the Navy's redesign of its warehouses to accommodate pallets and forklift trucks as the first and only complete depot built to accommodate this means of cargo handling."

The Navy prepared a Historic and Archeological Resources Protection (HARP) plan in 1995 and the State Historic Preservation Office concurred with the eligibility determination for the NAS in 1996. The Navy completed the Historic American Building Survey (HABS), documenting the potential loss of historic properties and the National Parks Service accepted the HABS in 1998.

The EIR and the Archaeological Sensitivity Review for NCS Stockton found a low potential for subsurface prehistoric cultural resources. No known prehistoric, ethnographic or contemporary Native American resources, including villages, known trails, sacred places, traditional or contemporary use areas, have been identified in or adjacent to the project.

The City of Stockton is currently updating its General Plan. The Draft General Plan establishes new goals to encourage the identification, protection, and enhancement of the city's archaeological, historical, and paleontological resources for their cultural values and policies regarding cultural resources. The goals include the following policies applicable to the project::

NCR-3.4 State Historic Building Code

The City shall implement the State Historic Building Code for historic properties.

NCR-3.5 Archaeological Resource Surveys

Prior to project approval, the City shall require project applicant to have a qualified archeologist conduct the following activities: (1) conduct a record search at the Central

California Information Center located at California State University Stanislaus and other appropriate historical repositories, (2) conduct field surveys where appropriate, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archeological Resource Management Reports).

NCR-3.6 Discovery of Archaeological Resources

In the event that archaeological resources are discovered during site excavation, the City shall required that grading and construction work on the project site be suspended until the significance of the features can be determined by a qualified archaeologist. The City will require that a qualified archeologist make recommendations for measures necessary to protect a site or to undertake data recovery, excavation, analysis, and curation of archaeological materials.

NCR-3.7 Native American Resources

The City shall consult with Native American representatives regarding cultural resources to identify locations of importance to Native Americans, including archeological sites and traditional cultural properties. Coordination with the Native American Heritage Commission should begin at the onset of a particular project.

The West Complex EIR used CEQA Guidelines to determine significance criteria for impacts to cultural resources. Significant impacts for the West Complex EIR were: the cause of a substantial adverse change in the significance of a historical or archaeological resource as defined in Section 15064.5, directly or indirectly destruction of a unique paleontological resource or site or unique geologic feature, or disturbance of any human remains, including those interred outside of formal cemeteries.

Impacts of Community Fuels Biodiesel Production Facility

The proposed project is situated in the West Complex within the NAS Stockton. Several identified contributors to the National Register of Historic Places eligible district are located in the Community Fuels project site. As a National Register property, the district and its contributors are automatically included on the California Register of Historical Resources (CAL/OHP 2001b:68).

The Port would extend gas lines to the western section of Warehouse #809 and would provide sewage service. These subsurface impacts would have no impact on contributors to the district. No impacts are anticipated to the existing roads parking, or sidewalks.

A portion of the interior of Warehouse #809, one of 30 metal and concrete warehouses built by the U.S. Navy, would be modified (e.g., construction of firewalls and the process plant) and the yard, part of open storage, would be subject to minor grading and occupied by various project components. Additionally the project would remove/refurbish a dilapidated loading ramp present at the east end of the project immediately north of the railroad spur. This feature is part of the railroad network, but is not specifically listed as part of the railroad tracks.

Point Environmental Services contracted Basin Research Associates to conduct an updated archival records search, a review of the Sacred Lands Inventory by the Native American Heritage Commission (NAHC), a pertinent literature and map review, and a systematic field inventory. Several specialized listings and their updates on the Historic Properties Directory for San Joaquin County (CAL/OHP 2006a) were also reviewed including updates of the

National Register of Historic Places, California Landmarks, and Points of Interest; California History Plan (CAL/OHP 1973); California Inventory of Historic Resources (CAL/OHP 1976); Five Views: An Ethnic Sites Survey for California, Historic Properties Directory (CAL/OHP 1988); Archaeological Determinations of Eligibility for San Joaquin County (CAL/OHP 2006b) and other local inventories and lists. Additionally, Basin Research Associates completed a field review of the project area on May 23, 2006.

Basin Research observed no prehistoric or historic era archaeological materials were during the field review conducted for the project. Built-environment contributors to the NSA Stockton, National Register of Historic Places eligible district observed during the project field review survey consist of portions of: steel warehouses- Warehouse #809; a stormwater drainage system; roads, parking, sidewalks; open storage; and railroad tracks. The proposed instation would not affect the integrity of Warehouse #809 or the surrounding roads, parking, sidewalks, open storage, and railroad tracks. The project would build a U-shaped driveway connecting to Snedeker Avenue on the northern side of the site. The U-shaped driveway would serve as the entrance to the site and would be used by truck and employee traffic. The driveway would span the stormwater drainage ditch in two places.

The stormwater drainage ditches that would be affected were constructed by German Prisoners of War (POWs). Basin Research determined the ditches on site to be approximately 545-linear feet of the 61,830 linear feet of drainage ditches and were constructed in World War II by German POWs. The ditches run parallel to Snedeker Avenue and Humphreys Road. The cobble and cement mortar drainage ditch is constructed from a variety of sub-rounded to rounded smooth river cobbles measuring 4-20 inches in diameter. The ditch varies in construction and/or preservation. The cobble and cement ditch adjacent to Snedeker Avenue extends from Humphreys Road approximately 329-linear feet east with the remaining 50-linear feet consisting of a shallow, earthen and gravel swale. This section measures approximately 12-feet wide at the top, 2-feet wide at the base and 3.5-feet deep. A culvert constructed from two 3-foot diameter corrugated steel pipes is present at the corner of Snedeker Avenue and Humphrey Drive. The cobble and cement drainage from Snedeker Avenue south to the railroad spur measures approximately 20-feet wide at the top, 9-feet wide at the base, and 3.5-feet deep. South of the culvert under the railroad spur, the drainage taper to 12-feet in width south to Gilmore Avenue

No other listed, determined eligible, pending or known historic properties on local, regional, state and federal lists, inventories and/or registers are located in or adjacent to the project area.

Impacts to Unknown Cultural Resources

Although no archaeological or prehistoric resources are known to exist at the Community Fuels site, earthmoving and excavation has the potential to encounter unknown resources. The West Complex EIR Impact 4.9.01 addressed the impacts to unknown cultural resources as potentially significant.

4.9.1 Implementation of the Proposed Project may affect unknown, potentially significant prehistoric and historic resources.

The following West Complex EIR Mitigation Measure is applicable to the Community Fuels Project:

4.9.1 Pursuant to CEQA Guidelines 15064.5 (f), “provisions for historical or unique archaeological resources accidentally discovered during construction” should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the Port shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the Port and the qualified archaeologist and/or paleontologist would meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.

If the discovery includes human remains, CEQA Guidelines 15064.5 (e)(1) shall be followed, which is as follows:

- (e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
 - (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - (A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
 - (B) If the coroner determines the remains to be Native American:
 - 1. The coroner shall contact the Native American Heritage Commission within 24 hours.
 - 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 - 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
 - (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;

- (B) The descendant identified fails to make a recommendation; or
- (C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Impact 4.9.1 and MM 4.9.1 are applicable to prehistoric and historic archaeological resources. Implementation of MM 4.9.1 during construction would reduce potential impacts to a less than significant level.

Impacts to Historic Resources

Installation of the Community Fuels driveways across the drainage ditch would affect an identified historic resource. West Complex EIR addressed impacts to historic resources in Impact 4.9.2.

4.9.2 The demolition of existing structures on Rough & Ready Island and development of new facilities within the potentially eligible historic district will substantially affect a historic resource.

Impact 4.9.2 pertains to the built environment and was determined to be a significant impact. The West Complex EIR found that no mitigation beyond recordation is available. The completion of the HARP and the HABS documentation (JRP 1997) constitute recordation of the resources within the West Complex. Basin Research prepared a supplemental recordation consisting of a DPR 523 Primary Record form for the proposed project as point-specific recordation in accordance with MM 4.9.2. Compliance with this mitigation measure for the proposed project has reduced impacts to a less than significant level since the undertaking would not affect any of the qualities that contribute to the National Register/California Register eligibility of NAS Stockton.

The Community Fuels project would not result in any potentially significant impacts to cultural resources that were not addressed in the West Complex EIR.

REFERENCES

Basin Research Associates, 2006. *Community Fuels Biodiesel Production Facility Memorandum*. June 9, 2006

City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.

Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.

Uribe and Associates, 1996. *Historic and Archaeological Resources Protection Plan for the Naval Communication Station, Stockton, California*. Prepared for Engineering Field

Activity, West, Naval Facilities Engineering Command, San Bruno, CA.

2.6. Geology and Soils

The following analysis identifies the impacts that the proposed Community Fuels project would have on geology and soils, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to geology or soils.

Geology and Soils Environment, Regulatory Setting, and Significance Criteria

The West Complex EIR describes the geologic setting of Rough and Ready Island. Seismic hazards at the site are those typical for the Central Valley. Stockton is located in Seismic Zone 3 and would be subject to ground shaking. The project is not located in an Alquist-Priolo delineated fault zone. The nearest active fault is the Greenville Fault, located approximately 26 miles west of the project site. The maximum moment magnitude of an earthquake on the Greenville Fault is estimated to be 6.0. Peak ground accelerations in the Stockton region could range from 0.20 g to 0.30 g (Peterson, et. al, 1999). The presence of fill materials and the potential for ground shaking provide conditions typical of liquefaction and settlement hazards. The project is not susceptible to landslides due to the site's flat relief, and is not located in an area of subsidence. The West Complex EIR identified the soil map unit for the proposed project site as Egbert-Urban land complex, 0 – 2% slope. This soil unit has a high shrink-swell potential and a moderate susceptibility to erosion.

The West Complex EIR identifies the requirements of the Alquist-Priolo Earthquake Fault Zoning Act, the Seismic Hazards Mapping Act, the California Uniform Building Code, and the City of Stockton General Plan (1990). The Draft General Plan contains the following new policies that would be applicable to the proposed project::

NCR-5.3 Soil Erosion

The City shall require new development to implement measures that minimize soil erosion from wind and water related to construction.

HS-3.2 Development in Areas Subject to Geologic Hazards

The City shall require all proposed developments, reconstruction, utilities, or public facilities situated within areas subject to geologic-seismic hazards as identified in the soils engineering and geologic-seismic analysis to be sited, designed, and constructed to mitigate the risk associated with the hazard (e.g., expansive, liquefaction, etc.).

HS-3.3 Uniform Building Code

The City shall require that alterations to existing buildings and all new buildings be built according to the seismic requirements of the Uniform Building Code.

The West Complex EIR significance criteria for geologic impacts are based on the increased risk of people or structures to loss, injury, or death from seismic related hazards such as fault rupture, ground shaking, liquefaction, landslides, and subsidence. Soils impacts significance

criteria were based on water quality and aquatic habitat impacts from soil erosion or septic systems, and an increased risk to life or property from expansive soils.

Impacts of Community Fuels Biodiesel Production Facility

The Community Fuels Biodiesel Production Facility would be located in the West Complex and would be subject to the geotechnical and soils hazards considered in the West Complex EIR.

Site-Specific Geotechnical and Soils Hazards

The Community Fuels site is subject to ground shaking and contains expansive soils. Prior to design of the facility foundations, Community Fuels would undertake the required studies of site-specific geotechnical, seismic, and soils hazards and would incorporate the recommendations developed by the studies into the project design. Community Fuels would also comply with all other applicable policies of the current and Draft General Plans. The new structures would be built in conformity with Zone 3 seismic requirements of the California Uniform Building Code. Local ordinances also required that foundations address the risk of expansive soils. Thus, as found in the West Complex EIR discussion of Impacts 4.6.1 and 4.6.2, the potential impacts of the geological and soils hazards at the site, including seismically induced ground-shaking, would be less than significant.

Liquefaction, Settlement, and Levee Failure

The Community Fuels project would be subject to liquefaction, differential settlement and potential inundation that would occur on Rough and Ready Island in the event of a levee failure due to seismic events. The West Complex EIR considered these impacts in Impact 4.6.3:

4.6.3 Throughout implementation of the Proposed Project, new and existing structures and the perimeter levee could be subjected to geologic hazards, including liquefaction, differential settlement, and total settlement. Failure of the levee could result in significant damage to properties from flooding and loss of life. This is a potentially significant impact.

The impacts of liquefaction and differential settlement at the Community Fuels site would be addressed in the site-specific geotechnical analysis required by the City. MM 4.6.3 requires the Port maintain an annual levee-monitoring and inspection program and reinforce the structural integrity of the perimeter levee, if needed, and the Port of Stockton currently operates an annual levee-monitoring and inspection program, which reduces the risk of this impact to less than significant levels.

Levee Bank and Surface Erosion

Construction of the proposed project would disturb two acres of undeveloped land on flat terrain and would have little potential to increase soil entrainment, surface water runoff, erosion, and sedimentation of surface waters. West Complex EIR Impact 4.6.4 considered levee bank and surface erosion potentially significant impacts:

4.6.4 Implementation of the Proposed Project has the potential to result in levee bank and surface erosion.

City policies require best management practices during construction activities to reduce the potential for soil erosion. The project would also be subject to National Pollutant Discharge Elimination System (NPDES) requirements for stormwater and would require an NPDES general construction permit. To further reduce the potential for levee bank and soil erosion to a less than significant level, the following West Complex EIR mitigation measures would reduce potential impacts to soils:

4.7.1 Refer to Section 2.8 Hydrology and Water Quality for MM 4.7.1.

4.7.3b Refer to Section 2.8 Hydrology and Water Quality for MM 4.7.3b.

MM 4.6.4 requires monitoring and reinforcement, where necessary, along the north side of the Stockton DWSC opposite the West Complex, which is being undertaken by the Port. With the implementation of these mitigation measures, there would be no significant impacts to soils from the Community Fuels project.

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant geology and soils impacts that were not identified in the West Complex EIR.

REFERENCES

City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.

Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.

2.7. HAZARDS AND HAZARDOUS MATERIALS

The following analysis identifies the impacts the proposed Community Fuels project would have from hazards and hazardous materials, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts from hazards or hazardous materials.

Existing Hazards, Regulatory Setting, and Significance Criteria

The West Complex is composed of industrial and commercial businesses, vacant warehouses and other former Navy buildings, agricultural land, and open space. Existing facilities at the complex currently handle large and small quantities of hazardous materials and wastes. Several past and current releases of hazardous materials and petroleum products have occurred within the complex. The areas of concern were identified by the Navy in the Navy Transfer Property Environmental Assessment (EA)(1999).

The California Code of Regulations (CCR) definition of hazardous materials and hazardous wastes was used in the West Complex EIR and the City of Stockton General Plan. The City of Stockton General Plan (1990, amended 1998) and the Draft General Plan established goals, policies, and implementation measures in the Public Facilities and Services (PFS) and the Health and Safety (HS) sections. The West Complex EIR referenced the amended 1998 plan. New goals and policies contained within the Draft General Plan relevant to the West Complex are:

PFS-5.5 Recycling of Hazardous Materials

The City shall require the proper disposal and recycling of hazardous materials.

HS-5.2 Transporting Hazardous Materials

The City shall require that hazardous materials are used, stored, transported, and disposed of within the city in a safe manner and in compliance with local, state, and federal safety standards.

HS-5.3 Designated Routes for Hazardous Materials

The City shall restrict transport of hazardous materials within the city to routes that have been designated for such transport.

HS-5.5 Hazardous Materials Inventory

The City shall require, as appropriate and as a component of the environmental review process, a hazardous materials inventory for project sites, including an assessment of materials and operations from any development applications. Particular attention should be paid to land that previously contained agricultural uses.

The West Complex EIR identifies the agencies responsible for implementing hazardous materials and hazardous waste regulations. The San Joaquin County Public Health Services Environmental Health Division (SJCEHD) manages most of the hazardous materials regulation and enforcement. SJCEHD is the Certified Unified Program Agency (CUPA) for the Stockton area. The San Joaquin County Office of Emergency Services (SJCOES) coordinates planning and response to emergencies, which also improving incident notification procedures, providing training and equipment to safety personnel, and reviewing Business Plan and Hazardous Materials Management Plans.

The West Complex EIR used CEQA Guidelines as significance criteria. The West Complex EIR considered an activity potentially significant if it caused the release or risked the upset of emissions that are public health and safety hazards, resulted in unsafe condition for employees or surrounding neighborhoods, did not comply with applicable laws regulating hazardous material handling; used, produced, or disposed materials in a manner posing a hazard to people, or animal or plant populations in the area; interfered with emergency response plans or emergency evacuation plans; or resulted in an increase in fire hazards in areas containing flammable brush, grass, or trees.

The West Complex is not within one-quarter mile of an existing or proposed school or within two miles of public use, or private airstrips and the CEQA Guidelines regarding these features are not applicable to projects at the complex.

Impacts of Community Fuels Biodiesel Production Facility

Community Fuels plans to construct and operate its proposed biodiesel production facilities in accordance to applicable federal, state and local government laws and regulations. A Hazardous Materials Business Plan and a Spill Prevention, Control and Countermeasure (SPCC) Plan would be completed by Community Fuels. The project site would be maintained so as to reduce potential fire hazards. The project would not interfere with the implementation or adoption of the emergency response plan for the Port.

Impacts of Construction on Contaminated Soils

On March 28, 2006 LFR Inc. completed a Phase 1 for the Community Fuels project site. The Phase 1 found that none of the areas identified in the EA were located in the vicinity of the proposed project site. The closest identified area was located approximately 1,000 feet northeast of the Community Fuels site. Hazardous wastes would not be disposed of as a result of construction or vacation of the Community Fuels site. The Phase 1 found that areas identified as having soil or groundwater contamination were located far enough from the Community Fuels site that the project would not disturb or interfere with the clean-up of those soils. Thus, West Complex EIR Impact 4.11.1 and 4.11.2 are not applicable to the proposed project.

Use and Storage of Hazardous Materials during Construction and Renovation

Project construction would result in the use and storage of hazardous materials in the project area. West Complex EIR Impact 4.11.3 considered the impacts of use and storage of hazardous material during construction activities potentially significant.

4.11.3 Construction and renovation activities would involve the use and storage of hazardous materials such as gasoline and diesel fuels, oils, and solvents. The potential for an accidental release exists during handling and transfer from one container to another. Depending on the relative hazard of the hazardous material, if a spill were to occur of significant quantity, the accidental release could pose both a hazard to construction employees and the environment.

The following West Complex EIR Mitigation Measure is applicable to the Community Fuels Project::

4.11.3 The Port shall ensure through its construction permitting process or through enforcement of contractual obligation for its own projects, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by any regulatory agency, contaminated media shall be collected and disposed at an off-site facility approved to accept such media.

Community Fuels would comply with MM 4.11.3 and follow local, state, and federal agency regulatory guidelines to decrease potential impacts from a hazardous materials release on

employees and the environment. Community Fuels would run pipes above ground so that leaks would be detected and repaired immediately. Impacts would be less than significant through the above actions.

Damage to Overhead and Underground Utilities

Project construction activities could potentially damage utilities in the project area. West Complex EIR Impact 4.11.4 considered the impacts of construction activities on overhead and underground utilities potentially significant.

4.11.4 Risk of damage to overhead and underground utilities.

The following West Complex EIR Mitigation Measures are applicable to the Community Fuels Project:

4.11.4a The Port shall ensure through its construction permitting process or through enforcement of contractual obligation for its own projects, that proper precautions will be taken (such as keeping a distance of at least 10 feet from aerial lines) in operating heavy equipment, moving long tools and sections of metal pipe, the location of scaffolding, etc. to avoid contact with aerial lines.

4.11.4b The Port shall ensure through its construction permitting process or through enforcement of contractual obligation for its own projects, that prior to any construction activities the areas planned to be disturbed would be marked in white paint and all utility owners contacted so that utilities can be identified and avoided. The utility owners will be responsible for the timely removal or protection of any existing utility facilities located within construction areas. This procedure would protect the excavator from personal injury and underground facilities from being damaged.

Community Fuels plans to conduct minor construction on site during a period of approximately four months. Any construction or grading of the lot would be completed with compliance with MM 4.11.4a-b reducing potential impacts to less than significant levels.

Hazardous Material and Waste Exposure to Individuals

The project would include use of hazardous material and would generate hazardous wastes. West Complex EIR Impact 4.11.5 evaluated the impact of exposure of individuals to existing or potential future use of hazardous materials or generation of hazardous wastes.

4.11.5 Exposure of individuals to the existing and/or potential future use of hazardous materials and generation of hazardous wastes.

The West Complex noted that a Hazardous Materials Business Plan would be prepared for each business using hazardous materials at the complex and the requirements for handling and storage of hazardous materials and hazardous waste. Based on these regulatory requirements, the EIR found this impact less than significant and that no mitigation was required.

None of the materials to be stored on the site are listed in the California Accidental Release Program (CAL ARP) lists. The National Fire Protection Association (NFPA) rates hazards for health, fire, and reactivity on a scale of 0 to 4. A material with the least hazard is represented by

0, slight is 1, moderate is 2, high is 3, and extreme is 4. Table 2.7.1 presents the hazardous materials that would be found on site and the NFPA hazard ratings for each material.

Table 2.7.1
NFPA HAZARD RATINGS

Material	Hazards	Health	Fire	Reactivity	State
Vegetable oil/Yellow grease	Combustible Liquid class 3B	0	1	0	Liquid
Methanol/Sodium Methylate/Ethanol/Isopropyl alcohol	Flammable Liquid class 1B	1	3	0	Liquid
Methyl oxide	Flammable Liquid class 1B	2	3	0	Liquid
Sulfuric acid	Reactive Class 3	3	0	2	Liquid
Biodiesel	Combustible Liquid class 3B	0	1	0	Liquid
Glycerol	Combustible Liquid class 3B	1	0	0	Liquid

Methanol, also known as methyl alcohol or sodium methylate, is the simplest alcohol. It is a light, volatile, colorless, flammable liquid with a very faint odor. Methanol is produced naturally in the anaerobic metabolism of various varieties of bacteria and is produced synthetically by the direct combination of hydrogen and carbon monoxide gases that are heated under pressure in the presence of a catalyst. Methanol vapors can be ignited by flames or sparks at a distance from the handling location because they are heavier than air and can move along surfaces. The NFPA rates methanol as a high fire hazard. The Community Right-to-Know Act requires manufacturers of methanol to notify users under 40 CFR 372.45. Transportation of methanol is regulated by the Department of Transportation (DOT).

Methyl oxide is a salt and is not volatile in any manner. Methyl oxide is in a mixture of 70% methanol with 30% methyl oxide ratio by weight. The methyl oxide tanks would only emit methanol. Methyl oxide is flammable and has a high fire hazard rating. Transportation of methyl oxide is regulated by the DOT.

Sulfuric acid is a strong mineral acid and is reactive in water. It is soluble in water at all concentrations and has many applications including wastewater processing, fertilizer manufacturing and chemical synthesis. Sulfuric acid is derived from inorganic minerals by chemical reaction and is corrosive. Transportation of sulfuric acid on land is regulated by the DOT and in international waters by the International Maritime Organization (IMO).

Glycerol, also known as glycerin and glycerine, is a sugar alcohol. It is colorless, odorless, and

hygroscopic (readily absorbs water from its surroundings). Glycerol is an important component of triglycerides (e.g. fats and oils) and of phospholipids. Glycerol has a slight fire hazard when exposed to heat or flame. The transportation of glycerol is not regulated.

Biodiesel has a lower flash point than diesel and is rated as having a slight fire hazard. The transportation of biodiesel (methyl esters) is regulated by the DOT.

The feedstock (vegetable oil/yellow grease) has no known reactivity hazards and has a slight fire hazard. Transportation of feedstock is not regulated.

Additionally, 20 tons of waste carbon would be generated from air pollution control measures using carbon filters on methanol tanks. This waste is expected to be classified as a hazardous waste. Community Fuels would act in accordance with all federal, state, and local regulations pertaining to hazardous waste generation, storage, handling, transportation, and disposal.

Wastewater would contain diluted concentrations of biodiesel, methanol, and other organics that would contribute to biological oxygen demand (BOD). Community Fuels expects to be able to manage its discharge to meet the required levels, but if it is not able to discharge the wash water to the sewer lines, it would either store the water in onsite tanks for later treatment or transport the wastes by truck to an East Bay Municipal Utility District facility that can handle these wastes.

Asbestos and Lead Exposure Impacts

The proposed project would not require demolition of any existing structures, and only minor interior modifications would be made to Warehouse #809. Thus, the project does not have the potential to expose individuals to asbestos-containing dust or lead-based paint, and the EIR mitigation for this potential impact would not be needed for the proposed project.

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant impacts from hazards and hazardous material that were not addressed in the West Complex EIR.

REFERENCES

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Parker, Sybil, 1984. *Chemical Terms*. McGraw-Hill, New York, 1985.

2.8. HYDROLOGY AND WATER QUALITY

The following analysis identifies the impacts that the proposed Community Fuels project would have on hydrology and water quality, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to hydrology and water quality.

Hydrological Environment, Regulatory Setting, and Significance Criteria

The West Complex, located on Rough and Ready Island, is completely surrounded by water. The San Joaquin River is to the east, the Stockton DWSC to the north, and the Burns Cutoff to the south and west. The Stockton DWSC is a portion of the San Joaquin River maintained to allow access for vessels from the Pacific Ocean. The Stockton DWSC terminates upstream from the site at the East Complex of the Port. Water levels in the San Joaquin River are subject to fluctuations in river flow and to tidal action from the San Francisco Bay. The West Complex is at the edge of the Sacramento/San Joaquin River Delta (Delta), a 1,600-square mile estuary that receives over 40% of California's runoff.

As described in the West Complex EIR, the project area has a typical Mediterranean climate with cool, wet winters and warm, dry summers. Rainfall predominantly occurs between November and April with an average annual rainfall of 13.7 inches. The West Complex has commercial and light industrial tenants and natural, undeveloped areas. Within the West Complex there are no natural streams. Storm water runoff is mostly managed through the use of open culverts and ditches, which culminate at a pumping station located on the west side of the West Complex. An automated transfer pump pumps water from the station into the Burns Cutoff.

The West Complex is located in the San Joaquin Valley Groundwater Basin, which is subject to overdraft. California Water Service Company (Cal Water) supplies water to tenants in the West Complex. Cal Water obtains its supplies from groundwater wells (see Section 2.16 Utilities). Groundwater levels in the West Complex are extremely shallow and the elevation of the water table is maintained below its natural level by pumping, which causes

the draw of groundwater towards the interior of the island. Portions of the underground wastewater conveyance system have suffered inflow and infiltration, and the Port has isolated these areas from the system that serves the industrial sections of the Marine Terminal (Kimberly Mah, June 8, 2006).

The proposed project site is not within the 100-year flood zone as mapped by the Federal Emergency Management Agency (FEMA) and is protected by levees. The West Complex is over 70 miles from the Pacific Ocean on flat terrain that has no potential for being inundated by a tsunami or mudflow. In the unlikely event that a seiche was to occur in the Stockton DWSC, the wave caused by such an event would not contribute to levee failure.

The West Complex EIR identified the federal, state, and local agencies with jurisdiction over the Port of Stockton and applicable laws. The Port is an independent agency and has been issued a Municipal NPDES Permit by the Regional Water Quality Control Board (RWQCB) in addition to implementing a Storm Water Pollution Prevention Plan (SWPPP). The Port operates a Port-wide Municipal Storm Water Management Program which includes tenant involvement. Tenants are required to participate in the NPDES General Construction Permits for stormwater runoff associated with construction activity if construction disturbs one acre or more of land and a General Industrial Permit for discharges of stormwater associated with industrial activities. The General Construction Permit requires preparation and implementation of a SWPP plan prior to construction. The General Industrial Permit requires that all stormwater discharges meet applicable provisions of Section 301 and 402 of the CWA and not violate any applicable water quality standards. The permit requires control of pollutant discharges using the best available technology and best conventional pollutant control technology.

Tenants must meet the minimum performance standards established in the Port's Municipal NPDES permit and SWPPP. The RWQCB has also identified beneficial uses of surface waters and groundwaters in the Central Valley and has issued water quality objectives for all surface waters in the region.

The West Complex EIR used CEQA Guidelines to determine significance criteria for hydrologic or water quality impacts. An impact is considered significant if it violates any water quality standards or waste discharge requirements, results in a net deficit in aquifer volume or a lowering of the local groundwater table, results in siltation or erosion or increase the rate or amount of surface runoff by substantially altering existing drainage patterns. Impacts are also considered significant if projects cause runoff water to exceed the capacity of existing or planned stormwater drainage systems or add sources of polluted runoff or substantially degrade water quality in any other way. Flooding significance criteria are not applicable to the West Complex because the complex is not located within a 100-year flood hazard area or likely to be inundated by seiche, tsunami, or mudflow.

Impacts of Community Fuels Biodiesel Production Facility

No natural streams or other bodies of water exist on the project site, but the proposed Community Fuels Biodiesel Production Facility could potentially affect local hydrology and

water quality through construction activities, alterations to drainage patterns, stormwater runoff, accidental spills, and depletion of groundwater supplies.

Construction Activities

Construction on site may result in impacts to water quality through siltation, erosion, or accidental releases. West Complex EIR Impact 4.7.1 considered the impacts to water quality from construction activities potentially significant.

4.7.1 Water Quality – Construction of the project facilities could result in increased erosion and sedimentation, with subsequent impacts to water quality and/or storm drain capacity during construction. Additionally, release of fuels or other hazardous materials associated with construction equipment could impact water quality.

Earthmoving on site would occur on a flat area less than an acre in size while stormwater from the site would flow through Port drains to natural areas, resulting in potential impacts to water quality. The following West Complex EIR Mitigation Measures are applicable to the Community Fuels project:

4.7.1 All construction plans and activities shall implement multiple BMPs to provide effective erosion and sediment control. These BMPs shall be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable. BMPs to be implemented as part of this mitigation measure shall include, but are not limited to, the following measures:

- Temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) will be employed for disturbed areas.
- Protect the storm drain inlets on the site and in downstream off-site areas from sediment with the use of BMPs acceptable to the Port and City of Stockton.
- Sweep dirt and debris from paved streets in the construction zone on a regular basis, particularly before predicted rainfall events.
- Establish grass or other vegetative cover on the construction site as soon as possible after disturbance. At minimum, vegetative application shall be done by September 15th to allow for plant establishment. No disturbed surfaces will be left without erosion control measures in place during the period of October 15th to April 15th.

4.11.3 The Port shall ensure through its construction permitting process or through enforcement of contractual obligation for its own projects, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by any regulatory agency, contaminated media shall be collected and disposed at an off-site facility approved to accept such media.

To lessen water quality impacts from runoff and contaminant release, the project site would implement the Port's Best Management Practices (BMPs) as outlined in MM 4.7.1 and would comply with MM 4.11.3. With these measures, impacts to water quality from siltation, erosion and contaminant release would be less than significant.

Drainage

The operational phase of the Community Fuels project may impact water quality by increasing runoff from impervious surfaces. West Complex EIR Impact 4.7.2 and Impact 4.7.3 considered the impacts of development activities on drainage flow potentially significant.

4.7.2 Drainage – Development of the project site could increase drainage flows as a result of the introduction of increased amounts of impervious surfaces, which could exceed the capacity of on-site drainage systems, create localized flooding, or contribute to a cumulative flooding impact downstream.

4.7.3 Water Quality – The Proposed Project could increase both non-storm and stormwater runoff, transporting contaminants to adjacent receiving waters.

Community Fuels project activities would install a modular office structure, storage tanks, and a parking area in the open field west of Warehouse #809. The Community Fuels project would increase impervious surfaces on site, which would impact drainage patterns and increase drainage flows. However, the project would develop less than an acre of new impervious areas. Community Fuels estimates that the rate of runoff would be 1.49 cubic feet per second (Joe Murphy, California Licensed Civil Engineer #45277). The flows could potentially transport contaminants into receiving water though, as mention above the site would use containment and spill prevention measures to decrease contaminant release.

Community Fuels would provide parking spaces for approximately ten employees and would have loading and unloading areas, which could result in with potential for oil, grease, and other contaminants in the stormwater discharges. The Port is responsible for reviewing and enforcing storm water prevention plans for the project site, and Community Fuels would comply with the Port requirements.

The following West Complex EIR Mitigation Measures are applicable to the Community Fuels project:

4.7.2 The Drainage Plan shall include, and the Port shall implement, a schedule for identified drainage improvements. In addition, when approving specific developments that may result in increased drainage flows on the project site, the Port shall concurrently implement any necessary drainage improvements such that new development does not exceed the capacity of on-site drainage systems and peak stormwater discharge rates are maintained to pre-project levels. The Port, at its discretion, may require such project specific drainage improvements to be funded and implemented by the developer (i.e., tenant, developer, and/or contractor).

4.7.3a To minimize the amount of pollutants entering the storm drain system, project roadways and parking areas will be cleaned regularly using street sweeping equipment.

4.7.3b The Drainage Plan described above in Mitigation Measure 4.7.2 will include BMPs to maximize stormwater quality. The Drainage Plan will include both BMPs that will address the project site as a whole, as well as guidance for BMPs to be implemented for specific projects on a project-by-project basis. These BMPs shall be selected to achieve maximum contaminant removal and represent the best available technology that is economically achievable. The BMPs will include a combination of source control, structural improvements, and treatment systems and will be implemented so as to ensure, at minimum no net increase in contaminant releases in comparison with pre-project conditions . . . For new development, the Port shall require incorporation of these BMPs into project design as a condition of project approval.

Through compliance with MM 4.7.2 and MM 4.7.3 a-b drainage impacts to water quality would be less than significant. Potential BMPs identified in the West Complex EIR include the use of grass strips, high infiltration substrates, and grassy swales in parking lots; roof drains that drain to natural surfaces, swales or directly connected to the storm drain system (if treatment control measures are provided downstream); all drain inlets marked with the message “NO DUMPING, FLOWS TO DELTA,” and permanent energy dissipaters at drainage outlets.

Accidental Spills

West Complex EIR Impact 4.7.5 considered the water quality impacts from fuel spills, releases of hazardous materials, and other contaminant-laden runoff potentially significant:

4.7.5 Water Quality – The Proposed Project has the potential to increase the trade of bulk materials that may increase the likelihood of contaminated runoff during wet weather events. In addition, fuel spills, releases of hazardous materials, and other contaminant-laden runoff generated in the warehouse and dock area could result in impacts to water quality.

The proposed project would not store bulk materials on site, but some accidental spills could occur during transfer of feedstocks and products from tank trucks and train cars.

The following West Complex EIR Mitigation Measures are applicable to the Community Fuels project:

4.7.5c The Port shall ensure the immediate clean-up of any on-site fuel spills or releases of hazardous materials.

4.11.3 The Port shall ensure through its construction permitting process or through enforcement of contractual obligation for its own projects, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by any regulatory

agency, contaminated media shall be collected and disposed at an off-site facility approved to accept such media.

Impacts to water quality due to fuel spills, release of hazardous materials, and other contaminant-laden runoff would be less than significant because the project site would have secondary containment for all tanks stored on site. Additionally, all tank storage areas would have spill detection systems. The feedstock, product, sodium methylate, and alcohol tank areas would have separate secondary containment berms sized to contain 110% of the largest tank. Community Fuels would design loading/unloading areas to assist in containing spills. The storage tank areas would be paved. With these measures and the required mitigation, the impacts of spills would be less than significant.

Groundwater Supplies

The Community Fuels project would consume water provided by California Water Service Company (CalWater), which provides potable water drawn on groundwater wells. The West Complex EIR Impact 4.7.8 considered impacts to groundwater quality potentially significant:

4.7.8 Groundwater – As discussed in Section 4.12, Public Services and Utilities, at buildout, the Proposed Project is anticipated to generate a domestic water demand impact of approximately 1633 af/year. Because the water supplier, Cal Water, relies in part on groundwater to support demand, this water demand has potential to substantially deplete groundwater supplies in a basin that is already in overdraft.

To mitigate this impact, the EIR refers to MM 4.12.6, which requires a detailed assessment of water demands associated with new development to determine if cumulative potable water use would exceed baseline water levels. If potable water use exceeds the 2001 annual average of 86 AF/year, MM 4.12.6 requires that the Port implement water conservation measures or draw on nonpotable water supplies. Section 2.16 Public Utilities fully addresses potable water demands.

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant hydrology and water quality impacts that were not addressed in the West Complex EIR.

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2.9. LAND USE AND PLANNING

The following analysis identifies the impacts of the proposed Community Fuels project to land use and planning, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to land use and planning.

Land Use and Planning Environment, Regulatory Setting, and Significance Criteria

The West Complex EIR describes a number of existing land uses at the Port's West Complex, including warehousing, break-bulk, roll-on roll-off, agricultural land, and undeveloped land. In addition, a number of vacant structures associated with the former naval activities are located throughout the West Complex. Residential and recreational lands, including Stockton Country Club, Louis Park, and the Riviera Cliffs housing development are located to the north of the West Complex, across the Stockton DWSC. The Port's East Complex is located to the east across the San Joaquin River. Agricultural lands are located to the south and west across Burns Cutoff. The City of Stockton's sewage treatment plant and oxidation ponds are also located to the south across the San Joaquin River.

The West Complex EIR reviewed the applicable goals and policies contained in the Land Use, Transportation, Public Facilities, and Natural and Cultural Resources Elements in the 1990 Stockton General Plan. The Draft General Plan contains the following new policy:

TC-2.20 Truck Routes

The City shall direct truck traffic to designated truck routes.

The Draft General Plan also contains a new Transportation Demand Management Goal designed to reduce the use of single occupancy vehicle use and encourage the use of alternative modes of transportation. The Public Facilities element of the Draft General Plan contains new goals and policies designed to maintain adequate infrastructure, facilities, and service levels for city services such as water, wastewater, police, fire, etc. The Natural and Cultural Resources element of the draft plan identifies new goals and policies designed to protect, restore, and maintain the City's natural and cultural resources.

The Land Use Element of the draft plan does not contain any new goals or policies. The Draft General Plan land use diagram maintains the “Institutional” land use designation for the West Complex.

The West Complex was zoned Public Lands (P-L) at the time of West Complex EIR certification. The City of Stockton has since updated its Planning and Zoning Code. The new Development Code re-classifies the West Complex from P-L to Port (PT). The San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) provides management strategies to balance development with open space conservation and the preservation of protected special status species. Participation in the plan is voluntary.

Significance levels for land use and planning impacts established in the West Complex EIR included conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating a significant environmental effect or conflict with any applicable habitat conservation plan or natural community conservation plan.

Impacts of Community Fuels Biodiesel Production Facility

The Community Fuels Biodiesel Production Facility would be located in the West Complex. The West Complex is a planned industrial development area. The project would not conflict with any plans or policies of the Draft General Plan. The Port of Stockton is currently developing Truck Travel Control and Travel Demand Management Plans required by the West Complex EIR. These plans would be used to meet the new goals and policies in the City’s Draft General Plan.

The proposed project would not conflict with the City’s Development Code or the SJMSCP. The PT zoning designation permits biodiesel production as an industrial and manufacturing activity. See section 2.4 Biology for a discussion of the SJMSCP.

The Community Fuels Biodiesel Production Facility project would not result in any new potentially significant land use impacts not previously addressed in the West Complex EIR.

REFERENCES

City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.

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Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.

San Joaquin Council of Governments, 2000. *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP). Stockton, CA.

2.10. MINERAL RESOURCES

The following analysis identifies the impacts of the proposed Community Fuels project to mineral resources, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to mineral resources.

Mineral Resource Environment, Regulatory Setting, and Significance Criteria

The nearest significant resources in San Joaquin County are natural gas deposits extracted from production fields approximately two miles south and five miles west of the project area. Further south, the extraction of sand and gravel resources occurs in unconsolidated alluvial deposits.

No regulatory laws, policies, or significance criteria concerning mineral resources are applicable to the Community Fuels project. The West Complex EIR did not identify the mineral resource goals and policies of the 1990 General Plan because the project area does not lie in an area of no significant mineral deposits. The Draft General Plan contains one new mineral resource policy, which is not applicable to the proposed project. The West Complex EIR did not establish significance criteria for mineral resources impacts.

Impacts of Community Fuels Biodiesel Production Facility

The Community Fuels Biodiesel Production Facility is located in an area of no significant mineral deposits (San Joaquin County Community Development Department, 1992). Access to areas of significant mineral deposits, including the natural gas and aggregate deposits mentioned above, would not be affected by the proposed project.

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant mineral resources impacts not previously addressed in the West Complex EIR.

REFERENCES

City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.

Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.

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2.11. NOISE

The following analysis identifies impacts the proposed Community Fuels project would have on noise levels, compares them to impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to the noise environment.

Noise Environment, Regulatory Setting, and Significance Criteria

The West Complex EIR describes the existing noise environment within the complex and at sensitive receptors in the project area. The West Complex EIR identifies sensitive receptors as the numerous residential and recreational areas along the northeastern bank of the San Joaquin River in addition to the schools and hotels/motels located along roadways that provide access to and from the West Complex.

Existing noise levels within the West Complex result from ship traffic, vehicular and truck traffic, rail activity, construction, and operation associated with current activity. Noise levels in the surrounding areas result from recreational boating along the San Joaquin River, landscaping activities, local and regional roadway traffic, and rail transit from the Burlington Northern and Santa Fe railroad companies.

Long-term noise measurements were conducted at various locations to estimate baseline West Complex noise conditions within the complex and at surrounding areas. Dad’s Point, located within Louis Park, was determined to be the most representative of the residential receptors located across the Stockton DWSC. Dad’s Point sound levels typically ranged from 56 DNL to 60 DNL and reached 70 DNL on one day. Sound levels at Lyon’s Golf Course, located within the West Complex, reached 81 DNL. The environment is influenced by recreational boating, which causes loud peaks of noise over short periods of time. Traffic noise along access roads was also evaluated with short-term noise measurements. Short-term average noise levels ranged from 65 to 69 Leq along road segments on Washington Street, Fresno Avenue, Navy Drive and 8th Street.

The City of Stockton’s General Plan (1990) and Draft General Plan establish the range of the “Normally Acceptable” and “Conditionally Acceptable” decibel levels for the various land use categories. The General Plan standards require that commercial uses not generate noise exceeding 75 dBA Ldn/CNEL at the nearest property line and that industrial uses not generate noise exceeding 80 dBA Ldn/CNEL at the nearest property line. The West Complex EIR recognized the presence of sensitive receptors and used the following upper limits of the “Normally Acceptable” range in determining the significance of noise impacts:

Residential:	60 dBA Ldn/CNEL (45 dBA Ldn/CNEL interior)
Neighborhood Parks:	70 dBA Ldn/CNEL
Golf Courses:	75 dBA Ldn/CNEL

The West Complex EIR found that residents north of the San Joaquin River and along access routes sometimes experience noise levels above Stockton's noise/land use compatibility guidelines for new residential development.

The West Complex EIR established noise significance criteria based on changes in ambient noise levels and construction noise associated with implementation of the report. Significant ambient noise level changes were defined as a three dBA for land uses that already exceed the "normally acceptable" ranges, five dBA for land uses that are within "normally acceptable" ranges but would exceed these ranges with additional project noise, and ten dBA for land uses that would remain within the "normally acceptable" range of noise. Construction noise was considered significant if it would exceed 65 Lmax at the property line of nearest residence between 9 PM. and 6 AM.

Impacts of Community Fuels Biodiesel Production Facility

The Community Fuels Biodiesel Production Facility would be located in the West Complex Marine Terminal on the western portion of the complex at Warehouse #809, approximately 2,500 feet from the closest residence, 2,300 feet from the nearest golf course (the Stockton Country Club), and 4,200 feet from the nearest recreational park (Louis Park). The distance to the nearest residences not shielded by other buildings is more than 3,000 feet. Project-related noise sources include construction-related activities, operations at the site, and rail and truck traffic bringing feedstocks and products to and from the site. The project would not result in any increase in ship traffic or activity in the Stockton DWSC.

Construction-Related Impacts

Construction of the project would result in an increase in noise levels in the project area. Community Fuels anticipates a construction period of no greater than four months. During that period, various pieces of equipment would be used for construction of the biodiesel production plant, storage tanks with secondary containment areas, modular office with restrooms, parking area, and grading the project yard. The type of machinery and construction activities would be consistent with those addressed in the West Complex EIR. The combined noise from all equipment would cause a noisiest hour reference level of 92 dBA Leq at a reference distance of 50 feet. The noise level at the nearest residences would be less than 55 dBA Leq, less than the significance levels for these areas.

The West Complex EIR Impact 4.5.1 considered the noise impacts of construction activities:

4.5.1 Construction-related activities associated with the Proposed Project would temporarily and intermittently increase noise levels at nearby sensitive receptor locations. This impact is considered potentially significant.

The West Complex EIR recommended mitigation measures for nighttime construction activity, muffling and shielding construction equipment, and stockpile and staging areas location. Some of the mitigation measures identified in the West Complex EIR are not applicable to the proposed project. No nighttime construction is planned. All laydown/staging areas used during construction would be located at the proposed site. Community Fuels would be required

to implement MM 4.5.1.a and 4.5.1.b, but would not need a nighttime monitor and would not need a separate material stockpile or vehicle staging area. It is possible that intermittent construction activities may be occasionally audible during lulls in ambient noise at the nearest receivers to the north. Construction activity at the proposed lease location would not cause a measurable change in the DNL noise level.

The following West Complex EIR Mitigation Measures are applicable to the Community Fuels Project:

4.5.1.a Construction activity shall be limited to between 7:00 a.m. and 7:00 p.m.

4.5.1.b Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturers' specifications) and by shrouding or shielding impact tools. All equipment shall have sound control devices no less effective than those provided by the manufacturer.

Through the incorporation of these mitigation measures, construction generated noise from the Community Fuels project would have a less than significant impact.

Operational Impacts

The project would result in a permanent increase in ambient noise levels above current existing levels in the project area. Community Fuels operations could potentially generate noise from the loading and unloading of feedstocks and products, use of an emergency generator, and cooling tower operation. All other operations (e.g. boiler) would be located inside of the warehouse, where noise would be muffled. The nearest sensitive receivers are located more than 2,000 feet from the project site. These nearest receptors are shielded by existing warehouse buildings. The nearest residences with line-of-sight to the project site are located more than 3,000 feet away. All sources of noise at the project site would be below existing ambient noise levels at the nearest residential receptors during the daytime and the nighttime and would cause no measurable change in the DNL noise level at the sensitive receptors.

The West Complex EIR addressed increases in ambient noise levels from operation at the terminal in Impact 4.5.2:

4.5.2 Operation of the Proposed Project would generate increased ambient noise levels and affect the noise environment of nearby sensitive land uses. This impact is considered potentially significant.

The West Complex EIR established mitigation measures recommending ship berthing relocation, generator baffling, building treatments for significant receptors affected by project operations, and forklift restrictions. MM 4.5.2a-b (ship berth relocation and building treatments for significant receptors) are not applicable to the project because ship traffic is not proposed and operational noise generation would not significantly impact sensitive receptors. Mitigation measure 4.5.2d would not be applicable to the project because use of forklifts are not proposed. The following West Complex EIR mitigation measures are applicable to the Community Fuels project:

4.5.2c Stationary land based generators within the marine terminal shall be baffled to the extent feasible in order to minimize increases in the ambient noise level.

The project is located within the marine terminal and would use a land based generator. The proposed generator would be housed inside an enclosure adjacent to Warehouse #809 in compliance with Mitigation Measure 4.5.2c.

Through the incorporation of this mitigation measure, operational noise at the Community Fuels project site would have a less than significant impact.

Operation Impacts from Additional Traffic Noise

The project would increase traffic related noise on roads leading into the West Complex. The West Complex EIR identified impacts of increased traffic noise at sensitive receptor locations in Impact 4.5.3:

4.5.3 Project operations would generate increased traffic on roads leading to the Project Area and would affect noise levels of sensitive receptors on some of the heavily traveled roads. This impact is considered potentially significant.

The proposed project would result in 64 total vehicle trips per day and approximately 17 AM and 19 PM peak hour vehicle trips during project operation. Passenger vehicles coming to and from the Community Fuels site would use either the Daggett Road or Navy Drive Bridges to access the West Complex. Fresno Avenue, Washington Street, and Navy Drive would be used to access the Navy Drive Bridge; Charter Way and Daggett Road would be used to access the Daggett Road Bridge. All truck traffic would use the Daggett Road Bridge.

Table 4.5.12 of the West Complex EIR identifies sensitive receptors susceptible to traffic related noise increases along segments of Washington Street, Fresno Avenue, Navy Drive, and 8th Street. The Port is currently undertaking traffic studies pursuant to MM 4.5.3a of the West Complex EIR to determine pre-project traffic volumes along road segments with sensitive receptor locations. Table 2.11-1 presents the 2004 and 2006 AM peak hour traffic volumes along these roadway segments.

**Table 2.11-1
AM PEAK HOUR TRAFFIC VOLUMES AT SENSITIVE RECEPTOR
LOCATIONS**

Roadway	Segment		2004 AM Peak Hour Total Traffic Volume ¹	2006 AM Peak Hour Total Traffic Volume ²	Volume Increase
	From	To			
Washington Street	Fresno Avenue	Navy Drive	396 ^a	441 ^a	11.3%
Fresno Avenue	Crosstown Freeway (SR4)	Washington Street	850 ^b	721 ^b	-15.2%
Navy Drive	Pershing Avenue	Fresno Avenue	169 ^c	260 ^c	53.8%
8 th Street	Stockton Street	Fresno Avenue	543 ^d	NA	NA

¹ Based on total Inbound and Outbound traffic volumes as presented in Figure 4.3.2 of the EIR.

² Based on total Inbound and Outbound traffic volumes collected by Fehr and Peers Transportation Consultants May, 2006

^a Inbound and Outbound traffic volume on Washington Street recorded at intersection of Washington Street and Fresno Avenue

^b Inbound and Outbound traffic volume on Fresno Avenue recorded at intersection of Fresno Avenue and WB Crosstown Freeway Ramp

^c Inbound and Outbound traffic volume on Navy Drive recorded at intersection of Navy Drive and Fresno Avenue

^d 2004 Inbound and Outbound traffic volume on 8th Street recorded at intersection of 8th Street and Fresno Avenue

As identified in Table 2.11.1, traffic volumes have not increased by 100% at any sensitive receptor locations along Washington Street, Fresno Avenue, or Navy Drive since certification of the West Complex EIR. Although 2006 peak hour traffic volumes are not available for 8th Street, the total number of vehicle trips attributable to the West Complex as of June 2006 is estimated to be approximately 314. Based on trip distribution routes identified in the West Complex EIR, 9% of the total West Complex traffic is estimated to use 8th Street to access the West Complex. Based on these distribution rates, the approximate increase in traffic along 8th Street attributable to the Port is 29 trips, or a 5.3% increase in total traffic volumes.

The proposed project would add 17 AM peak hour vehicle trips to total traffic volumes. These trips would be distributed over each of the roadway segments identified in Table 2.11.1, and would not impact any one segment. The addition of 17 AM vehicle trips would not result in a doubling of traffic at sensitive receptor locations identified in the West Complex EIR.

Other Potential Impacts

The project site is not located within an airport land use plan or within two miles of a public airport or public use airport. There would be no impact on exposing people residing or working in the project site to excessive noise levels from public and public use airports. The project site is not within the vicinity of a private airstrip, thus, the project would have no impact on exposing people residing or working on site to excessive noise levels.

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant noise impacts that were not addressed in the West Complex EIR.

REFERENCES

City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.

Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.

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2.12. POPULATION AND HOUSING

The following analysis identifies the impacts of the proposed Community Fuels project to population and housing, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to population or housing.

Population and Housing Environment, Regulatory Setting, and Significance Criteria

The City of Stockton had a population of 279,800 in 2005, according to the California Department of Finance, making it the largest city in San Joaquin County and the 13th largest city in California. The 1990 General Plan anticipated a population of 302,900 by 2010, and the San Joaquin Council of Governments anticipates Stockton's population to reach over 400,000 by 2025 (based on an annual growth rate around 2%).

The West Complex EIR estimated that Port projects and activities in the West Complex would generate approximately 15,000 to 20,000 direct jobs and other indirect and induced jobs. Several urbanized areas of San Joaquin County with high rates of unemployment are located in close proximity to the West Complex. The West Complex EIR found that an ample supply of available construction workers live within a reasonable commute distance of the Port, and the impacts to population and housing from construction-related employment would not be significant.

Impacts of Community Fuels Biodiesel Production Facility

Community Fuels plans to hire a total of up to 24 employees for the project. The addition of up to 24 employees working on site, many who would already live in Stockton and surrounding areas, would have a less than significant impact on population growth in the area. The project is located in a light industrial setting and would not displace existing housing or people. The project would not necessitate the construction of replacement housing elsewhere.

The proposed project has no potential to result in a significant impact on population or housing. The only impact addressed in the West Complex EIR was Impact 4.13.1:

4.13.1 Implementation of the Proposed Project has the potential to result in an increase in both temporary construction-related employment for the City of Stockton and surrounding area. This is a beneficial impact.

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant noise impacts that were not addressed in the West Complex EIR.

REFERENCES

City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.

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State of California, 2006. Department of Finance-Official Web Site. www.dof.ca.gov. Accessed May 23, 2006.

2.13. PUBLIC SERVICES

The following analysis identifies the impacts of the proposed Community Fuels project to public services, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to public services.

Public Services Environment, Regulatory Setting, and Significance Criteria

The West Complex EIR identified the existing public services provided by the City of Stockton. These services include fire and police protection, emergency medical response, public parks and recreation, and public schools. Police, fire, and medical services would be provided by the City of Stockton. In addition to City police services, the Port maintains an independent police force providing 24-hour port-security and has established guard gates and other security measures required by the Department of Home Land Security.

Fire protection water would be served by the existing on site non-potable water system. Fire Station 1, located approximately 3.5 miles southeast of project, provides fire protection and emergency hazardous, medical, and water rescue response teams to the West Complex.

Emergency medical response services are also provided by private ambulance companies. The West Complex EIR identified goals and policies of the 1990 General Plan. The Draft General Plan does not contain any new goals and policies applicable to services for the Community Fuels project. The West Complex EIR established public service impacts significance criteria based on the potential for adverse physical impacts associated with new or altered governmental facilities to maintain service ratios, response times, or other performance objectives.

Impacts of Community Fuels Biodiesel Production Facility

The proposed project would not require new or expanded police or fire protection services and would not increase the demand for schools, parks, or other public facilities. The project would rely on employees drawn from a local workforce and would not result in an increase in the planned population growth estimates identified in the 1990 General Plan. The project would rely on the existing non-potable water system at the Port for fire protection.

Operations

The West Complex EIR considered the historical susceptibility of the non-potable water system to leaks a potentially significant impact:

4.12.1 Implementation of the Proposed Project would not necessitate a new or expanded fire station; however the Proposed Project may necessitate upgrades to the existing non-potable water system. This is a potentially significant impact.

To reduce this impact to a less than significant level, the West Complex EIR required the Port perform an assessment of its non-potable water system. The Port's Fire Marshall has inspected the non-potable water system at Warehouse #809 and determined water supply and flow rates to be adequate for the proposed project (Kent Miller, Port of Stockton Fire Marshall).

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant public services impacts that were not addressed in the West Complex EIR.

REFERENCES

City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.

Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.

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2.14. RECREATION

The following analysis identifies the impacts of the proposed Community Fuels project to recreation, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to recreation.

Recreational Environment, Regulatory Setting, and Significance Criteria

The City of Stockton's Park and Recreation Department operates 55 developed parks and the County of San Joaquin operates eight parks within the City of Stockton's limits. Buckley Cove and Louis Park are both located downstream from the project site. Louis Park is situated across the Stockton DWSC opposite Berth 14 on the eastern side of the San Joaquin River. Morelli Park is located upstream from the project site and to the east of Interstate 5.

The Port is at the edge of the Delta, a system of small natural and man-made channels that are popular for boating, fishing and other recreational activities.

Impacts of Community Fuels Biodiesel Production Facility

Community Fuels would have a less than significant impact on recreational activity. Community Fuels plans to hire a total of up to 24 employees for the operation of the project. The addition of up to these employees, many who may already live in the area and already use neighborhood and regional parks and recreational facilities, would not result in the need for new facilities or the physical deterioration of recreational facilities in the area. The project would have no impact on the physical environment resulting from construction or expansion of recreational facilities.

Potential impacts on views from Louis Park and recreational users in the Stockton DWSC are considered in Section 2.1 Aesthetics.

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant recreation impacts that were not addressed in the West Complex EIR.

REFERENCES

- City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.
- City of Stockton, 2006. Department of Parks and Recreation-Official Web Site. www.Stocktongov.com/Parks. Accessed May 23, 2006.
- Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.

2.15. TRANSPORTATION AND CIRCULATION

The following analysis identifies the impacts the proposed Community Fuels project would have on transportation, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to transportation.

Transportation Environment, Regulatory Setting, and Significance Criteria

The West Complex EIR identifies the existing roadway setting for the West Complex. I-5, SR 4, and SR 99 provide regional access to the Port. Washington Street, Navy Drive, and Fresno Avenue currently provide local access to the West Complex. Future access will be provided via Daggett Road and Bridge (see Figure 1-4).

CCS Planning and Engineering, Inc. conducted a multi-phased transportation impact assessment for the West Complex EIR. The assessment evaluated existing (2004), interim, and cumulative (2020) daily and peak hour vehicle and truck trip generation rates and peak hour Level of Service (LOS) standards at 20 intersections and 60 freeway facilities potentially affected by West Complex traffic. The West Complex EIR considered the impacts of the Cumulative (2020) Plus Project condition, under which approximately 54,000 vehicles per day would access the West Complex.

The West Complex EIR determined pre-project existing trip generation rates at the West Complex were 2,704 vehicle trips/day (including 850 truck trips), and estimated 2010 plus project total vehicle trips at the West Complex to be 22,923 vehicle trips/day. Current 2006 trip generation rates for the Port are estimated to be at 3,018 vehicle trips/day (including 960 truck trips), and are below the 2010 plus project level.

Of the 2,704 daily vehicle trips at the Port in 2004, 233 occurred during AM peak hours and 262 occurred during PM peak hours. Since certification of the West Complex EIR, new tenants have added approximately 35 AM and 53 PM peak hour trips based on data from Ferguson Enterprises, Weyerhaeuser Corporation, and Building Material Distributors, Inc.

The 2004 traffic assessment revealed acceptable LOS at all studied intersections during AM peak hours (7–9 AM), and unacceptable LOS at the following three intersections during PM peak hours (4–6 PM): Charter Way and I-5 Southbound Ramps, Charter Way and Fresno Avenue, and Charter Way and Navy Drive. A subsequent assessment performed in September, 2005 by Fehr & Peers Transportation Consultants estimated AM and PM peak hour LOS would improve to acceptable levels for the Charter Way and I-5 Southbound Ramps and Charter Way and Navy Drive intersections, but would decline to unacceptable levels for the intersection of Charter Way and Fresno Avenue.

The 2004 traffic evaluation also revealed unacceptable LOS operations at six freeway facilities along SR99 during AM and PM peak hours and one freeway facility along both I-5 and SR4 during PM peak hours.

The West Complex EIR considered impact significance for trip generation and peak hour LOS operations under the Cumulative (2020) Plus Project condition LOS impacts associated with early, mid, and late stages of West Complex development was presented in Appendix D of the West Complex Draft EIR. Appendix D identifies the potential peak hour LOS impacts associated with interim levels of West Complex development and suggests improvements to mitigate unacceptable LOS conditions as traffic volumes increase at impacted intersections. Actual roadway improvements would be determined in response to bi-annual monitoring of traffic conditions and in consultation with the City of Stockton.

Under the Cumulative (2020) Plus Project condition, the following intersection and roadway improvements were considered to have been implemented:

- Signalization of Charter Way and Navy Drive Intersection (2005)
- Daggett Road Bridge replacement and reconstruction of Daggett Road as a two-lane facility (2010)
- Navy Drive Bridge replacement and widening of Navy Drive to four lanes (2006)
- Daggett Road widened to four or five lanes and reconstruction of I-5 interchange at Charter Way (2020)

As of June, 2006, all of the above improvements were underway. The signalization of Charter Way and Navy Drive is expected to be complete in 2006. Current schedules call for Daggett Road Bridge replacement and reconstruction of Daggett Road north of Burns Cutoff to be complete by September, 2006. Reconstruction of Daggett Road south of Burns Cutoff and improvements to the Daggett Road and Charter Way Intersection are expected to be complete by January, 2007. The Federal Highway Administration will undertake replacement of Navy Drive Bridge, which is currently in environmental review. The replacement of Navy Bridge is expected to be complete by summer of 2008.

The West Complex EIR established transportation and circulation impact significance criteria based on the potential for a substantial increase in traffic, reduced LOS operation, or increased hazards due to a design feature or incompatible use. The EIR identified acceptable LOS as LOS A – D for intersection operations and LOS A – E for freeway facilities. A substantial increase in traffic was defined as an increase in traffic volumes of 5% or more.

Impacts of Community Fuels Biodiesel Production Facility

The proposed Community Fuels project would result in additional traffic at the West Complex. Up to ten trucks and 24 employees would visit the biodiesel production facility per day, at full production levels. Truck access to the proposed project would occur through Daggett Road Bridge. Passenger vehicle access would occur through both the Navy Drive and Daggett Road Bridges.

Trip Generation

At full production, the proposed project would contribute up to 20 truck and 68 total vehicle trips per day to the cumulative total off-site truck and vehicle trips estimated by the West Complex EIR. Under the Cumulative (2020) Plus Project condition, implementation would result in up to 8,849 new truck trips and 51,319 new vehicle trips per day. The West Complex EIR considered cumulative trip generation rates in Impacts 4.3.1 and 4.3.2:

4.3.1 Trip Generation rates which result in a substantial number of new vehicle trips. This is a significant impact.

4.3.2 Trip Generation Rates which result in substantial amounts of additional truck traffic.

The proposed Community Fuels project would represent 0.13% of the cumulative vehicle trip generation rates considered in the West Complex EIR and be subject to the Port's Travel Demand Management and Truck Travel Control plans. Cumulative trip generation rates were found to be significant and unavoidable impacts, and the West Complex EIR required preparation of these plans as mitigation for cumulative trip generation impacts.

MM 4.3.1 of the West Complex EIR requires the Port prepare a Travel Demand Management (TDM) Plan designed to reduce motor vehicle emissions. The Port, in coordination with the SJVACPD, is currently preparing this plan. The plan will be based on measures contained in the SJVAPCD document, GAMAQI, and will identify measures to reduce total vehicle trips and motor vehicle emissions at the West Complex. Based on a review of measures contained in the GAMAQI, feasible and appropriate TDM measures for the proposed biodiesel production facility include:

- Implementation of carpool/vanpool program
- Preferential parking for carpool and vanpool vehicles
- Preferential parking for California Air Resources Board (CARB) certified vehicles

Community Fuels would provide assistance with carpool/vanpool formation and provide preferential parking for carpool/vanpool vehicles. Preferential parking would also be provided for CARB certified zero, partial zero, and super ultra-low emissions vehicles, including alternative fueled, hybrid, and electric vehicles. As the TDM Plan is finalized and more traffic is generated at the West Complex, additional trip and emissions reduction measures may become feasible and appropriate for the proposed project.

MM 4.3.2 of the West Complex EIR requires the Port develop and implement a Truck Travel Control Plan (TTCP) to reduce the effects of project-related truck traffic on local roadways. The plan includes signage on regional access routes directing truck traffic to Daggett Road Bridge. As part of the TTCP, the Port is required to monitor truck traffic at the West Complex and ensure access occurs over the Daggett Road Bridge. The TTCP

would apply to truck traffic from the Community Fuels Project and would reduce the impacts of total truck traffic to less than significant levels.

No additional mitigation is feasible for cumulative vehicle and truck trips generated by the Community Fuels project. Installation of the proposed biodiesel production facility would contribute slightly to the significant and unavoidable cumulative trip generation impacts identified in the West Complex EIR.

Intersection LOS Impacts

Passenger vehicles coming to and from the Community Fuels site would use either the Daggett Road or Navy Drive Bridges to access the West Complex. Fresno Avenue, Washington Street, and Navy Drive would be used to access the Navy Drive Bridge; Charter Way and Daggett Road would be used to access the Daggett Road Bridge. All truck traffic would use the Daggett Road Bridge.

The proposed project would represent an increase in total vehicle trips at the West Complex approximately 2.3% above the estimated 2006 conditions and is expected to generate 17 AM and 19 PM peak hour trips. Truck trips would result in an approximate 2.1% increase over the estimated 2006 conditions. The proposed project, therefore, does not constitute a substantial number of vehicle or truck trips under the West Complex EIR significance criteria. The proposed project would, however, contribute to cumulative (2020) peak hour LOS impacts considered in the West Complex EIR:

4.3.4 Increased traffic associated with implementation of the Proposed Project under the Cumulative (2020) Plus Project Condition would contribute to unacceptable levels of service at eighteen intersections within the Project Area. This is a significant impact.

To mitigate this impact, MM 4.3.4 requires the Port contribute its fair share of established fee programs to fund intersection and roadway improvements designed to improve level of service standards. As of June, 2006, the City of Stockton has not established a plan for traffic improvements in the project area or a fair share funding mechanism for such improvements. The Port, however, is planning to implement improvements at the Navy Drive Bridge, Daggett Road Bridge, and the intersection of Daggett Road and Charter Way.

Caltrans has requested bi-annual monitoring of intersection operations along Charter Way and peak hour turning volumes at both Daggett Road and Navy Drive Bridge. Monitoring is scheduled to begin in September, 2006. Data will be used to establish baseline traffic estimates and monitor intersections along Charter Way for unacceptable LOS standards. Should peak hour turning volumes exceed roadway capacity and unacceptable LOS standards be monitored, the Port, in conjunction with the appropriate jurisdictional agency (i.e., Caltrans, City of Stockton) will implement feasible improvements to mitigate unacceptable LOS standards (Eddie Barrios, Fehr and Peers Transportation Consultants).

No additional mitigation is necessary for cumulative LOS impacts of the proposed project. The West Complex EIR found unacceptable LOS to be significant and unavoidable impacts.

The implementation of feasible TDM measures would help reduce congestion and improve intersection LOS, but would not avoid significant cumulative impacts to LOS standards.

Freeway Facility LOS Impacts

The proposed project would contribute to unacceptable LOS for freeway facilities under the Cumulative (2020) Plus Project Condition evaluated in the West Complex EIR:

4.3.6 Increased traffic associated with implementation of the Proposed Project under the Cumulative (2020) Plus Project Condition would contribute to unacceptable levels of service at thirty-three freeway facilities. This impact is considered significant.

Appendix D of the West Complex EIR suggests measures to reduce LOS standards to acceptable levels. Freeway improvements, however, are subject to the jurisdiction and authority of the San Joaquin Council of Governments and Caltrans. The West Complex EIR found unacceptable LOS standards to be significant and unavoidable impacts. No mitigation is available to the Port for cumulative LOS impacts to freeways from the proposed project.

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant transportation and circulation impacts not identified in the West Complex EIR.

REFERENCES

- Barrios, Eddie. Fehr and Peers Transportation Consultants. Personal Communication. June 8, 2006.
- City of Stockton, 1990. *City of Stockton General Plan Goals and Policies Report, 2nd GPAT Draft*. Stockton, California. February, 2005.
- Environmental Science Associates, 2004. *Port of Stockton West Complex Development Plan Final Environmental Impact Report*. Prepared by Environmental Science Associates in cooperation with Jones and Stokes Associates. May 2004.
- Fehr and Peers Transportation Consultants, 2005. *Final Traffic Impact Analysis – West Complex Development Plan*. September 2005.
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- Graham, Charley. Building Material Distributors, Inc. Personal Communication. June 13, 2006.
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Sabo, Lester. Weyerhaeuser Corporation. Personal Communication. June 13, 2006.

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2.16. UTILITIES AND SERVICE SYSTEMS

The following analysis identifies the impacts that the proposed Community Fuels project would have on utilities, compares them to the impacts previously considered in the West Complex EIR, and considers whether the project would result in any potentially new significant impacts to utilities.

Utility Environment, Regulatory Setting, and Significance Criteria

The West Complex EIR identifies the existing wastewater, stormwater, potable water supply and distribution, solid waste, natural gas, electricity, and telecommunications utility services at the West Complex.

Sanitary Sewer Service is provided by the City of Stockton's Municipal Utilities District. Wastewater is conveyed from the West Complex across the San Joaquin River to the City's Regional Wastewater Control Facility, which provides secondary and tertiary treatment of wastewater. The West Complex EIR estimated wastewater demand would increase by 700,000 gallons per day.

California Water Service Company (Cal Water) provides the potable water supply at the West Complex. Potable water is supplied to the West Complex via a 12-inch cast iron pipe and routed into a 300,000-gallon water tower from which it is distributed throughout the island. Supply to the Community Fuels Site is via a 2-inch line fed from the 8-inch water main on Ellsberg Drive (Pinasco, Inc.) Table 2.16-1 summarizes potable water use at the Port since 2001. At build-out, the West Complex is estimated to use approximately 1,633 AF per year (potable and non-potable). Potable water supply is also addressed in Section 2.8 Hydrology and Water Quality.

**TABLE 2.16-1
PORT OF STOCKTON POTABLE WATER USE**

Year	Water Usage (in Acre-Feet) ^a				Annual
	Quarter 1	Quarter 2	Quarter 3	Quarter 4	
2001	18.0	17.0	20.3	9.0	64.3
2002	9.6	11.5	15.7	16.8	53.6
2003	19.2	16.0	15.7	15.2	66.1
2004	13.0	15.8	21.7	14.2	64.7
2005	20.0	18.0	21.6	18.8	78.4
2006	23.3	0.00	0.0	0.0	85.5*

a Water use estimated from meters 01502419 and 01624659

* Project 2006 total water use based on existing data

Non-potable water is provided by the Port for fire protection, agricultural uses, and the golf course. The water is pumped from Burns Cutoff. Historically, non-potable water use has accounted for 868 AF per year.

Solid waste is collected by Stockton Scavenger and Delta Container, and disposed at one of two landfills owned by Forward Inc. The landfills do not currently face capacity issues. According to the California Integrated Waste Management Board's 2000 assessment, the landfill operated by Forward Inc. has a remaining estimated capacity of 40,031,058 cubic yards (78% of total landfill area is available for disposal).

Pacific Gas & Electric (PG&E) provides natural gas and electrical services to the Port. The Port owns and operates both electrical and gas facilities on the West Complex. Telecommunication services in the West Complex are supplied by Pacific Bell through a network of overhead distribution lines and individual service lines.

The Draft General Plan contains one new policy applicable to the proposed project:

PFS-1.9 Conditions of Approval

During the development review process, the City shall not approve new development unless the following conditions are met:

- The applicant can demonstrate that all necessary infrastructure will be installed or adequately financed
- Infrastructure improvements are consistent with City infrastructure plans.

The West Complex EIR established significance criteria for utilities based on the potential to exceed wastewater treatment requirements or facilities, result in insufficient water supplies, or be served by a landfill with insufficient capacity. The West Complex EIR established a significance threshold of 86 AF/year for potable water demand at the West Complex, based on the 2001 demand for potable water at the complex.

Impacts of Community Fuels Biodiesel Production Facility

The proposed project would require approximately 5.7 AF/year of potable water during the initial optimization and first year of production. At full production (12-18 months from initial operation), the proposed project is anticipated to require approximately 8.4 AF/year. Based on 2005 water usage at the West Complex, cumulative potable water demand would increase to 86.8 AF/year under the full production scenario and would exceed the West Complex EIR significance threshold of 86 AF/year.

The proposed project would interconnect to the non potable water system for fire protection, the wastewater treatment system for discharge, the potable water supply system for water supplies, and the water distribution infrastructure. Waste would be delivered to local landfills.

Impacts to Non-Potable Water System

The non-potable water service is used for fire protection the proposed site. The West Complex EIR considered the impacts to the West Complex's non-potable water system in Impact 4.12.1:

4.12.1 Implementation of the Proposed Project would not necessitate a new or expanded fire station; however the Proposed Project may necessitate upgrades to the existing non-potable water system. This is a potentially significant impact.

The proposed project would require replacement of the sprinkler systems in Warehouse #809 but would not require upgrades to the non-potable water system used for fire protection (Kent Miller, Port of Stockton Fire Marshall). Upgrades to the non-potable water system for water supplies for biodiesel production, however, may be required if the cumulative water demand at the West Complex exceeds 86 AF/year with implementation of the proposed project. To address the potential impacts of the non-potable water system, the West Complex EIR required the Port to implement MM 4.12.1

4.12.1a Prior to major project-specific development, the Port shall perform an assessment of the non-potable water system, and if deemed necessary complete any upgrades to the system. This may be performed on a project-by-project basis or as part of a Master Plan for development of the entire Project Area.

The assessment will test for leaks in the non-potable water system, establish the ability of the system to provide sufficient flow for fire-fighting throughout the island, and identify any areas where upgrades, replacement, and / or rehabilitation is necessary to provide fire flows which conform to adopted Building Code Fire Safety Standards and support the City of Stockton's existing Class I ISO rating. All system improvements shall conform to the City of Stockton Department of Public Works Standard Specifications and the Stockton Municipal Code.

The assessment shall include, and the Port shall implement, a schedule that performs system improvements prior to or concurrent with the new development and/ or increased intensity of land use such that it does not exceed the capacity of the on-site system, and adequate fire protection flows continue to be provided.

Pursuant to MM 4.12.1a the Port has performed an assessment of the non-potable water system for leaks and determined that the system is acceptable for fire protection in the Community Fuels project area. Further assessments and upgrades would be needed to provide additional non-potable water to the project to supply full operations at Community Fuels. If the implementation of these upgrades meets the applicable fire codes, the impacts of the project to the non-potable water system would not be significant.

Impacts to Wastewater Service

The Community Fuels project would need to discharge water during initial optimization, when the recycling system is being tested and during production when the wash water recycling system is in operation. The West Complex EIR considered the impacts to wastewater service in Impact 4.12.5

4.12.5 Implementation of the Proposed Project has the potential to impact wastewater service. This is a less than significant impact.

The West Complex EIR considered impacts to the existing wastewater service system to be less than significant because the City of Stockton Regional Wastewater Control Facility (RWCF) has sufficient capacity to meet wastewater demands associated with the West Complex.

During the initial months of testing and optimization, the proposed project would discharge up to 2,000 gallons/day of wash water. Initial wash water would contain diluted concentrations of biodiesel, methanol, and other non-hazardous organics that would contribute to biological oxygen demand (BOD). The RWCF has a pretreatment goal of 800 mg/l for BOD (Bill Barahaf, City of Stockton). Community Fuels expects BOD concentrations to vary considerably during the initial optimization period. If BOD concentrations do not exceed RWCF pretreatment goals, wash water would be discharged into wastewater lines serving the site. If BOD concentrations do exceed RWCF pretreatment goals Community Fuels would either store the water in onsite tanks for later treatment or transport the wastes by truck to the East Bay Municipal Utility District facility or other Port tenants capable of using the water, such as DB Western and Brothers, Inc. Once the optimization is complete, Community Fuels would recycle most of its wash water, and discharge an estimated 2,100 gallons/day of wash water, boiler blowdown, and sanitary wastes expected to meet local wastewater treatment plant requirements.

The project, therefore, would have a less than significant impact on the operations of the wastewater treatment plant or wastewater service.

Impacts to Potable Water Supply

The proposed project would use an estimated 8.4 AF/year (2,748,515 gallons/year) of potable water at full production. The West Complex EIR considered impacts to the potable water supply in Impact 4.12.6:

4.12.6 Implementation of the Proposed Project has the potential to result in impacts to the potable water supply. This is a potentially significant impact.

The West Complex EIR established a significance threshold of 86 AF/year for potable water demand. In 2005, the total potable demand was 78.4 AF/year. Community Fuels anticipates a water demand of 4.96 AF/year at the initial five million gallon per year rate of production. With implementation of the proposed project, cumulative water demand at the West Complex would increase to over 84 AF/year, based on 2005 demand levels, but would remain below the West Complex EIR significance threshold of 86 AF/year. At full production (12-18 months after initial operation), the proposed project would require approximately 8.4 AF/year, and the proposed project would exceed the West Complex EIR significance threshold for water supply.

At current water consumption rates, the 2006 potable water demand is projected to be approximately 85.5 AF/year. If water consumption demands continue at this rate, the proposed project, at any production level, would contribute to cumulative water demands that exceed the significance thresholds of the West Complex EIR.

To reduce impacts of cumulative potable water demand, the Port would implement measures pursuant to MM 4.12.6 of the West Complex EIR:

4.12.6 Prior to approving specific developments associated with the Proposed Project, the Port shall perform a detailed assessment of the water demands associated with these developments. To ensure that water usage from the Proposed project does not exceed baseline water levels. As outlined below, the Port shall implement the following mitigation measures, if applicable:

For project-related water demands that bring the cumulative demand for potable water above the 2001 annual average of 86 AF/year, the Port shall utilize one or more of the following options:

1. Implement water conservation measures that bring cumulative demand within the Project Area at or below 86 AF/year.
2. Supply the development by utilizing any unused portion of the water historically supplied for nonpotable uses (i.e., agriculture, fire flows and the golf course), estimated at 868 AF/year. This option may be carried out in a variety of ways. For instance, the Port may choose to dual plumb their water system within the Project Area such that non-potable demands are supplied from these existing surface water diversions and freeflow system. Alternatively, the Port could build a water treatment plant for potable use of such water.
3. For project-related domestic water demands which may not be filled using the above two options, or bring the cumulative demand on the Project Area above the total historic water use of 954 AF/year, the Port shall not approve any development until a firm water supply has been secured, and all agreements and financing for such a supplemental water supply are in place. This supplemental supply shall not contribute to any worsening in the overdraft condition of the aquifer.

Options for such a water supply include obtaining new water rights, performing in-lieu and/or direct recharge to the aquifer, entering into contracts for water

transfers, and water reclamation/reuse. As discussed in the setting above, under buildout conditions, the Proposed Project could produce approximately 0.7 mgd (788 AF/year) of wastewater that may be available for reuse, assuming it received treatment to Title 22 standards. This could account for a projected shortfall of approximately 679 AF/year at buildout.

To mitigate the impacts of the proposed project, the Port would implement water conservation measures to reduce the demand for potable water from Community Fuels and other tenants. In addition, the Port may decide to upgrade the non-potable water system at Warehouse #809 to allow for the use of non-potable water in the biodiesel production process. With the implementation of the above measures, the impact to potable water supply would be less than significant.

Impacts to Water Distribution Infrastructure

Potable water supply for the proposed project is served by a 2-inch supply line at the northeast corner of Warehouse #809 capable of supplying 25-80 gpm. The West Complex EIR considered impacts to the potable water distribution system in Impact 4.12.7:

4.12.7 Implementation of the Proposed Project could result in impacts to the water distribution infrastructure system. This is a potentially significant impact.

During initial start-up the project would use 32,000 gallons of water for pressures testing and initial fill of the boilers. This requirement is not expected to exceed the capacity of the supply lines, but if more water was needed for testing, delivery could be performed at offpeak hours. At the initial five million gallon/day production rate, annual water demand would be 1,318,015 gallons/year or 2.51 gpm. At full production, annual potable water demand of the proposed project is estimated to be 2,748,515 gallons/year, or approximately 5.22 gpm. The 2-inch supply line serving Warehouse #809 is capable of supplying a minimum of 25 gpm during peak demand times. The proposed project, therefore, would have less than significant impacts on the water distribution system.

Impacts to Landfills

The Community Fuels project would generate solid wastes. The West Complex EIR considered impacts to landfills in Impact 4.12.8:

4.12.8 Implementation of the Proposed Project would not result in insufficient capacity at an existing landfill. This is a less than significant impact.

The West Complex EIR considered impacts to landfills less than significant because local landfills were not experiencing shortages of capacity. Local landfills continue to have excess capacity. According to the California Integrated Waste Management Board's 2000 assessment, the landfill operated by Forward Inc. has a remaining estimated capacity of 40,031,058 cubic yards (78% of total landfill area is available for disposal).

Pursuant to the California Integrated Waste Management Act (AB939) and MM 4.12.8 the Port has developed a Source Reduction Plan (SRP) for the reduction of solid waste. The proposed

project would be subject to the Port's SRP. The proposed project, therefore, would have a less than significant impact at existing landfills.

The Community Fuels Biodiesel Production Facility project would not result in any potentially significant impacts to utilities that were not addressed in the West Complex EIR.

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