

1 **3.13 Population and Housing**

2 **3.13.1 Introduction**

3 This section describes the regulatory and environmental setting for population and housing in the
4 vicinity of the Proposed Project and the Atwater Station Alternative. It also describes the impacts on
5 population and housing that would result from implementation of the Proposed Project and the
6 Atwater Station Alternative.

7 Cumulative impacts on population and housing, in combination with planned, approved, and
8 reasonably foreseeable projects, are discussed in Chapter 4, *Other CEQA-Required Analysis*.

9 **3.13.2 Regulatory Setting**

10 This section summarizes federal, state, regional, and local regulations related to population and
11 housing that are applicable to the Proposed Project and the Atwater Station Alternative.

12 **3.13.2.1 Federal**

13 There are no federal regulations related to population and housing that are applicable to the
14 Proposed Project and the Atwater Station Alternative.

15 **3.13.2.2 State**

16 **California Relocation Assistance and Real Property Acquisition Guidelines**

17 The California Government Code requires that relocation assistance be provided to any person,
18 business, or farm operation displaced because of the acquisition of real property by a public entity
19 for public use (25 California Code of Regulations [Cal. Code Regs.] 6000 et seq.). In addition,
20 comparable replacement properties must be available for each displaced person within a reasonable
21 period of time prior to displacement. These guidelines establish uniform and equitable procedures
22 for land acquisition, as well as uniform and equitable treatment of persons displaced from their
23 homes, businesses, or farms by state and state-assisted programs.

24 **3.13.2.3 Regional and Local**

25 The San Joaquin Regional Rail Commission (SJRRC), a state joint powers agency, proposes facilities
26 inside and outside of the Union Pacific Railroad (UPRR) right-of-way (ROW). The Interstate
27 Commerce Commission Termination Act (ICCTA) affords railroads engaged in interstate commerce
28 considerable flexibility in making necessary improvements and modifications to rail infrastructure,¹
29 subject to the requirements of the Surface Transportation Board. ICCTA broadly preempts state and
30 local regulation of railroads, and this preemption extends to the construction and operation of rail
31 lines. As such, activities within the UPRR ROW are clearly exempt from local building and zoning
32 codes and other land use ordinances. However, facilities located outside of the UPRR ROW, including

¹ ACE operates within a ROW and on tracks owned by the UPRR, which operates interstate freight rail service in the same ROW and on the same tracks.

1 proposed stations, the proposed Merced Layover & Maintenance Facility, and the Atwater Station
2 Alternative would be subject to regional and local plans and regulations. Though ICCTA does broadly
3 preempt state and local regulation of railroads, SJRRC intends to obtain local agency permits for
4 construction of facilities that fall outside of the UPRR ROW even though SJRRC has not determined
5 that such permits are legally necessary and may not be required.

6 Appendix G of this EIR, *Regional Plans and Local General Plans*, provides a list of applicable goals,
7 policies, and objectives from regional and local plans of the jurisdictions in which the Proposed
8 Project and the Atwater Station Alternative would be located. Section 15125(d) of the California
9 Environmental Quality Act (CEQA) Guidelines requires an environmental impact report (EIR) to
10 discuss “any inconsistencies between the proposed project and applicable general plans, specific
11 plans, and regional plans.” These plans were considered during the preparation of this analysis and
12 were reviewed to assess whether the Proposed Project and the Atwater Station Alternative would
13 be consistent with the plans of relevant jurisdictions.² The Proposed Project and the Atwater Station
14 Alternative would be generally consistent with the applicable goals, policies, and objectives related
15 to population and housing identified in Appendix G.

16 **3.13.3 Environmental Setting**

17 This section describes the environmental setting related to population and housing for the Proposed
18 Project and the Atwater Station Alternative. For the purposes of this analysis, the study area for the
19 Proposed Project and the Atwater Station Alternative is limited to municipalities where new stations
20 are proposed.

21 Municipalities supporting Altamont Corridor Express (ACE) stations are the sites in which new
22 riders would access ACE and take advantage of new operations with the Proposed Project and
23 Atwater Station Alternative. While improvements to tracks are necessary for operations, these track
24 improvements would not provide riders access to ACE. Because the physical distribution of
25 ridership throughout the region is the primary driving factor for changes in population and housing,
26 the study area and analysis focus on the jurisdictions in which the stations would be located because
27 the stations represent the interfaces between the communities and ACE.

28 Information for the population and housing setting was obtained from the following sources:
29 California Department of Finance (2019), and the Eberhardt School of Business (2016a, 2016b).

30 **3.13.3.1 Overview of Regional Growth**

31 Table 3.13-1 provides the existing and projected population growth statewide and in Stanislaus and
32 Merced Counties for a general overview of population at the county level. The counties that the
33 Proposed Project and the Atwater Station Alternative would service are projected to grow at a
34 higher annual rate than the State of California between 2020 and 2045.

² An inconsistency with regional or local plans is not necessarily considered a significant impact under CEQA, unless it is related to a physical impact on the environment that is significant in its own right.

1 **Table 3.13-1. Existing and Projected Populations**

County	2020	2025	2030	2035	2040	2045	Change in Population: 2020-2045 (%)	Average Annual Growth Rate (2020-2045) (%)
Stanislaus County	562,303	584,055	606,900	629,634	650,911	670,519	19.2	0.8
Merced County	287,420	307,981	329,635	352,256	374,210	395,629	37.6	1.5
California	40,129,160	41,176,614	42,263,654	43,195,083	43,946,643	44,497,568	10.9	0.4

2 Source: California Department of Finance 2019.

1 **3.13.3.2 Demographic Profiles**

2 Demographic profiles are provided for the following municipalities, where the Proposed Project and
3 the Atwater Station Alternative would develop new stations.

- 4 • City of Turlock for the Turlock Station.
- 5 • City of Livingston for the Livingston Station.
- 6 • City of Atwater for the Atwater Station Alternative.
- 7 • City of Merced for the Merced Station.

8 Table 3.13-2 shows existing population and projected growth in Turlock, Livingston, Atwater, and
9 Merced. All four cities are projected to grow at a higher annual rate than their respective counties
10 from 2020 to 2045. Populations are projected to increase by 30.9 percent in Turlock, 39.3 percent in
11 Livingston, 38.1 percent in Atwater, and 37.8 percent in Merced between 2020 and 2044 (Eberhardt
12 School of Business 2016a, 2016b).

13 Table 3.13-3 shows existing housing units and projected growth of housing units in Turlock,
14 Livingston, Atwater, and Merced; housing units in these four cities are projected to have a 1.2
15 percent, 1.7 percent, 1.6 percent, and 1.6 percent annual growth rate, respectively, from 2020 to
16 2045. Housing units are projected to increase by 30.6 percent in Turlock, 42.2 percent in Livingston,
17 41.0 percent in Atwater, and 40.7 percent in Merced between 2020 and 2045 (Eberhardt School of
18 Business 2016a, 2016b).

1 **Table 3.13-2. Population Projections**

City	2020	2025	2030	2035	2040	2045	Change in Population: 2020-2045 (%)	Average Annual Growth Rate (2020-2045) (%)
Turlock	76,475	81,219	86,077	90,872	95,564	100,117	30.9	1.2
Livingston	14,915	15,943	17,201	18,416	19,608	20,774	39.3	1.6
Atwater	32,037	34,182	36,803	39,331	41,803	44,244	38.1	1.5
Merced	89,719	95,670	102,952	109,986	116,864	123,631	37.8	1.5

2 Source: Eberhardt School of Business 2016a, 2016b.

3 **Table 3.13-3. Housing Unit Growth Projections**

City	2020	2025	2030	2035	2040	2045	Change in Housing Units: 2020-2045 (%)	Average Annual Growth Rate (2020-2045) (%)
Turlock	27,301	29,136	30,935	32,545	34,152	35,642	30.6	1.2
Livingston	3,897	4,187	4,542	4,877	5,215	5,543	42.2	1.7
Atwater	10,853	11,640	12,599	13,506	14,412	15,306	41.0	1.6
Merced	30,545	32,737	35,416	37,954	40,489	42,978	40.7	1.6

4 Source: Eberhardt School of Business 2016a, 2016b.

1 **3.13.4 Impact Analysis**

2 This section describes the environmental impacts of the Proposed Project and the Atwater Station
3 Alternative on population and housing. It describes the methods used to evaluate the impacts and
4 the thresholds used to determine whether an impact would be significant.

5 **3.13.4.1 Methods for Analysis**

6 For the induced population growth analysis around new stations, city and county general plans,
7 specific plans, and other relevant planning documents were reviewed to determine whether the
8 municipality supports transit-oriented development (TOD) or intensified development around new
9 station sites or recommends a strategy of preservation of existing uses and intensities.³ If the
10 policies support intensification, then a new station was considered to be supportive of local plans
11 regarding growth. Facilities would not directly induce growth because housing and employment
12 development are not proposed; however, the facilities have the potential to indirectly induce growth
13 by extending rail services and infrastructure into areas not planned for development, as reflected in
14 local general plans.

15 Table 2-10 summarizes the parcels for which ROW or easements would be required. Parcels affected
16 by the Proposed Project and the Atwater Station Alternative were evaluated to determine if any
17 housing would be temporarily or permanently displaced and if replacement housing would be
18 required.

19 **3.13.4.2 Thresholds of Significance**

20 The CEQA Guidelines Appendix G (14 Cal. Code Regs. 15000 et seq.) has identified significance
21 criteria to be considered for determining whether a project could have significant impacts on
22 population and housing. An impact would be considered significant if construction or operation of
23 the project would have any of the following consequences.

- 24 • Induce substantial unplanned population growth in an area, either directly (e.g., by proposing
25 new homes or businesses) or indirectly (e.g., through extension of roads or other
26 infrastructure).
- 27 • Displace substantial numbers of existing people or housing, necessitating the construction of
28 replacement housing elsewhere.

29 **3.13.4.3 Impacts and Mitigation Measures**

Impact POP-1	Construction and operation would not substantially induce, either directly or indirectly, unplanned population growth in an area.
Level of Impact	Less than significant impact

³ *Transit-oriented development* is characterized by dense, mixed-use development in close proximity to a transit station, such that residents and employees of and visitors to the surrounding development could walk to the transit station.

1 **Impact Characterization and Significance Conclusion**

2 **Proposed Project**

3 ***Construction***

4 Construction of the Proposed Project would have the potential to induce local population growth
5 temporarily through employment of workers during the construction period. Regardless of the
6 intensity and duration of construction activities, the employment opportunities created through
7 construction of the Proposed Project would be temporary. Construction is not anticipated to induce
8 growth beyond creating temporary employment opportunities during construction.

9 Moreover, some of the employment opportunities are anticipated to be filled by local workers who
10 already reside in the vicinity of the Proposed Project and would not contribute to population
11 growth. Non-local labor would commute or temporarily relocate during the construction period;
12 once construction is complete, non-local workers would return to their prior residence or move on
13 to the next construction opportunity. As indicated by the housing unit projections for affected
14 municipalities, it is anticipated that the local municipalities would have the capacity to
15 accommodate a temporary increase in population in the event construction workers are relocated.
16 As a result, local population growth due to construction is not expected to be substantial or
17 unplanned, and impacts would be less than significant.

18 ***Operations***

19 Proposed Project operations would have the potential to induce population growth around new
20 stations along the extension route due to increased accessibility permitted by the expansion of
21 transit services. Proposed Project facilities, particularly at new stations, may induce population
22 growth if the facilities result in land use changes that would support intensified development.

23 The extension of transit services, such as those proposed with Proposed Project operations, have
24 been known to support population growth in the areas to which increased service is provided. TOD
25 can be an attractive means by which to accommodate such growth. Research on induced growth
26 around transit stations indicates that while access to transit can attract development around
27 stations, other conditions must be in place in order for such growth to be induced. A comprehensive
28 survey of research on the impact of rail transit on property values found that proximity to rail
29 typically increases the attractiveness of properties adjacent to transit for development (Diaz 1999).
30 This increased attractiveness was found to be primarily associated with the relative increase in
31 accessibility to transit services. However, a number of factors were found to influence the relative
32 attractiveness of adjacent property for TOD, including the existing land uses in the vicinity of the rail
33 stations and the willingness of local jurisdictions to accommodate such development. A study on
34 employment growth around new transit stations in California between 1992 and 2006 found no
35 correlation between opening new transit stations and employment growth in the immediate
36 vicinity. Rather, the largest observed increase in employment growth around new transit stations
37 was in areas that already supported high-density development (Kolko 2011).

38 These studies suggest that transit stations are more likely to increase the attractiveness of
39 developing the surrounding area if the land use policies and character of the area are conducive to
40 such development. If local land use policies support increased development and population growth,
41 new stations are more likely to induce TOD. While construction of a new transit station could
42 potentially make surrounding land more attractive to developers, expansion of transit service by

1 itself would not induce growth. Local land use policy, market conditions, political attitudes, and
2 regulatory constraints would all inform the feasibility of developing TOD around ACE stations.

3 New stations established as part of the Proposed Project include stations in municipalities not
4 currently served by ACE. New stations would provide accessibility, proximity to transit services, and
5 may be an attractive benefit consistent with intensified development. The additional growth may
6 not necessarily be new net growth in a community. Rather, the growth may be a redistribution of
7 planned growth that takes advantage of transit availability in the community. The extent to which a
8 new station may indirectly induce unplanned growth is examined in light of local land use and
9 development policies around the station area. Policies in the station area that call for land use
10 intensification and uses that are supportive of transit indicate that induced growth would be
11 beneficial, and not unplanned. By contrast, policies in the station area that call for preservation or
12 protection of natural or productive resources and low-intensity land uses would suggest that
13 induced growth, to the extent that it may occur, could be undesired and unplanned.

14 *Ceres to Merced Extension Alignment and Merced Layover & Maintenance Facility*

15 The potential for Proposed Project operations to induce population growth is generally associated
16 with increasing accessibility to new stations. Population growth is not anticipated to occur in the
17 locations where only track improvements or the maintenance and layover facility are proposed
18 because additional or upgraded tracks and the maintenance and layover facility would not provide
19 riders increased accessibility to ACE services and would not have the potential to stimulate TOD in
20 the vicinity of these improvements. Therefore, the Ceres to Merced Extension Alignment and the
21 Merced Layover & Maintenance Facility would not stimulate unplanned growth.

22 *Turlock Station*

23 The Turlock Station would be located in proximity to the existing Turlock Transit Center and would
24 entail constructing new station platform, parking areas, and pedestrian amenities. This station
25 would be consistent with the *Turlock General Plan*, which specifies that the City would coordinate
26 land uses surrounding a future train station in Turlock with regional passenger train service and
27 that a regional commuter rail station should coincide with the local transit center (Policies 5.4-g,
28 5.4-o) (City of Turlock 2012). Given the policy direction for future growth to occur near the existing
29 transit center, the new station in Turlock would be supportive of local development plans, and
30 potential future population that may be associated with the station would not be substantial or
31 unplanned.

32 *Livingston Station*

33 The Livingston Station would entail constructing a new station platform and parking areas in the
34 downtown area. This station would be consistent with the *City of Livingston General Plan* which
35 supports transit centers/stops to be established in order to encourage the interface between
36 commercial centers, high-density residential uses, and the transit system, per the Circulation Policy
37 4.9-C-7 (City of Livingston 1999). As a result, existing planning policies already propose increased
38 growth in this area, and potential future population that may be associated with a station at these
39 locations would not be substantial or unplanned.

40 *Merced Station*

41 The Merced Station would entail constructing a new station platform and parking areas in the
42 downtown area. This station would be consistent with the *Merced Vision 2030 General Plan*, which

1 identifies policies to develop a TOD overlay zone in downtown Merced, support enhanced passenger
2 rail service, and promote land use development patterns that support and enhance the use of public
3 transit (Policies L-3.5, T-2.2, T-3.5 RAIL) (City of Merced 2012). Given the policy direction for future
4 growth to occur near transit, the new station in Merced would be supportive of local development
5 plans, and potential future population that may be associated with the station would not be
6 substantial or unplanned.

7 *ACE Ceres–Merced Extension Service*

8 With Proposed Project operations, new ACE service would be introduced from Ceres to Merced,
9 which is anticipated to result in an increase in ACE ridership system-wide above existing levels. At
10 existing stations and future stations between Lathrop and Ceres, operation of the Proposed Project
11 is not anticipated to induce unplanned population growth in the vicinity of these stations because
12 these stations are located in urbanized and developed areas, because no population-inducing
13 improvements are proposed at the stations, and because these stations are generally where ACE
14 riders would travel to (destination) for the purposes of their trip. Thus, it is unlikely that increased
15 ACE ridership with Proposed Project operations would induce substantial or unplanned population
16 growth in the vicinity of existing stations and future stations between Lathrop and Ceres.

17 *Summary for the Proposed Project*

18 The Proposed Project is supported by the general plans of the municipalities in which new stations
19 would be located. Where new stations are proposed, local growth and development policies
20 generally support the establishment of these stations; as such, the population growth that may
21 result in the station vicinity is already planned for by these municipal general plans. These policies
22 call for land use intensification and uses that are supportive of transit in the areas where new
23 stations are proposed and would suggest that induced growth from a new station would not be
24 substantial or unplanned. New stations could potentially intensify density surrounding stations, but
25 this intensification would be a redistribution of planned growth that would be taking advantage of
26 transit availability in the community. Because these new stations are considered beneficial and
27 complementary to land use and future growth plans, impacts would be less than significant in these
28 communities.

29 **Atwater Station Alternative**

30 For the same reasons as the Proposed Project, described above, construction of the Atwater Station
31 Alternative would have a less-than-significant impact on local population growth.

32 The Atwater Station Alternative would entail operation of a new station platform and parking areas
33 in the downtown Atwater area. Although there are no specific policies supporting a passenger rail
34 station in the city, the *City of Atwater General Plan* identifies policies for the development of the
35 downtown area, where the Atwater Station Alternative would be located, to support compact mixed-
36 use development patterns by encouraging designs with active ground-floor commercial or services
37 uses with residential or office units above (Policy LU-3.4) (City of Atwater 2000). This alternative
38 station in Atwater would be supportive of local development plans, and potential future population
39 that may be associated with the station would not be substantial or unplanned. As such, the impact
40 would be less than significant.

41 Implementation of the Atwater Station Alternative instead of the proposed Livingston Station would
42 result in the same less than significant construction-related impacts on local population growth

1 because both of the local municipalities would have the capacity to accommodate a temporary
2 increase in population in the event construction workers are relocated. Additionally, the Atwater
3 Station Alternative would result in the same less-than-significant impact during operation of the
4 proposed Livingston Station because both are considered beneficial and complementary to land use
5 and future growth plans.

Impact POP-2	Construction and operation would not displace a substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere.
Level of Impact	No impact

6 **Impact Characterization and Significance Conclusion**

7 Construction and operation of the Proposed Project and the Atwater Station Alternative would
8 require land acquisitions outside of the existing UPRR ROW. In particular, new stations and the
9 layover facility would require land acquisitions for parking areas and operation facilities. Table 2-10
10 provides a list of parcels that would be affected by the Proposed Project and Atwater Station
11 Alternative and would require full or partial parcel acquisitions or easements.

12 **Proposed Project**

13 The new main track for the Ceres to Merced Extension Alignment is located within the existing
14 UPRR ROW, and no parcel acquisitions would be required. The Merced Layover & Maintenance
15 Facility would be constructed in an industrial area north of State Route 59, north of downtown
16 Merced, and would require the acquisition of properties currently supporting industrial uses. The
17 parcels affected by the Merced Layover & Maintenance Facility do not support residential uses and
18 the layover facility would not displace any residential units that could require replacement housing.

19 The Turlock Station would be located primarily on vacant areas located adjacent to Front Street,
20 which currently do not support residential uses. Thus, parcels affected by the Turlock Station would
21 not displace any housing. The Livingston Station and Merced Station would be located on parcels
22 that currently support commercial and industrial uses or are vacant. There are no residential uses
23 on the parcels that would be affected by the Livingston Station and Merced Station, and these
24 stations would not displace any residential units that could require replacement housing.

25 The Proposed Project would not result in residential or population displacement, would not displace
26 housing units temporarily or permanently during construction or operation, and there would be no
27 impact.

28 **Atwater Station Alternative**

29 The Atwater Station Alternative would be located on parcels that are currently vacant and parcels
30 that include industrial and transportation (Atwater Transpo) uses. There are no residential uses on
31 the parcels that would be affected by the Atwater Station Alternative and this station would not
32 displace any residential units that could require replacement housing. The Atwater Station
33 Alternative would not result in residential or population displacement, would not displace housing
34 units temporarily or permanently during construction or operation, and there would be no impact.

35 Implementation of the Atwater Station Alternative instead of the Livingston Station would result in
36 the same no impact because neither would displace any housing units temporarily or permanently
37 during construction or operation.

1 **3.13.4.4 Overall Comparison of the Proposed Livingston Station and**
2 **Atwater Station Alternative**

3 Overall, there would be no substantial difference in population and housing impacts between
4 implementation of the Atwater Station Alternative or the proposed Livingston Station (both are
5 expected to result in less than significant impacts).