

CITY OF STOCKTON
FINAL INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

FOR THE

TUSCANY COVE ASSISTED LIVING
AND MEMORY CARE PROJECT

2860 Via Milano Place
Stockton, CA

City of Stockton
Project File No: P17-0758

May 14, 2018

CITY OF STOCKTON
Community Development Department
345 N. El Dorado Street
Stockton, CA 95202
209-937-8444

Prepared by:

BASECAMP ENVIRONMENTAL
115 S. School Street, Suite 14
Lodi, CA 95240
209-224-8213



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1.0 INTRODUCTION TO FINAL IS/MND

The project is the development of a 4.3-acre site for an assisted living facility and a memory care facility. The facility will consist of two buildings, each of which will have two stories. The assisted living building of approximately 52,398 square feet in floor area will be located on the southeast portion of the site and will accommodate up to 70 beds. The memory care building of approximately 13,593 square feet in floor area and will accommodate up to 30 beds. The 200-year flood elevation at the subject site is approximately 13 feet. The first floor of each building (below the 200-year flood elevation) will be utilized for a parking garage that must be constructed flood resistant materials. The second floor of the facility will be used for living spaces which will comply with the SB 5 200-year flood protection requirements. The facilities will be 24 hours. There will be quite time between 8 PM and 6 a.m. The visitors shall leave the facility before 8:00 p.m. There will be 15 people during the day and 15 people at night in the assisted living building. In the memory care building, There will be 10 during the day and 10 at night. Both buildings are state licensed and the medical professionals are licensed to dispense medication.

The project would require approval of a General Plan amendment and a rezoning of the project site by the Stockton City Council, with a recommendation from the Stockton Planning Commission to City Council. The proposed demolition of on-site streets and re-grading of the site would require permits from the Stockton Building Division, and the proposed removal of some on-site underground utilities would require the approval of the Stockton Municipal Utilities Department.

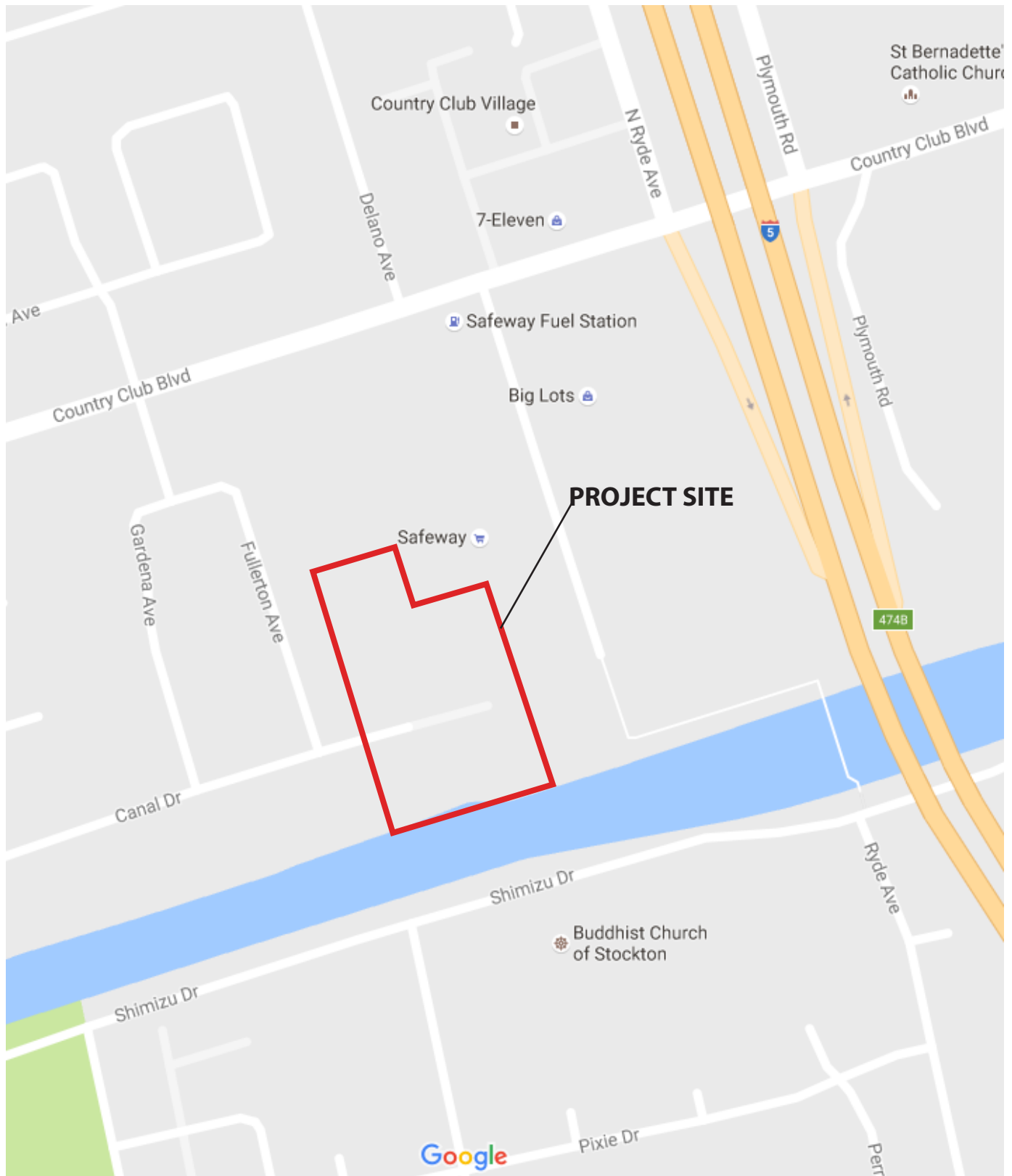
The project is subject to the California Environmental Quality Act. The City of Stockton prepared an Initial Study and proposed Mitigated Negative Declaration for the project (Draft IS/MND), which was circulated for public and agency review during a 30-day comment period extending from March 21, 2018, until April 19, 2018. The Draft IS/MND is available for public review at the Stockton Department of Community Development at 345 N El Dorado Street, Stockton, CA 95202 or online at:

<http://www.stocktongov.com/government/departments/communityDevelop/cdPlanEnv.html>

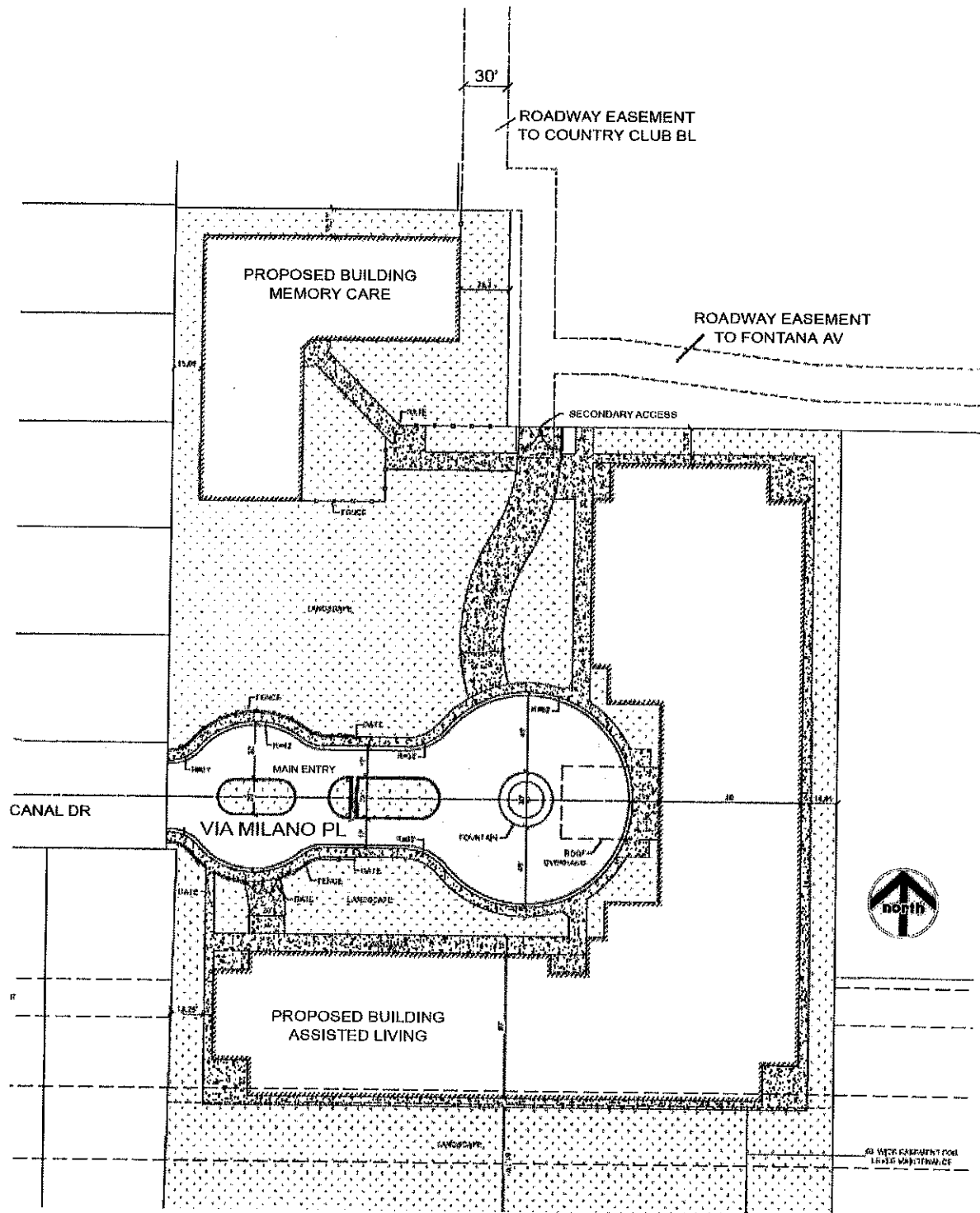
This document is the Final Initial Study/Mitigated Negative Declaration (Final IS/MND) for the project. The final IS/MND includes the Draft IS/MND by this reference. The Draft IS/MND is available for review as described above. The Final IS/MND contains a summary of the environmental effects of the project (Section 2.0). A list of any public or agency comments received, and the City's responses to the comments received, are shown in Section 3.0. The Errata (Section 4.0) shows any revisions to the Draft IS/MND needed to respond to public and agency comments as well as any other changes and corrections to the document identified by City staff.

The Final IS/MND, when combined with the Draft IS/MND, constitutes the complete environmental review document for the Tuscany Cove Assisted Living and Memory Care project. The Final IS/MND will be considered by the City of Stockton Planning Commission before the Commission makes its decision on the project. The project is scheduled for consideration by the Planning Commission on May 24, 2018.









SITE PLAN

SOURCE: MCR Engineering



Figure 4
SITE PLAN

2.0 SUMMARY TABLE

The following pages contain Table 2-1, Summary of Environmental Impacts and Mitigation Measures for the proposed project. The table is drawn from the Draft IS/MND; there has been one mitigation measure deleted (Hydro 4) due to a project revision. There have been no other changes to the potential environmental effects of the project, or mitigation measures required to address significant effects, since the publication of the Draft IS/MND.

The potential environmental impacts of the proposed project are summarized in the left-most column of this table. The level of significance of the impact is indicated in the second column, mitigation measures proposed to minimize the impacts are shown in the third column, and the significance of the impact, after mitigation measures are applied, is shown in the fourth column.

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
3.1 AESTHETICS			
a) Scenic Vistas	LS	None required	
b) Scenic Resources	NI	None required	
c) Visual Character and Quality	LS	None required	
d) Light and Glare	PS	AEETH-1: Site development plans shall include a photometric site plan that describes the type of lighting that would be used and the amount of illumination that would occur on the site and on the property lines of adjacent residential parcels or parcels zoned for residential uses. The photometric plan shall demonstrate that indirect illumination on the property lines with residences adjacent to the project site is consistent with the standards set forth in Stockton Municipal Code Section 16.32.070. The photometric site plan shall be part of the development application package to be reviewed and approved by the City.	LS
3.2 AGRICULTURE AND FORESTRY RESOURCES			
a) Agricultural Land Conversion	NI	None required	
b) Agricultural Zoning and Williamson Act	NI	None required	
c, d) Forest Land Conversion and Zoning	NI	None required	
e) Indirect Conversion of Farmland and Forest Land	NI	None required	
3.3 AIR QUALITY			
a, b) Air Quality Plans and Standards	LS	None required	
c) Cumulative Emissions	LS	None required	

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
d) Exposure of Sensitive Receptors	LS	None required	
e) Odors	NI	None required	
3.4 BIOLOGICAL RESOURCES			
a) Special-Status Species	PS	<p>BIO-1: Prior to construction activities, the beginning of which occurs from March to August, the owners, developers and successors-in-interest (ODS) shall conduct a preconstruction nest survey in the area near Smith Canal to determine the presence of any bird species or their nests. The survey shall be conducted by a qualified biologist, who shall make recommendations on the treatment of any located nests that shall be implemented by the ODS, including but not limited to establishment of buffer areas and restrictions on construction equipment operations near the nest.</p> <p>BIO-2: The applicant shall apply to the San Joaquin Council of Governments (SJCOG) for coverage under the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP). The project site will be inspected by the SJMSCP biologist, who will recommend any Incidental Take Minimization Measures (ITMMs) set forth in the SJMSCP that should be implemented. The ODS shall be responsible for the implementation of any specified ITMMs.</p>	LS
b) Riparian and Other Sensitive Habitats	NI	None required	
c) Wetlands	NI	None required	
d) Fish and Wildlife Movement	PS	Mitigation Measure BIO-1.	LS
e) Local Biological Requirements	NI	None required	

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
f) Conflict with Habitat Conservation Plans	PS	Mitigation Measure BIO-2.	LS
3.5 CULTURAL RESOURCES			
a, b) Historical and Archaeological Resources	PS	CULT-1: If any subsurface cultural or paleontological resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist or paleontologist, as appropriate, can examine these materials and make a determination of their significance. If the resource is determined to be significant, recommendations shall be made on further mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. Such measures could include 1) preservation in place or 2) excavation, recovery and curation by qualified professionals. The Stockton Community Development Department shall be notified of any find, and the ODS shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the Community Development Department, consistent with the requirements of the CEQA Guidelines.	LS
c) Paleontological Resources and Unique Geological Features	PS	Mitigation Measure CULT-1.	LS
d) Human Burials	PS	Mitigation Measure TCR-2	LS
3.6 GEOLOGY AND SOILS			
a-i) Fault Rupture Hazards	NI	None required	
a-ii, iii) Seismic Hazards	PS	GEO-1: Prior to final site plan approval, the ODS shall have a licensed geotechnical or soils engineer prepare a geotechnical report which shall identify engineering limitations of the site soils, including shrink-swell	LS

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
		potential. Base on the identified limitations, the report shall recommend measures to ensure that the development would not be damaged by these limitations. The ODS shall implement all recommendations in the geotechnical report and incorporate them into the site plans.	
a-iv) Landslides	NI	None required	
b) Soil Erosion	PS	GEO-2: The ODS shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) for the project and file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) prior to commencement of construction activity, in compliance with the Construction General Permit and City of Stockton stormwater requirements. The SWPPP shall be available on the construction site at all times. The ODS shall incorporate an Erosion Control Plan consistent with all applicable provisions of the SWPPP within the site development plans. The ODS shall submit the SWRCB Waste Discharger's Identification Number to the City prior to approval of development or grading plans.	
c) Geologic Instability	LS	None required	
d) Expansive Soils	PS	Mitigation Measure GEO-1. GEO-3: Prior to issuance of a grading permit, a comprehensive grading plan shall be submitted to the City Engineer that addresses potential adverse impacts on structures due to expansive soils. The City Engineer shall review and approve the grading plan and building design, and the City Engineer or designated representative shall verify the implementation in the field.	LS

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
e) Adequacy of Soils for Sewage Disposal	NI	None required	
3.7 GREENHOUSE GAS EMISSIONS			
a, b) Project GHG Emissions and Consistency with GHG Reduction Plans	LS	None required	
3.8 HAZARDS AND HAZARDOUS MATERIALS			
a) Transport, Use, and Disposal of Hazardous Materials	LS	None required	
b, c) Hazardous Material Releases	LS	None required	
d) Hazardous Materials Sites	NI	None required	
e, f) Public Airports and Private Airstrips	NI	None required	
g) Emergency Response and Evacuation	NI	None required	
h) Wildland Fire Hazards	NI	None required	
3.9 HYDROLOGY AND WATER QUALITY			
a, f) Surface Waters and Water Quality	PS	<p>HYDRO-1: The ODS shall submit a Storm Water Quality Plan for the project that shall include post-construction Best Management Practices (BMPs) as required by Title 13 of the SWQCCP. The Storm Water Quality Plan will be reviewed and approved by the City of Stockton Municipal Utilities Department prior to the Certificate of Occupancy.</p> <p>HYDRO-2: The ODS shall execute a Maintenance Agreement with the City for stormwater BMPs prior to receiving a Certificate of Occupancy. The ODS must remain the responsible party and provide funding for the operation, maintenance and replacement costs of the proposed treatment devices built for the subject property.</p>	LS

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
		HYDRO-3: The property owner is required to file a Notice of Intent (NOI) with the State Water Resources Control Board prior to commencement of the construction activity. Upon receipt of the completed NOI the property owner will be sent a receipt letter containing the Waste Discharger's Identification Number (WDID). The City requires the WDID from the State of California Water Resources Control Board to be submitted prior to issuance of a Grading Permit or plan approval. An Erosion Control plan is also required to be incorporated into the project plans and/or grading plans prior to approval. The SWPPP is required to be available on site.	
b) Groundwater Supplies	LS	None required	
c, d, e) Drainage and Runoff	LS	None required	
g, h) Flooding Hazards	LS PS	HYDRO-4: Construction of residential units on the first floor of each of the project buildings shall not occur until the Central Valley Flood Protection Board certifies that adequate protection exists on the project site from a 200-year flood.	
i) Dam and Levee Failure Hazards	LS	None required	
j) Seiche, Tsunami and Mudflow	NI	None required	
3.10 LAND USE AND PLANNING			
a) Division of Established Communities	NI	None required	
b) Consistency with Land Use Plans and Zoning	LS	None required	
c) Conflict with Habitat Conservation Plans	PS	Mitigation Measure BIO-2.	LS

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

3.11 MINERAL RESOURCES

a, b) Availability of Mineral Resources	NI	None required	
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3.12 NOISE

a) Exposure to Noise Levels Above Standards	LS	None required	
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b) Groundborne Vibrations	NI	None required	
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c) Permanent Increase in Ambient Noise Levels	LS	None required	
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d) Temporary or Periodic Increase in Ambient Noise Levels	PS	<p>NOISE-1: Temporary noise impacts resulting from project construction shall be minimized by restricting hours of operation by noise-generating construction equipment to 7:00 a.m. to 7:00 p.m. Monday through Friday, and to 9:00 a.m. to 5:00 p.m. on Saturdays. No construction work shall occur on Sundays or national holidays without a permit from the City.</p> <p>NOISE-2: All construction equipment used at the project site shall be fitted with mufflers in accordance with manufacturers' specifications. Mufflers shall be installed on the equipment at all times on the construction site.</p>	LS
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e, f) Noise from Public Airports and Private Airstrips	NI	None required	
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3.13 POPULATION AND HOUSING

a) Population Growth Inducement	LS	None required	
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b, c) Displacement of Housing or People	NI	None required	
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3.14 PUBLIC SERVICES

a) Fire Protection	LS	None required	
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b) Police Protection	PS	SERV-1: The ODS shall coordinate with the Stockton Police Department as required to establish adequate security	LS
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TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

		and visibility of the construction site.	
c) Schools	NI	None required	
d, e) Parks and Other Public Facilities	LS	None required	
3.15 RECREATION			
a, b) Recreational Facilities	LS	None required	
3.16 TRANSPORTATION/TRAFFIC			
a) Consistency with Applicable Plans, Ordinances and Policies	LS	None required	
b) Conflict With Congestion Management Program	NI	None required	
c) Air Traffic Patterns	NI	None required	
d) Traffic Hazards	PS	TRANS-1: The project applicant shall install a stop sign at the main entryway for traffic exiting the project site, along with roadway striping indicating where vehicles shall stop.	LS
e) Emergency Access	NI	None required	
f) Conflict with Non-vehicular Transportation Plans	NI	None required	
3.17 TRIBAL CULTURAL RESOURCES			
a,b) Tribal Cultural Resources	PS	TCR-1: The ODS shall retain a qualified professional archaeologist and a local Native American Tribal Representative (NATR) to monitor all ground disturbing activities that occur within the project site. TCR-2: In the event that construction encounters evidence of human burial or scattered human remains, construction in the vicinity of the encounter shall be	LS

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

immediately halted. The ODS shall immediately notify the County Coroner, the Stockton Community Development Department, and the NATR. Construction activity in the vicinity of the encounter shall not proceed until the qualified archaeologist/NATR can evaluate the nature and significance of the find. Appropriate federal and State agencies also shall be notified, in accordance with the provisions in the Archaeological Resources Protection Act (16 USC 469), Native American Graves Protection and Repatriation Act (25 U.S.C. 3001-30013), California Health and Safety Code section 7050.5, and California Public Resources Code section 5097.9 *et al.*

The ODS will be responsible for compliance with the requirements of CEQA as to human remains as defined in CEQA Guidelines Section 15064.5, with California Health and Safety Code Section 7050.5, and as directed by the County Coroner. If the human remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission, also identifying the NATR that has been working on the project. The NAHC will notify and appoint a Most Likely Descendant. The Most Likely Descendant will work with the archaeologist and the NATR to decide the proper treatment of the human remains and any associated funerary objects.

TCR-3: In the event that any other tribal cultural resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist/NATR can examine the materials and make a determination of their significance pursuant to the criteria identified in the CEQA checklist above. If the resource is determined to be significant, the archaeologist shall make recommendations, in consultation with the NATR, as to mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. The ODS will be responsible for retaining the

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

archaeologist and the NATR and implementing their recommendations of the archaeologist, including submittal of a written report to the the Stockton Community Development Department and the NATR documenting the find and its treatment.

TCR-4: Construction foremen and key members of trenching crews shall be instructed to be wary of the possibility of destruction of buried cultural resource materials. They shall be instructed to recognize signs of historic and prehistoric use and their responsibility to report any such finds, or suspected finds, immediately to the archaeologist and the NATR so damage to such resources may be prevented.

3.18 UTILITIES AND SERVICE SYSTEMS

a, e) Wastewater Systems	PS	UTIL-1: The ODS shall submit detailed site improvement plans to the City that show all on-site and off-site utilities necessary to provide wastewater and water services to the project site. The plans shall be accompanied by engineering calculations showing that adequate capacity is available in existing and proposed lines to accommodate project demands. The plans shall be approved by the Director of Municipal Services and the City Engineer prior to final site plan approval.	LS
		UTIL-2: The ODS shall dedicate permanent public utility easements and construct all on-site and off-site wastewater and water facilities as designed and shown on the approved improvement plans. Any reimbursement costs for oversizing shall be determined in accordance with the Stockton Municipal Code.	
b, d) Water Systems and Supply	PS	Mitigation Measures UTIL-1 and UTIL-2.	LS
c) Stormwater Systems	PS	UTIL-3: The ODS shall conduct a watershed analysis and, if required, shall expand or participate in expansion of existing storm water collection services. Expansion plans shall be reviewed and approved by the City of Stockton	LS

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

		Public Works Department and by Reclamation District No. 1614.	
f, g) Solid Waste Services	LS	None required	
3.19 MANDATORY FINDINGS OF SIGNIFICANCE			
a) Findings on Biological and Cultural Resources	PS	Mitigation measures in Sections 3.4 and 3.5.	LS
b) Findings on Cumulatively Considerable Impacts	LS	None required	
c) Findings on Adverse Effects on Human Beings	PS	Mitigation measures in Sections 3.6, 3.9, and 3.16.	LS

3.0 COMMENTS ON THE ENVIRONMENTAL DOCUMENT AND LEAD AGENCY RESPONSES TO COMMENTS

The City of Stockton received seven comments from agencies or the public regarding the Draft (IS/MND) for the Tuscany Cove Assisted Living and Memory Care Project.

1. State Clearing House
2. Central Valley Flood Protection Board
3. Central Valley Regional Water Quality Control Board
4. FEMA
5. San Joaquin County, Multi-Species Habitat Conservation & Open Space Plan
6. San Joaquin County, Environmental Health Department
7. United Auburn Indian Community of the Auburn Rancheria



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

RECEIVED

April 20, 2018

CITY OF STOCKTON
PERMIT CENTER / PLANNING DIV.

Jenny Liaw
City of Stockton
345 N. El Dorado Street
Stockton, CA 95204

Subject: Tuscany Cove Assisted Living and Memory Care
SCH#: 2018032053

Dear Jenny Liaw:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 19, 2018, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(e) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL 1-916-445-0613 FAX 1-916-558-3164 www.opr.ca.gov

COMMENT NO. 1 P. 1
STATE CLEARING HOUSE

**Document Details Report
State Clearinghouse Data Base**

SCH# 2018032053
Project Title Tuscany Cove Assisted Living and Memory Care
Lead Agency Stockton, City of

Type MND Mitigated Negative Declaration
Description The project is the development of a 4.3-acre site for a senior assisted living facility and a memory care unit. The project is proposed as two phases, the first phase would include two buildings, each of which would have two stories. One building, approx 52,398 sf in floor area would be located along the eastern and southern boundaries of the site and would house the senior assisted living facility. The other building, approx 13,593 sf of floor area would be located on the northwestern portion of the site and would house the memory care unit. The total number of residential units at the two facilities would eventually be 125.

Lead Agency Contact

Name Jenny Liaw
Agency City of Stockton
Phone (209) 937-8444
email
Address 345 N. El Dorado Street
City Stockton
State CA **Zip** 95204
Fax

Project Location

County San Joaquin
City Stockton
Region
Lat / Long 37° 57' 49" N / 121° 20' 36" W
Cross Streets East of Fullerton Ave and north of Canal Dr
Parcel No. 121-270-01 thru 121-270-14
Township 1N **Range** 6 **Section** **Unsect** **Base** MDBM

Proximity to:

Highways I-5
Airports
Railways
Waterways Smith Canal
Schools Commodore Stockton School
Land Use Z: Low density res

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Landuse; Other issues

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 2; Department of Fish and Wildlife, Region 3; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 10; Office of Emergency Services, California; Department of Housing and Community Development; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission; Central Valley Flood Protection Board

Date Received 03/21/2018 **Start of Review** 03/21/2018 **End of Review** 04/19/2018

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

COMMENT NO. 1 P. 2
 STATE CLEARING HOUSE

LETTER 1**STATE CLEARING HOUSE****RESPONSE:**

The letter noted that comments from responding State agencies were enclosed. There were two agencies that commented on the IS/MND – the Central Valley Flood Protection Board and the Central Valley Regional Water Quality Control Board (RWQCB). These comment letters are discussed below. The letter also acknowledged that the Tuscany Cove Assisted Living and Memory care project has complied with State Clearinghouse review requirements for draft environmental documents. The letter does not explicitly provide comments on the project (other than the enclosed letters) and does not request additional information.

STATE OF CALIFORNIA - CALIFORNIA NATURAL RESOURCES AGENCY
CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Ste. 170
SACRAMENTO, CA 95821
(916) 574-0909 FAX: (916) 574-0882

EDMUND G. BROWN JR., GOVERNOR



March 29, 2018

RECEIVED

Ms. Jenny Liaw
City of Stockton
345 N. El Dorado Street
Stockton, California 95204

CITY OF STOCKTON
PERMIT CENTER / PLANNING DIV

Subject: Tuscany Cove Assisted Living and Memory Care,
Mitigated Negative Declaration, SCH Number: 2018032053

Location: San Joaquin County

Dear Ms. Liaw,

Central Valley Flood Protection Board (Board) staff has reviewed the subject document and provides the following comments:

The proposed project is within the Smith Canal, a regulated stream under Board jurisdiction, and may require a Board permit prior to construction.

The Board's jurisdiction covers the entire Central Valley including all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and the Tulare and Buena Vista basins south of the San Joaquin River.

Under authorities granted by California Water Code and Public Resources Code statutes, the Board enforces its Title 23, California Code of Regulations (Title 23) for the construction, maintenance, and protection of adopted plans of flood control, including the federal-State facilities of the State Plan of Flood Control, regulated streams, and designated floodways.

Pursuant to Title 23, Section 6 a Board permit is required prior to working within the Board's jurisdiction for the placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee.

Permits may also be required to bring existing works that predate permitting into compliance with Title 23, or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the works has not been clearly established or ownership and use have been revised.

COMMENT NO. 2 P. 1
CENTRAL VALLEY FLOOD PROTECTION BOARD

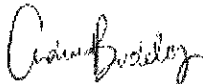
Ms. Jenny Liaw
March 29, 2018
Page 2 of 2

Other federal (including U.S. Army Corps of Engineers Section 10 and 404 regulatory permits), State and local agency permits may be required and are the applicant's responsibility to obtain.

Board permit applications and Title 23 regulations are available on our website at <http://www.cvpfb.ca.gov/>. Maps of the Board's jurisdiction are also available from the California Department of Water Resources website at <http://qis.bam.water.ca.gov/bam/>.

Please contact James Herota at (916) 574-0651, or via email at James.Herota@CVFlood.ca.gov if you have any questions.

Sincerely,



Andrea Buckley
Environmental Services and Land Management Branch Chief

cc: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-30447

COMMENT NO. 2 P. 2
CENTRAL VALLEY FLOOD PROTECTION BOARD

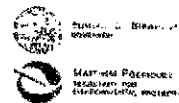
LETTER:2

CENTRAL VALLEY FLOOD PROTECTION BOARD

RESPONSE:

The Central Valley Flood Protection Board letter noted that the Smith Canal is a regulated stream under Board jurisdiction. It stated that a Board permit is required prior to working within the Board's jurisdiction for any repair or maintenance.

The Board letter did not comment on the analysis or conclusions in the project IS/MND. Since no comments on the IS/MND were received, no response to the Central Valley Flood Protection Board or further action by the Board is required.



Central Valley Regional Water Quality Control Board

4/16/18

E

12 April 2018

Governor's Office of Planning & Research

Jenny Law
City of Stockton
345 North El Dorado Street
Stockton, CA 95240

APR 16 2018

CERTIFIED MAIL

STATE CLEARINGHOUSE

91 7199 9991 7036 7028 5738

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE
DECLARATION, TUSCANY COVE ASSISTED LIVING AND MEMORY LANE PROJECT,
SCH# 2018032053, SAN JOAQUIN COUNTY**

Pursuant to the State Clearinghouse's 21 March 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration for the Tuscany Cove Assisted Living and Memory Lane Project*, located in San Joaquin County.

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

I. Regulatory Setting

Basin Plan

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

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

Karl E. Lindholm Sed. P.E., Chair | Pamela C. Greedon P.E., BCDE, Executive Officer
11029 San Carlos Drive B230, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

RECEIVED 4/16/18

COMMENT NO. 3 P. 1
CENTRAL VALLEY REGIONAL WATER
QUALITY CONTROL BOARD

Tuscany Cove Assisted Living
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San Joaquin County

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the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

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(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit - Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements - Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver)

RS-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

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CENTRAL VALLEY REGIONAL WATER
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For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water*.

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CENTRAL VALLEY REGIONAL WATER
QUALITY CONTROL BOARD

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(Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

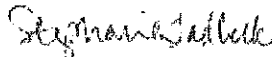
For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4844 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

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

COMMENT NO. 3 P. 6
CENTRAL VALLEY REGIONAL WATER
QUALITY CONTROL BOARD

LETTER 3**CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD****RESPONSE:**

The Central Valley RWQCB begins its comments with an overview of the regulatory setting for water quality. It describes requirements for various permits pertaining to water quality, such as the Construction and Industrial Storm Water General Permits, the MS4 Permit, Section 404 Permit, Waste Discharge Requirements, Dewatering Permit, and NPDES Permit. There is also a section on regulatory compliance for commercially irrigated agriculture, which is not applicable to this project.

The RWQCB letter did not comment on the analysis or conclusions in the project IS/MND and did not identify any permits or other requirements pertinent to the project. Since no comments pertinent to the IS/MND were received, no response to the RWQCB or further action by the Board is required. The project is on an already urbanized site and will involve no encroachment on Smith Canal

RECEIVED

CITY OF STOCKTON
PERMIT CENTER / PLANNING DIV.

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052



FEMA

March 27, 2018

Jenny Liaw, Senior Planner
City of Stockton
Community Development Department
Planning & Engineering Division
345 North El Dorado Street
Stockton, California 95202

Dear Ms. Liaw:

This is in response to your request for comments regarding City of Stockton Public Notice of Intent to Adopt an Initial Study Mitigated Negative Declaration/Public Meeting – Proposed Assisted Living Facility.

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the County of San Joaquin (Community Number 060299), Maps revised October 20, 2016 and City of Stockton (Community Number 060302), Maps revised October 16, 2009. Please note that the City of Stockton, San Joaquin County, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any **development** must not increase base flood elevation levels. **The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

COMMENT NO. 4 P. 1
FEMA

Jenny Liaw, Senior Planner

Page 2

March 27, 2018

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Stockton floodplain manager can be reached by calling Ed Short, Senior Plans Examiner, at (209) 937-7630. The San Joaquin County floodplain manager can be reached by calling John Maguire, Engineering Services Manager, at (209) 953-7617.

If you have any questions or concerns, please do not hesitate to call Brian Trushinski of the Mitigation staff at (510) 627-7183.

Sincerely,



Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:

Ed Short, Senior Plans Examiner, City of Stockton

John Maguire, Engineering Services Manager, Public Works Department

Ray Lee, WREA, State of California, Department of Water Resources, North Central Region
Office

Brian Trushinski, NFIP Planner, DHS/FEMA Region IX

Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

COMMENT NO. 4 P. 2
FEMA

LETTER 4
FEMA

RESPONSE:

This comment restates the requirements of the National Flood Insurance Program, which are applicable to the site, which is located in FEMA Zone A. Issues related to 100-year flooding were addressed in the IS/MND. The proposed project includes elevated floor elevations consistent with the requirements of the NFIP. The City will be responsible for submitting any required post-project information to FEMA on completion of the project.



S J C O G, Inc.

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

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

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

To: Jenny Liaw, City of Stockton, Community Development

From: Laurel Boyd, SJCOG, Inc.

Date: March 26, 2018

-Local Jurisdiction Project Title: Tuscany Cove Assisted Living & Memory Care Project

Assessor Parcel Number(s): 121-127-01 to -15

Local Jurisdiction Project Number: P17-0758

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Urban Habitat Land

Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Ms. Liaw:

SJCOG, Inc. has reviewed the Public Notice of Intent to Adopt an Initial Study Mitigated Neg. Dec for the Tuscany Cove Assisted Living & Memory Care project. This project consists of a 4.3 acre site for a senior assisted living facility and a memory care unit. The project is proposed in two phases, the first phase would include two buildings, each of which would have two stories. One building, approximately 52,398 square feet in floor area would be located along the eastern and southern boundaries of the site and would house the senior assisted living facility. The other building, approximately 13,593 square feet of floor area would be located on the northwestern portion of the site and would house the memory care unit. The total number of residential units at the two facilities would eventually be 125, however, until the pending Smith Canal Flood Control Facility is complete, the remaining building space (the first floors of each building) will be utilized as a parking garage for tenants. The project site is located west of Interstate 5 and south of Country Club Boulevard, Stockton (APN/Address: 121-127-01 to 015; 2860 Via Milano Place, Stockton).

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

**COMMENT NO. 5 P. 1
SAN JOAQUIN COUNTY MULTI SPECIES
HABITAT CONSERVATION & OPEN SPACE PLAN**

This Project is subject to the SJMSCP. This can be up to a 30-day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjcoo.org>

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

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

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

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

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

COMMENT NO. 5 P. 2
 SAN JOAQUIN COUNTY MULTI SPECIES
 HABITAT CONSERVATION & OPEN SPACE PLAN



S J C O G, Inc.

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

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

SJMSCP HOLD

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

FROM: Laurel Boyd, SJCOG, Inc.

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

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

1) **SJMSCP Incidental Take Minimization Measures and mitigation requirement:**

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

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: Tuscany Cove Assisted Living & Memory Care Project

Project Proponent: Tom Gotelli

Assessor Parcel #s: 121-270-01 to -15

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

Local Jurisdiction Contact: Jenny Liaw

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

**COMMENT NO. 5 P. 3
SAN JOAQUIN COUNTY MULTI SPECIES
HABITAT CONSERVATION & OPEN SPACE PLAN**

LETTER 5**SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION & OPEN SPACE PLAN****RESPONSE:**

The San Joaquin Council of Governments (SJCOG) letter notes that the City of Stockton is a signatory to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and that the project is covered by the SJMSCP. The letter also notes that participation in the SJMSCP is voluntary. As documented in the IS/MND, the project will be required to participate in the SJMSCP, including compliance with the requirements outlined in the SJCOG letter.

The SJCOG letter does not comment on the analysis or conclusions in the project IS/MND. Since no comments on the IS/MND were received, no response to SJCOG or further action by the Lead Agency is required other than actions related to SJMSCP compliance.

The letter attaches an "SJMSCP Hold," which should apply to the project applicant. It states that the landowner/developer for the project, incorrectly identified as the City of Stockton, has requested coverage under the SJMSCP. It is anticipated that the project applicant will request coverage under the Plan as required, but has not done so at this time.



SAN JOAQUIN
COUNTY
Greenness grows here.

Environmental Health Department

Linda Turkatto, REHS, Director

Kasey Foley, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellan, REHS

Jeff Carnation, REHS, Hill

Michael Kith, REHS

Willy Ng, REHS

Monique Nadeu, REHS

April 13, 2018

City of Stockton
Community Development Director
Permit Center
345 N El Dorado St
Stockton, CA 95202

Subject: Tuscany Cove P17-0758 IS/MND, 2860 Via Milano Place

The San Joaquin County Environmental Health Department (EHD) has the following comments for consideration:

- A. Any existing wells or septic systems to be abandoned should be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4)
- B. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).

Should you have any questions, please contact Steven Shih, at (209) 468-9850 or sshih@sjcehd.com.


Michael Kith, REHS
Program Coordinator

RECEIVED

CITY OF STOCKTON
PERMIT CENTER / PLANNING DIV

1888 E. Hazard Avenue | Stockton, California 95203 | T 209 468-3420 | F 209 464-0138 | www.sjcehd.com

COMMENT NO. 6
SAN JOAQUIN COUNTY
HEALTH DEPARTMENT

LETTER 6

SAN JOAQUIN COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

RESPONSE:

This comment documents requirements of the San Joaquin County Environmental Health Department related to wells, septic systems and geotechnical drilling. These requirements will apply should any of these conditions exist; however, there are no known wells or septic systems on the site, which has previously been developed with City water and sewer service.



MIWOK United Auburn Indian Community
MAIDU of the Auburn Rancheria

Gene Whitehouse
Chairman

John L. Williams
Vice Chairman

Calvin Moman
Secretary

Jason Camp
Treasurer

Gabe Cayton
Council Member

March 30, 2018

Jenny Liaw
City of Stockton
345 North El Dorado Street
Stockton, CA 95202-2310

Subject: Draft Initial Study/ Proposed Mitigated Negative Declaration, General Plan Amendment from Low to High Density Residential, Rezone from RL to RH, and Design Review for the Development of a Proposed Assisted Living Facility

Dear Jenny Liaw,

Thank you for requesting information regarding the above referenced project. The United Auburn Indian Community (UAIC) of the Auburn Rancheria is comprised of Miwok and Southern Maidu (Nisenan) people whose tribal lands are within Placer County and whose service area includes El Dorado, Nevada, Placer, Sacramento, Sutter, and Yuba counties. The UAIC is concerned about development within its aboriginal territory that has potential to impact the lifeways, cultural sites, and landscapes that may be of sacred or ceremonial significance. We appreciate the opportunity to comment on this and other projects. The UAIC would like to consult on this project.

In order to ascertain whether the project could affect cultural resources that may be of importance to the UAIC, we would like to receive copies of any archaeological reports that are completed for the project. We also request copies of environmental documents for the proposed project so that we have the opportunity to comment on appropriate identification, assessment and mitigation related to cultural resources. Finally, we request and recommend that UAIC tribal representatives observe and participate in all cultural resource surveys. To assist in locating and identifying cultural resources, UAIC's Preservation Department offers a mapping, records and literature search services program. This program has been shown to assist project proponents in complying with applicable environmental protection laws and choosing the appropriate mitigation measures or form of environmental documentation during the planning process. If you are interested in the program, please let us know.

COMMENT NO. 7 P. 1
UNITED AUBURN INDIAN COMMUNITY
OF THE AUBURN RANCHERIA



MIWOK United Auburn Indian Community
MAIDU of the Auburn Rancheria

Gene Whitehouse
Chairman

John L. Williams
Vice Chairman

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Secretary

Jason Camp
Treasurer

Gabe Cayton
Council Member

The UAIC's Preservation Committee would like to set up a meeting or site visit, and begin consulting on the proposed project. Based on the Preservation Committee's identification of cultural resources in and around your project area, the UAIC recommends that a tribal monitor be present during any ground disturbing activities. Thank you again for taking these matters into consideration, and for involving the UAIC early in the planning process. We look forward to reviewing the documents requested above and consulting on your project. Please contact Marcos Guerrero, Cultural Resources Manager, at (530) 883-2364 or by email at mguerrero@auburnrancheria.com if you have any questions.

Sincerely,

Gene Whitehouse,
Chairman

CC: Marcos Guerrero, CRM

Tribal Office 10720 Indian Hill Road Auburn, CA 95603 (530) 883-2390 FAX (530) 883-2381

COMMENT NO. 7 P. 2
UNITED AUBURN INDIAN COMMUNITY
OF THE AUBURN RANCHERIA

LETTER 7

UNITED AUBURN INDIAN COMMUNITY OF THE AUBURN RANCHERIA

RESPONSE:

This letter does not comment on the IS/MND or any of its contents. The letter concerns itself with consultation opportunities provided to the tribes under California Assembly Bill 52. The City has extended an invitation to this and other tribes to consult with respect to the project. The potential effect of the project on tribal cultural resources are documented in the IS/MND, and the IS/MND includes mitigation measures that would, based on past consultation efforts, speak to the tribe's concerns.

4.0 ERRATA

This section contains corrections and additions to the Draft IS/MND of March 21, 2018. These changes include information added to the IS/MND made in response to public and agency comments on the Draft IS/MND as well as any changes made independently by City of Stockton in response to staff input. The changes to the Draft IS/MND are listed below in detail. None of these changes would involve substantial modifications to the project or to the potentially significant environmental effects identified in the Draft IS/MND. As a result, the overall conclusions of the IS/MND have not been modified; no new or substantially more severe environmental effects than were addressed in the Draft IS/MND have been identified, and there is no need for substantial changes to mitigation measures or additional mitigation measures.

THE FOLLOWING CHANGES TO THE DRAFT IS/MND OF MARCH 21, 2018 ARE MADE BY THE ADOPTION OF THIS FINAL IS/MND.

The second paragraph of the Introduction is revised to read as follows:

The project is the development of a 4.3-acre site for an assisted living facility and a memory care facility. The facility will consist of two buildings, each of which will have two stories. The assisted living building of approximately 52,398 square feet in floor area will be located on the southeast portion of the site and will accommodate up to 70 beds. The memory care building of approximately 13,593 square feet in floor area and will accommodate up to 30 beds. The 200-year flood elevation at the subject site is approximately 13 feet. The first floor of each building (below the 200-year flood elevation) will be utilized for a parking garage that must be constructed flood resistant materials. The second floor of the facility will be used for living spaces which will comply with the SB 5 200-year flood protection requirements. The facilities will be 24 hours. There will be quite time between 8 PM and 6 a.m. The visitors shall leave the facility before 8:00 p.m. There will be 15 people during the day and 15 people at night in the assisted living building. In the memory care building, There will be 10 during the day and 10 at night. Both buildings are state licensed and the medical professionals are licensed to dispense medication.

Section 1.1 Summary Table, page 1-14

PS LS

~~HYDRO-4: Construction of residential units on the first floor of each of the project buildings shall not occur until the Central Valley Flood Protection Board certifies that adequate protection exists on the project site from a 200-year flood.~~

Chapter 2.0 Project Description is revised to read as follows:

2.1 Project Brief

The project is the development of a 4.3-acre site for an assisted living facility and a memory care facility. The facility will consist of two buildings, each of which will have two stories. The assisted living building of approximately 52,398 square feet in floor area will be located on the southeast portion of the site and will accommodate up to 70 beds. The memory care building of approximately 13,593 square feet in floor area and will accommodate up to 30 beds. The 200-year flood elevation at the subject site is approximately 13 feet. The first floor of each building (below the 200-year flood elevation) will be utilized for a parking garage that must be constructed flood resistant materials. The second floor of the facility will be used for living spaces which will comply with the SB 5 200-year flood protection requirements. The facilities will be 24 hours. There will be quite time between 8 PM and 6 a.m. The visitors shall leave the facility before 8:00 p.m. There will be 15 people during the day and 15 people at night in the assisted living building. In the memory care building, There will be 10 during the day and 10 at night. Both buildings are state licensed and the medical professionals are licensed to dispense medication.

2.4 Project Details

The proposed project would develop the 4.3-acre site for a senior assisted living facility and a memory care facility, each housed in a separate building (Figure 2-1). The assisted living facility would be located along the eastern and southern boundaries of the project site, while the memory care facility would be located in the northwestern corner of the site. Each building would have two stories. The proposed architectural character of the buildings is illustrated on Figures 2-2 and 2-3. Proposed buildings would be stucco with stone wainscoting and window trim.

The proposed assisted living facility would be located in a building approximately 37 feet in total height located along the eastern boundary of the site, with a southern wing parallel to Smith Canal. The southern wing would be set back from Smith Canal as specified by Reclamation District No. 1614 (RD 1614). The second floor of the facility, approximately 10 feet in height, would be initially developed with 70 assisted living beds, each approximately 396 square feet in size. It would also accommodate hall and sitting areas, dining and kitchen areas, nurses' stations, a salon, exercise rooms, a theater, audio/video libraries, a laundry, offices, and other utility spaces. The first floor, approximately 12 feet in height, would accommodate a lobby and would provide stairs and an elevator to the units on the second floor. The remainder of the first floor would be reserved for resident and staff parking.

~~The proposed memory care facility would be located in a building approximately 31.5 feet in total height located in the northwestern portion of the site.~~ The second floor of the facility, approximately 9 feet in height, would be initially developed with 30 memory care beds, halls, sitting areas, office and other utility spaces. Food service for memory care would be provided from the assisted living kitchen facilities. A portion of the first floor, would contain a lobby and would provide stairs and elevator to living units on the second floor. The remainder of the first floor would be reserved for resident and staff parking.

The total number of senior beds would be 100. The first floor of each building would be designed to allow flood waters to enter and leave the building via flood vents in the event of a 200-year flood.

Chapter 2.0

Figures 2-4 and 2-6 do not apply and are deleted.

Section 3.9 Hydrology and Water Quality, Environmental Impacts and Mitigation Measures, Flooding Hazard, page 3-34

Level of Significance: Potentially Significant

Mitigation Measures

~~HYDRO-4: Construction of residential units on the first floor of each of the project buildings shall not occur until the Central Valley Flood Protection Board (CVFPB) certifies that adequate protection exists on the project site from a 200-year flood.~~

Significance After Mitigation: ~~Less than significant~~

CITY OF STOCKTON
CEQA, FINDINGS AND
MITIGATION MONITORING/REPORTING PROGRAM

FOR THE

TUSCANY COVE ASSISTED LIVING
AND MEMORY CARE PROJECT
2860 Via Milano Place
Stockton, CA

City of Stockton
Project File No: P17-0758

May 14, 2018

Prepared for:

CITY OF STOCKTON
Community Development Department
345 N. El Dorado Street
Stockton, CA 95202
209-937-8444

CITY OF STOCKTON
CEQA, FINDINGS AND
MITIGATION MONITORING/REPORTING PROGRAM

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TUSCANY COVE ASSISTED LIVING
AND MEMORY CARE PROJECT

2860 Via Milano Place
Stockton, CA

City of Stockton
Project File No: P17-0758

May 14, 2018

Prepared for:

CITY OF STOCKTON
Community Development Department
345 N. El Dorado Street
Stockton, CA 95202
209-937-8444

Prepared by:

BASECAMP ENVIRONMENTAL
115 S. School Street, Suite 14
Lodi, CA 95240
209-224-8213

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1.0 INTRODUCTION

This document sets forth the findings of the City of Stockton Planning Commission and/or City Council (City) relating to the Tuscany Cove Assisted Living and Memory Care Project. This document also describes the Mitigation Monitoring/Reporting Program (MMRP) for the project. The project site is located at 2860 Via Milano Place, immediately east of Fullerton Avenue, approximately 0.2 miles west of Interstate 5 in Stockton, California. The primary source document for the project findings and MMRP is the Initial Study/Mitigated Negative Declaration for the Tuscany Cove Assisted Living and Memory Care Project (P17-0758) (the IS/MND"). When referenced as such, the IS/MND includes both the Public Review Draft of the IS/MND (March 21, 2018) and the Final IS/MND (May 14, 2018) for the project, as well as any documents, which have been incorporated into those documents by reference.

1.1 CEQA REVIEW OF PROPOSED PROJECT

The project is the development of a 4.3-acre site for an assisted living facility and a memory care facility. The facility will consist of two buildings, each of which will have two stories. The assisted living building of approximately 52,398 square feet in floor area will be located on the southeast portion of the site and will accommodate up to 70 beds. The memory care building of approximately 13,593 square feet in floor area and will accommodate up to 30 beds. The 200-year flood elevation at the subject site is approximately 13 feet. The first floor of each building (below the 200-year flood elevation) will be utilized for a parking garage that must be constructed flood resistant materials. The second floor of the facility will be used for living spaces which will comply with the SB 5 200-year flood protection requirements. The facilities will be 24 hours. There will be quite time between 8 PM and 6 a.m. The visitors shall leave the facility before 8:00 p.m. There will be 15 people during the day and 15 people at night in the assisted living building. In the memory care building, There will be 10 during the day and 10 at night..Both buildings are state licensed and the medical professionals are licensed to dispense medication.

As the proposed project involves the potential to result in significant environmental effects as defined by CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared by consultants, subject to the independent review and approval of City of Stockton staff. The Draft IS/MND identified significant and/or potentially significant environmental effects that could occur in conjunction with the proposed project. The Draft IS/MND also identified several mitigation measures, which would reduce the significant or potentially significant environmental effects to a "less than significant" level.

Prior to public and agency review of the Draft IS/MND, the project applicant, on behalf of any future owners, applicants, developers and/or successors-in-interest, entered into a Mitigation Agreement with the City of Stockton. The Mitigation Agreement attaches all of the mitigation measures identified in the IS/MND to the proposed project as binding conditions of approval. The Mitigation Agreement also provides that any other mitigation measures, which may be imposed on the project by responsible and/or trustee agencies, and/or by City of Stockton advisory and final decision-making bodies, will also be binding on the project.

The IS/MND was circulated for agency and public review in March of 2018. Seven agency comments were received on the IS/MND, and each comment is responded to in Section 3.0

Comments on The Environmental Document. It is anticipated that the Final IS/MND will be adopted by the City, in conjunction with this document, prior to taking action on the project.

1.2 CEQA REQUIREMENTS REGARDING FINDINGS

When an Environmental Impact Report (EIR) has been prepared for a project, CEQA requires that, prior to project approval, the Lead Agency make specified findings related to each of the significant or potentially significant environmental effects considered in the EIR. Findings are not required by CEQA when the agency proposes to adopt a Negative Declaration. In the interest of public disclosure, however, it is the policy of the City of Stockton to make findings with respect to the environmental effects addressed in an Initial Study/Mitigated Negative Declaration. The City's findings for Negative Declarations parallel the EIR findings requirements set forth in CEQA Guidelines Section 15091. All of the potentially significant effects of the project were reduced to less than significant by proposed mitigation measures.

CEQA findings must as a rule be based upon substantial evidence. The substantial evidence in this case consists of the information, analysis and mitigation measures described in the Draft IS/MND, as well as any other information incorporated into the IS/MND by reference. A copy of the Final IS/MND is available for review at the Stockton Permit Center, 345 North El Dorado Street, Stockton, CA. Specific references to supporting information for each finding are provided in Column 4 of the findings and mitigation monitoring table, following.

1.3 CEQA REQUIREMENTS REGARDING MITIGATION MONITORING AND REPORTING

To ensure that mitigation measures included in a Mitigated Negative Declaration are actually implemented, CEQA requires the adoption of a mitigation monitoring or reporting program (CEQA Guidelines Section 15074). Specifically, the Guidelines require that the lead agency:

" . . . adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects."

These requirements are met collectively by the Mitigation Monitoring/Reporting Table shown in Section 2.0 of this document. The table lists all of the potential environmental effects of the project that were identified in the IS/MND, identifies all of the mitigation measures that address these effects, and identifies the entities that would be responsible for implementing, and monitoring implementation of, the mitigation measures.

1.4 ORGANIZATION OF THIS DOCUMENT

This document is divided into two chapters. Chapter 1.0 is this Introduction, which provides background information and CEQA requirements related to the project. Chapter 2.0 presents the Mitigation Monitoring/Reporting Program and findings of fact for the project in the form of a table. The table lists all mitigation measures applicable to the project, identifies implementation responsibilities, sets forth the City's finding with regard to the disposition of each impact, and establishes the rationale for each finding. The final page of the table sets forth the City's Mitigation Reporting Program for the project.

2.0 MITIGATION MONITORING/REPORTING PROGRAM AND FINDINGS

The following table summarizes the environmental effects that could result from approval of the proposed project. The table identifies 1) each environmental effect and its significance prior to mitigation, 2) how each significant environmental effect would be mitigated, 3) the responsibility for implementation of each mitigation measure, 4) the responsibility for monitoring of the mitigation measures, if the project is approved, 5) the City's finding with respect to each significant environmental effect, and 6) the City's rationale for that finding. The table follows the same sequence as the impact analysis in the IS/MND. Reporting actions required to ensure that the mitigation measures are implemented are described on the last page of the table.

The City's findings with respect to the project are listed in the last column of the table, for each of the significant effects identified by the IS/MND. Codes used to identify the significance of each environmental effect after mitigation measures are applied, and the City's finding with respect to each effect, are summarized on the first page of the table. For the purposes of this document:

- A "Significant" environmental effect is a substantial adverse change in the environment (CEQA Guidelines Section 15382),
- A "Potentially Significant" effect is one which is likely, but not certain, to cause future substantial adverse changes to the environment,
- A "Cumulatively Significant" effect is a substantial adverse change in the environment that is the result of cumulative development in the City of Stockton,
- A "Significant and Unavoidable" effect is one for which there is no known or feasible mitigation, and
- A "Not Significant" effect is one that may be adverse, but is not substantial, or has been rendered so as the result of mitigation measures.

CITY OF STOCKTON
CEQA FINDINGS AND MITIGATION MONITORING/REPORTING PROGRAM
(PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTIONS 21081 AND 21081.6)

PROJECT DATA

INITIAL STUDY FILE NO.: P17-0758

Property Owner(s): Tom Gotelli
Address: 2097 Beyer Lane, Stockton CA 95215

Project Applicant: Tom Gotelli
Address: 2097 Beyer Lane, Stockton CA 95215

Project Title: Tuscany Cove Assisted Living and Memory Care

The project involves the development of two structures to provide assisted living and memory care facilities for seniors. One structure would house the assisted living facility and the other would house the memory care facility totaling 100 units. The general plan designation and zoning for the site will be changed as a part of the project.

KEY

1. The impacts are shaded and followed by related mitigation measures, implementation and monitoring provisions, and findings.
2. Abbreviations: N/A = (Not Applicable); COS = (City of Stockton); ODS = (Owners, Developers and/or Successors-in- Interest); CDD = (Community Development Department); CD-P = (Community Development-Planning Division); CD-B = (Community Development-Building Division); PW = (Public Works Department); CM = (City Manager); CA = (City Attorney); P&R = (Parks and Recreation Department); HR = (Housing and Redevelopment Department); MUD = (Municipal Utilities Department); FD = (Fire Department); PD = (Police Department); PC = (Planning Commission); CC = (City Council); SJC = (San Joaquin County); ALUC = (Airport Land Use Commission).

FINDINGS AND LEVEL OF SIGNIFICANCE AFTER MITIGATION

Findings for significant and potentially significant impacts identified in the Final EIR or Negative Declaration/Initial Study are listed as follows:

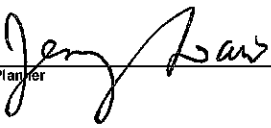
1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the Final EIR or Negative Declaration/Initial Study, or
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the City of Stockton. Such changes have been adopted by such other agency, or can and should be adopted by such other agency, or
3. The City of Stockton has previously adopted findings of specific economic, social, or other considerations which make infeasible the mitigation measures and project alternatives identified in the Final EIR or Negative Declaration/Initial Study.

The level of significance (LS) of each impact after mitigation is listed as: SU= (significant and unavoidable), PS=(potentially significant), or NS=(not significant). The basis for the Findings is provided in applicable sections of the Final EIR, Negative Declaration/Initial Study, or previously adopted Findings or Statement of Overriding Considerations, as referenced in the last (fourth) column on the following pages under "Rationale."

LEAD AGENCY:

CITY OF STOCKTON
c/o Community Development Dept./Planning Division
345 North El Dorado Street, Stockton, CA 95202-1997
(209) 937-8266

Jenny Liaw, Senior Planner



5-14-2018
DATE (FINDINGS/MONITORING PROGRAM ADOPTED)

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
3.1 AESTHETICS			
a) Effects on Scenic Vistas. There are no significant or potentially significant impacts in this issue area.			
b) Effects on Scenic Resources. There are no significant or potentially significant impacts in this issue area.			
c) Effects on Visual Character and Quality. There are no significant or potentially significant impacts in this issue area.			
d) Project Effects on Light and Glare. There are no significant or potentially significant impacts in this issue area.			
AESTH-1: Site development plans shall include a photometric site plan that describes the type of lighting that will be used and the amount of illumination that would occur on the site and on the property lines of adjacent residential parcels or parcels zoned for residential uses. The photometric plan shall demonstrate that indirect illumination on the property lines with residences adjacent to the project site is consistent with the standards set forth in Stockton Municipal Code Section 16.32.070. The photometric site plan shall be part of the development application package to be reviewed and approved by the City.	The ODS will be responsible for submitting a photometric site plan compliant with Stockton Municipal Code Section 16.32.070.	The CDD will verify that the photometric site plan is compliant prior to issuance of a building permit.	1, NS Rationale: IS/MND Pages 3-1-3-3
3.2 AGRICULTURE AND FORESTRY RESOURCES			
a) Conversion of Agricultural Land. There are no significant or potentially significant impacts in this issue area.			
b) Conflicts with Agricultural Zoning and Williamson Act. There are no significant or potentially significant impacts in this issue area.			
c) Conflicts with Forest Land Conversion and Zoning. There are no significant or potentially significant impacts in this issue area.			
d) Indirect Conversion of Farmland of Forest Land. There are no significant or potentially significant impacts in this issue area.			
3.3 AIR QUALITY			
a, b) Air Quality Plans and Standards. There are no significant or potentially significant impacts in this issue area.			
c) Cumulative Emissions Impacts. There are no significant or potentially significant impacts in this issue area.			
d.) Exposure of Sensitive Receptors to Pollutants. There are no significant or potentially significant impacts in this issue area.			
e) Odor Impacts. There are no significant or potentially significant impacts in this issue area.			
3.4 BIOLOGICAL RESOURCES			
a) Effects on Special-Status Species. This is a potentially significant impact.			
BIO-1: Prior to construction activities, the beginning of which occurs from March to August, the owners, developers and successors-in-interest (ODS) shall conduct a preconstruction nest survey in the area near Smith Canal to determine the presence of any bird species or their nests. The survey shall be conducted by a qualified biologist, who shall make recommendations on the treatment of any located nests	The ODS will be responsible for applying for SJMSCP participation and for implementation of any required	The CDD-BD will verify that ITMMs have been or will be implemented prior to the issuance of a building permit.	1, NS Rationale: IS/MND Pages 3-11 - 3-14

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
<p>that shall be implemented by the ODS, including but not limited to establishment of buffer areas and restrictions on construction equipment operations near the nest.</p> <p>BIO-2: The applicant shall apply to the San Joaquin Council of Governments (SJCOC) for coverage under the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP). The project site will be inspected by the SJMSCP biologist, who will recommend any Incidental Take Minimization Measures (ITMMs) set forth in the SJMSCP that should be implemented. The ODS shall be responsible for the implementation of any specified ITMMs.</p>	ITMMs		
b) Effects on Riparian and Other Sensitive Habitats. There are no significant or potentially significant impacts in this issue area.			
c) Effects on Wetlands. There are no significant or potentially significant impacts in this issue area.			
d) Effects on Fish and Wildlife Movement. There are no significant or potentially significant impacts in this issue area.			
e) Local Biological Requirements. There are no significant or potentially significant impacts in this issue area.			
f) Project Conflict with Habitat Conservation Plans. There are no significant or potentially significant impacts in this issue area.			
3.5 CULTURAL RESOURCES			
a, b) Project Impacts on Historical and Archaeological Resources. This is a potentially significant impact.			
<p>CULT-1: If any subsurface cultural or paleontological resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist or paleontologist, as appropriate, can examine these materials and make a determination of their significance. If the resource is determined to be significant, recommendations shall be made on further mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. Such measures could include 1) preservation in place or 2) excavation, recovery and curation by qualified professionals. The Stockton Community Development Department shall be notified of any find, and the ODS shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the Community Development Department, consistent with the requirements of the CEQA Guidelines.</p>	<p>The ODS will be responsible for retaining an historical archeologist to monitor excavation. The archeologist will be responsible for evaluating and reporting archeological or burial funds.</p>	<p>If cultural resources are uncovered, the ODS shall be responsible for engaging an archaeologist as required to monitor compliance with the historical archaeologist's recommendations during construction and prepare an report for the CDD. Monitoring shall consist of comparing construction activities to the archaeologist's recommendations.</p>	<p>1, NS Rationale: IS/MND Pages 3-14-3-17</p>
c) Project Impacts on Paleontological Resources and Unique Geological Features. This is a potentially significant impact. Mitigation described as CULT-1 above.			
d) Project Impacts on Human Burials. This is a potentially significant impact. This is a potentially significant impact.			
Mitigation Measure TCR-2			<p>1, NS Rationale: IS/MND Pages 3-14-3-17</p>

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
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3.6 GEOLOGY AND SOILS

a-1) Exposure of New Development to Fault Rupture Hazards. There are no significant or potentially significant impacts in this issue area.

A-2,3) Exposure of New Development to Seismic Hazards. There are no significant or potentially significant impacts in this issue area.

GEO-1: Prior to final site plan approval, the ODS shall have a licensed geotechnical or soils engineer prepare a geotechnical report which shall identify engineering limitations of the site soils, including shrink-swell potential. Base on the identified limitations, the report shall recommend measures to ensure that the development would not be damaged by these limitations. The ODS shall implement all recommendations in the geotechnical report and incorporate them into the site plans.	The ODS will be responsible for all required storm water pollution prevention activities.	The DPW will be responsible for review and approval of storm water pollution prevention in conjunction with approved grading plan	1, NS Rationale: IS/MND Pages 3-18, 3-22
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a-4) Exposure of New Development to Land Slides. There are no significant or potentially significant impacts in this issue area.

b) Exposure of New Development to Soil Erosion. This is a potentially significant impact.

GEO-2: The ODS shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) for the project and file a Notice of Intent with the State Water Resources Control Board (SWRCB) prior to commencement of construction activity, in compliance with the Construction General Permit and City of Stockton stormwater requirements. The SWPPP shall be available on the construction site at all times. The ODS shall incorporate an Erosion Control Plan consistent with all applicable provisions of the SWPPP within the site development plans. The ODS shall submit the SWRCB Waste Discharger's Identification Number to the City prior to approval of development or grading plans.	The ODS will be responsible for all required storm water pollution prevention activities.	The DPW will be responsible for review and approval of storm water pollution prevention in conjunction with approved grading plan	1, NS Rationale: IS/MND Pages 3-18, 3-22
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c) Exposure of New Development to Geologic Instability. There are no significant or potentially significant impacts in this issue area.

d) Exposure of New Development to Expansive Soils. This is a potentially significant issue.

GEO-3: Prior to issuance of a grading permit, a comprehensive grading plan shall be submitted to the City Engineer that addresses potential adverse impacts on structures due to expansive soils. The City Engineer shall review and approve the grading plan and building design, and the City Engineer or designated representative shall verify the implementation in the field.	The ODS will be responsible for preparing the geotechnical study and incorporating the results in project plans and specifications.	The DPW & CD-B will be responsible for ensuring that geotechnical requirements are reflected in project plans and specifications.	1, NS Rationale: IS/MND Pages 3-18, 3-22
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e) Adequacy of Soils for Sewage Disposal. There are no significant or potentially significant impacts in this issue area.

3.7 GREENHOUSE GAS EMISSIONS

a) Project GHG Emissions and Consistency with GHG Reduction Plans. There are no significant or potentially significant impacts in this issue area.

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
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3.8 HAZARDS AND HAZARDOUS MATERIALS

a) Transport, Use, and Disposal of Hazardous Materials. There are no significant or potentially significant impacts in this issue area.

b,c) Hazardous Materials Releases. There are no significant or potentially significant impacts in this issue area.

d) Hazardous Materials Sites. There are no significant or potentially significant impacts in this issue area.

e,f) Public Airport and Private Airstrip Operations. There are no significant or potentially significant impacts in this issue area.

g) Emergency Response and Evacuation. There are no significant or potentially significant impacts in this issue area.

h) Wildland Fires. There are no significant or potentially significant impacts in this issue area.

3.9 HYDROLOGY AND WATER QUALITY

a, f) Surface Waters and Water Quality. This is a potentially significant impact.

HYDRO-1: The ODS shall submit a Storm Water Quality Plan for the project that shall include post-construction Best Management Practices (BMPs) as required by Title 13 of the SWQCCP. The Storm Water Quality Plan will be reviewed and approved by the City of Stockton Municipal Utilities Department prior to the Certificate of Occupancy.

The ODS will be responsible for design and construction of storm water quality improvements, for compliance with applicable COS codes related to storm water, and for preparation and submittal of SWPPP.

The MUD will be responsible for review and approval of storm water quality plans, for assessing project compliance with COS codes, for noting receipt of the NOI and for review and approval of the Erosion Control Plan prior to the issuance of a Grading Permit.

1, NS
Rationale:
IS/MND
Pages
3-28, 3-34

HYDRO-2: The ODS shall execute a Maintenance Agreement with the City for stormwater BMPs prior to receiving a Certificate of Occupancy. The ODS must remain the responsible party and provide funding for the operation, maintenance and replacement costs of the proposed treatment devices built for the subject property.

HYDRO-3: The property owner is required to file a Notice of Intent (NOI) with the State Water Resources Control Board prior to commencement of the construction activity. Upon receipt of the completed NOI the property owner will be sent a receipt letter containing the Waste Discharger's Identification Number (WDID). The City requires the WDID from the State of California Water Resources Control Board to be submitted prior to issuance of a Grading Permit or plan approval. An Erosion Control plan is also required to be incorporated into the project plans and/or grading plans prior to approval. The SWPPP is required to be available on site.

b) Project Effects on Groundwater Supplies. There are no potentially significant or significant impacts in this issue area.

c, d, e) Project Effects on Drainage and Runoff. There are no potentially significant or significant impacts in this issue area.

g, h) Project Flooding Hazard. There are no potentially significant or significant impacts in this issue area.

i) Dam and Levee Failure Hazards. There are no potentially significant or significant impacts in this issue area.

j) Project Exposure to Seiche, Tsunami or Mudflow Hazards. There are no potentially significant or significant impacts in this issue area.

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
3.10 LAND USE AND PLANNING			
a) Division of Established Community. There are no potentially significant or significant impacts in this issue area.			
b) Consistency with Land Use Plans and Zoning. There are no potentially significant or significant impacts in this issue area.			
c) Conflict with Habitat Conservation Plan. There are no potentially significant or significant impacts in this issue area.			
3.11 MINERAL RESOURCES			
a,b) Availability of Mineral Resources. There are no significant or potentially significant impacts in this issue area.			
3.12 NOISE			
a) Project Exposure to Noise Exceeding Local Standards. There are no significant or potentially significant impacts in this issue area.			
b) Project Exposure to Groundborne Noise. There are no significant or potentially significant impacts in this issue area.			
c) Permanent Increase in Ambient Noise. There are no significant or potentially significant impacts in this issue area.			
d) Temporary or Periodic Increase in Ambient Noise. There are no significant or potentially significant impacts in this issue area.			
<p>NOISE-1: Temporary noise impacts resulting from project construction shall be minimized by restricting hours of operation by noise-generating construction equipment to 7:00 a.m. to 7:00 p.m. Monday through Friday, and to 9:00 a.m. to 5:00 p.m. on Saturdays. No construction work shall occur on Sundays or national holidays without a permit from the City.</p> <p>NOISE-2: All construction equipment used at the project site shall be fitted with mufflers in accordance with manufacturers' specifications. Mufflers shall be installed on the equipment at all times on the construction site.</p>	<p>The ODS shall be responsible for residential design and construction in accord with noise requirements, and management of construction contractors.</p>	<p>The Planning and Building Divisions of the CDD and the PWD will be responsible for ensuring that noise mitigation measures have been incorporated in improvement or building plans.</p>	<p>1, NS Rationale: IS/MND Pages 3-37, 3-41</p>
e, f) Noise from Public Airports and Private Airstrips. There are no significant or potentially significant impacts in this issue area.			
3.13 POPULATION AND HOUSING			
a) Population Growth Inducement. There are no significant or potentially significant impacts in this issue area.			
b, c) Displacement of Housing or People. There are no significant or potentially significant impacts in this issue area.			
3.14 PUBLIC SERVICES/FACILITIES			
a) Fire Protection Impacts. There are no significant or potentially significant impacts in this issue area.			
b) Police Protection Impacts. This is a potentially significant impact.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
SERV-1: The ODS shall coordinate with the Stockton Police Department as required to establish adequate security and visibility of the construction site.	The ODS will be responsible for coordination with the Stockton Police Department.	The CD-B will be responsible for insuring that the Police Department recommendations are included in project plans.	1, NS Rationale: IS/MND Pages 3-42, 3-44
c) School Impacts. There are no significant or potentially significant impacts in this issue area.			
d,e) Parks and Other Public Facilities. There are no significant or potentially significant impacts in this issue area.			
3.15 RECREATION			
a,b) Recreational Facilities. There are no significant or potentially significant impacts in this issue area.			
3.16 TRANSPORTATION/CIRCULATION			
a) Consistency with Applicable Plans, Ordinances and Policies. This is a potentially significant issue area.			
b) Conflict with Congestion Management. There are no significant or potentially significant impacts in this issue area.			
c) Impact on Air Traffic Patterns. There are no significant or potentially significant impacts in this issue area.			
d) Traffic Hazards. This is a potentially significant issue area.			
TRANS-1: The project applicant shall install a stop sign at the main entryway for traffic exiting the project site, along with roadway striping indicating where vehicles shall stop.	The ODS will be responsible for paying its fair share costs of the specified traffic barrier.	The DPW will be responsible for review and approval of the traffic barrier and for collecting its fair share costs.	1, NS Rationale: IS/MND Pages 3-49, 3-54
e) Emergency Access. There are no significant or potentially significant impacts in this issue area.			
f) Conflict with Non-vehicular Transportation Plans. There are no significant or potentially significant impacts in this issue area.			
3.17 TRIBAL CULTURAL RESOURCES			
a,b) Tribal Cultural Resources. This is a potentially significant issue area.			
TCR-1: The ODS shall retain a qualified professional archaeologist and a local Native American Tribal Representative (NATR) to monitor ground disturbing activities that occur within the project site. TCR-2: In the event that construction encounters evidence of human burial or scattered human remains, construction in the vicinity of the encounter shall be immediately halted. The ODS shall immediately notify the County Coroner, the Stockton Community Development Department, and the NATR. Construction activity in the vicinity of the encounter shall not proceed until the qualified archaeologist/NATR can evaluate the nature and significance of the find. Appropriate federal and State	The ODS will be responsible for retaining qualified archeological professionals and Native American monitors to meet the specified requirements.	The CDD will be responsible for overseeing and approving, monitoring and reporting activities.	1, NS Rationale: IS/MND Pages 3-48, 3-50

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
<p>agencies also shall be notified, in accordance with the provisions in the Archaeological Resources Protection Act (16 USC 469), Native American Graves Protection and Repatriation Act (25 U.S.C. 3001-30013), California Health and Safety Code section 7050.5, and California Public Resources Code section 5097.9 <i>et al.</i></p> <p>The ODS will be responsible for compliance with the requirements of CEQA as to human remains as defined in CEQA Guidelines Section 15064.5, with California Health and Safety Code Section 7050.5, and as directed by the County Coroner. If the human remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission, also identifying the NATR that has been working on the project. The NAHC will notify and appoint a Most Likely Descendant. The Most Likely Descendant will work with the archaeologist and the NATR to decide the proper treatment of the human remains and any associated funerary objects.</p> <p>TCR-3: In the event that any other tribal cultural resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist/NATR can examine the materials and make a determination of their significance pursuant to the criteria identified in the CEQA checklist above. If the resource is determined to be significant, the archaeologist shall make recommendations, in consultation with the NATR, as to mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. The ODS will be responsible for retaining the archaeologist and the NATR and implementing their recommendations of the archaeologist, including submittal of a written report to the Stockton Community Development Department and the NATR documenting the find and its treatment.</p> <p>TCR-4: Construction foremen and key members of trenching crews shall be instructed to be wary of the possibility of destruction of buried cultural resource materials. They shall be instructed to recognize signs of historic and prehistoric use and their responsibility to report any such finds, or suspected finds, immediately to the archaeologist and the NATR so damage to such resources may be prevented.</p>			
3.18 UTILITIES AND SERVICE SYSTEMS			
a,e) Effects on Wastewater Systems. There are no significant or potentially significant impacts in this issue area.			
<p>UTIL-1: The ODS shall submit detailed site improvement plans to the City that show all on-site and off-site utilities necessary to provide wastewater and water services to the project site. The plans shall be accompanied by engineering calculations showing that adequate capacity is available in existing and proposed lines to accommodate project demands. The plans shall be approved by the Municipal Utilities Department and the City Engineer prior to final site plan approval.</p> <p>UTIL-2: The ODS shall dedicate permanent public utility easements and construct all on-site and off-site wastewater and water facilities as designed and shown on the approved improvement plans. Any reimbursement costs for oversizing shall be determined in accordance with the Stockton Municipal Code.</p>	<p>The ODS will be responsible for submitting site improvement plans dedicating a permanent public utility easement; construct all on and off-site wastewater and water facilities.</p>	<p>The MUD and City Engineer will ensure utility improvement requirements are met prior to final site plan approval.</p>	<p>1, NS Rationale: IS/MND Pages 3-50, 3-54</p>
b,d) Water Systems. There are no significant or potentially significant impacts in this issue area.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
c) Stormwater Systems. There are no significant or potentially significant impacts in this issue area.			
UTIL-3: The ODS shall conduct a watershed analysis and, if required, shall expand or participate in expansion of existing storm water collection services. Expansion plans shall be reviewed and approved by the City of Stockton Public Works Department and by Reclamation District No. 1614.			I, NS Rationale: IS/MND Pages 3-50, 3-54
f.g) Solid Waste Services. There are no significant or potentially significant impacts in this issue area.			
3.19 MANDATORY FINDINGS OF SIGNIFICANCE			
a) Findings on Biological and Cultural Resources. There are no significant or potentially significant impacts in this issue area.			
b) Findings on Individually Limited but Cumulatively Considerable Impacts. There are no significant or potentially significant impacts in this issue area.			
c) Findings on Adverse Effects on Human Beings. There are no significant or potentially significant impacts in this issue area.			

3.0 MITIGATION REPORTING PROGRAM

This section describes the mitigation reporting program established for the above-described project pursuant to Section 21081.6 of the Public Resources Code. This program consists of the following steps:

- a. The Community Development Department shall utilize the above-listed Mitigation Implementation and Monitoring Program (Section I) as a checklist of mitigation measures to be implemented for the project. Implementation of the applicable measures shall be included as a condition of all applicable discretionary approvals, improvement plans and/or construction permits.
- b. The project applicant (i.e., owner, developer, originating City department, or other responsible agency, as applicable) and/or successors-in-interest shall file a written report with the Community Development Department, which will monitor the implementation of required mitigation measures. Similarly, any public agency having jurisdiction over natural resources affected by the project shall monitor and report upon the implementation of any mitigation measures incorporated at their request. Such written report(s) shall be submitted to the Community Development Department approximately once every twelve (12) months following approval of improvement plans and/or construction permits. The written report shall briefly state the status in implementing each adopted mitigation measure.
- c. The Community Development Department shall review the monitoring report(s) and determine whether there is any unusual and substantial delay in, or obstacle to, implementing the adopted mitigation measures. In reviewing the timeliness of implementation, the Community Development Department shall consider any timetable for the project and the required mitigation measures provided by the applicant and/or other responsible agency, as applicable. The Community Development Department and other City Departments may, to the extent deemed necessary, use scheduled inspections to monitor mitigation implementation.
- d. The result of the Community Development Department's review of the annual report(s) will be provided to the applicant in writing within thirty (30) calendar days after receipt of the annual report. If the Community Development Department determines that a required mitigation measure is not being properly implemented, it shall consult with the applicant and, if possible, agree upon additional actions to be taken to implement the mitigation measures.

The Community Development Department shall be limited to imposing reasonable actions as permitted by law that will implement the required mitigation measures. Any decision of the Senior Civil Engineer related to the annual monitoring report may be appealed to the City Planning Commission and/or City Council, as applicable, within ten (10) calendar days following said written determination.

- e. Such monitoring and reporting shall continue until the Community Development Department, in consultation with the other applicable City departments, determines that compliance has been fully achieved or, for ongoing measures (e.g., maintenance of

CITY OF STOCKTON
PUBLIC REVIEW DRAFT INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

FOR THE

TUSCANY COVE ASSISTED LIVING
AND MEMORY CARE PROJECT

File # P17-0758
2860 Via Milano Place
Stockton, CA

March 21, 2018

Prepared for:

City of Stockton
345 N. El Dorado Street
Stockton, CA 95202
209-937-8266

Prepared by:

BaseCamp Environmental, Inc.
115 S. School Street, Suite 14
Lodi, CA 95240
209-224-8213



CITY OF STOCKTON
PUBLIC REVIEW DRAFT INITIAL STUDY/
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CITY OF STOCKTON
PUBLIC NOTICE OF INTENT TO ADOPT AN INITIAL STUDY
MITIGATED NEGATIVE DECLARATION/PUBLIC MEETING
(Pursuant to Public Resources Code Sections 21092 and 21092.3 and
Cal. Code of Regulations Title 14, Sections 15072, 15073, and 15087)

The City of Stockton Community Development Department has completed, independently reviewed, and analyzed the following draft Initial Study/Proposed Mitigated Negative Declaration for a 30-day review:

A DRAFT INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL, REZONE FROM RL (RESIDENTIAL, LOW-DENSITY) TO RH (RESIDENTIAL, HIGH-DENSITY), AND DESIGN REVIEW FOR THE DEVELOPMENT OF A PROPOSED ASSISTED LIVING FACILITY ON A 4.3-ACRE VACANT SITE AT 2860 VIA MILANO PLACE (TUSCANY COVE, P17-0758).

The review period will begin on March 21, 2018, and end on April 19, 2018. A copy of the Draft Initial Study/Proposed Mitigated Negative Declaration may be reviewed and/or obtained at the following address or at <http://www.stocktonca.gov/environmental>.

Attn: Jenny Liaw, Senior Planner, City of Stockton, E-mail: jenny.liaw@stocktonca.gov
Community Development Department, Planning and Engineering Division
345 North El Dorado Street
Stockton, CA 95202

A public meeting will be held on **Wednesday, April 11, 2018, from 6:00 to 8:00 p.m. at the Commodore Stockton Skills School at 2725 Michigan Ave, Stockton.** Any written comments on this document must be received at the above address no later than **April 19, 2018, by 4:30 p.m.** Further information may be obtained by contacting the City Planning and Engineering Division at (209) 937-8266.

The Planning Commission will consider the Draft Initial Study/Proposed Mitigated Negative Declaration at a public hearing **on May 24, 2018, at 5:30 p.m.** in the Council Chambers, second floor, City Hall, 425 North El Dorado Street, Stockton. Anyone wishing to be heard on the issue may appear before the City Planning Commission at the time of the meeting.

All proceedings before the City Planning Commission are conducted in English. The City of Stockton does not furnish interpreters; if one is needed, it shall be the responsibility of the person needing the interpreter.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Planning Commission at, or prior to, the public meeting.

DAVID KWONG, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT

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LIST OF ACRONYMS USED IN THIS DOCUMENT

AB	Assembly Bill
APN	Assessor's parcel number
ARB	California Air Resources Board
BMP	Best Management Practice
CalEEMod	California Emissions Estimator Model
Cal Water	California Water Service Company
CAP	Climate Action Plan
CEQA	California Environmental Quality Act
CG	Commercial, General
CO	carbon monoxide
CO ₂	carbon dioxide
CVFPB	Central Valley Flood Protection Board
dB	decibel
dBA	A-weighted decibel
DTSC	California Department of Toxic Substances Control
DWR	California Department of Water Resources
EIR	Environmental Impact Report
EPA	U. S. Environmental Protection Agency
FEMA	Federal Emergency Management Agency
GAMAQI	Guide for Assessing and Mitigating Air Quality Impacts
GHG	greenhouse gas
HVAC	heating, ventilating and air conditioning
I-5	Interstate 5
IS/MND	Initial Study/Mitigated Negative Declaration
ISR	Indirect Source Rule
ITMM	Incidental Take Minimization Measure
L _{dn}	Day-Night Average Sound Level
L _{eq}	Equivalent Sound Level
L _{max}	Maximum Sound Level
LOS	Level of Service
mgd	million gallons per day
MRZ	Mineral Resource Zone
MS4	Municipal Separate Storm Sewer System
NAHC	Native American Heritage Commission
NO _x	nitrogen oxides

NPDES	National Pollutant Discharge Elimination System
ODS	owners, developers and successors-in-interest
PCB	polychlorinated biphenyl
PG&E	Pacific Gas and Electric Company
PM ₁₀	particulate matter 10 micrometers or less in diameter
PM _{2.5}	particulate matter 2.5 micrometers or less in diameter
RD	Reclamation District
RH	Residential, High Density
RL	Residential, Low Density
ROG	reactive organic gases
RWCF	Regional Wastewater Control Facility
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SO _x	sulfur dioxide
SJAFA	San Joaquin Area Flood Control Agency
SJCOG	San Joaquin Council of Governments
SJMSCP	San Joaquin County Multi-Species Open Space and Habitat Conservation Plan
SJRTD	San Joaquin Regional Transit District
SJVAPCD	San Joaquin Valley Air Pollution Control District
SWMP	Storm Water Management Program
SWPPP	Storm Water Pollution Prevention Plan
SWQCCP	Storm Water Quality Control Criteria Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant

NEGATIVE DECLARATION

A General Project Information

Project Title:	Tuscany Cove Assisted Living and Memory Care
Lead Agency Name and Address:	City of Stockton Community Development Department, Planning Division 345 N. El Dorado Street Stockton, CA 95202
Contact Person and Phone Number:	Jenny Liaw, Senior Planner 209-937-8266
Project Location:	2860 Via Milano Place, east of Fullerton Avenue and west of Interstate 5 in central Stockton. The site is shown on the USGS Stockton West, California, 7.5-minute quadrangle map located within Township 1 North, Range 6 East, MDBM. The site comprises Assessor's Parcel Numbers (APN) 121-270-01 through 121-270-15, inclusive.
Project Sponsor Name and Address:	Tom Gotelli 2097 Beyer Lane Stockton, CA 95215 209-608-1111
General Plan Designation:	Low Density Residential
Zoning:	RL – Residential, Low Density
Description of Project:	The project involves the development of two structures to provide assisted living and memory care facilities for seniors. One structure would house the assisted living facility and the other would house the memory care facility. The general plan designation and zoning for the site will be changed as a part of the project. See detailed project description in Chapter 2.0.
Surrounding Land Uses and Setting:	Surrounding land uses consist of single- and multi-family residential, commercial retail, a gas station, and a church. All surrounding lands are within the Stockton City limits. Smith Canal is adjacent to and south of the project site.
Other Public Agencies Whose Approval is Required:	None

B Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

√	Aesthetics		Agriculture/Forestry Resources		Air Quality
√	Biological Resources	√	Cultural Resources	√	Geology/Soils
	Greenhouse Gas Emissions		Hazards/Hazardous Materials	√	Hydrology/Water Quality
√	Land Use/Planning		Mineral Resources	√	Noise
	Population/Housing	√	Public Services		Recreation
√	Transportation/Traffic	√	Tribal Cultural Resources	√	Utilities/Service Systems
√	Mandatory Findings of Significance				

C Lead Agency Determination

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

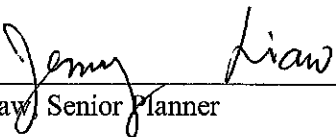
- √ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.


I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CITY OF STOCKTON COMMUNITY DEVELOPMENT DEPARTMENT



Jenny Liaw, Senior Planner



Date

1.0 INTRODUCTION

1.1 Project Brief

This document is an Initial Study/Mitigated Negative Declaration (IS/MND) for the Tuscany Cove Assisted Living and Memory Care Project (project). The project site is located at 2860 Via Milano Place, immediately east of Fullerton Avenue, approximately 0.2 miles west of Interstate 5 in Stockton, California (Figures 1-1 through 1-5). The IS/MND has been prepared in compliance with the requirements of the California Environmental Quality Act (CEQA). The City of Stockton is the CEQA Lead Agency for the project.

The project is the development of a 4.3-acre site for a senior assisted living facility and a memory care unit. The project is proposed as two phases, the first phase would include two buildings, each of which would have two stories. One building, approximately 52,398 square feet in floor area would be located along the eastern and southern boundaries of the site and would house the senior assisted living facility. The other building, approximately 13,593 square feet of floor area would be located on the northwestern portion of the site and would house the memory care unit. The total number of residential units at the two facilities would eventually be 125, however, until the pending Smith Canal Flood Control Facility is complete, the remaining building space (the first floors of each building) will be utilized as a parking garage for tenants. Tenant availability will be limited to 69 living units in the assisted living facility and 20 units in the memory care facility.

The project would require approval of a General Plan amendment and a rezoning of the project site by the Stockton City Council, with a recommendation from the Stockton Planning Commission. The proposed demolition of on-site streets and re-grading of the site would require permits from the Stockton Building Division, and the proposed removal of some on-site underground utilities would require the approval of the Stockton Municipal Utilities Department.

1.2 Purpose of Initial Study

CEQA requires that public agencies document and consider the potential environmental effects of the agency's actions that meet CEQA's definition of a "project." Briefly summarized, a "project" is an action that has the potential to result in direct or indirect physical changes in the environment. A project includes the agency's direct activities as well as activities that involve public agency approvals or funding. Guidelines for an agency's implementation of CEQA are found in the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations).

Provided that a project is not exempt from CEQA, the first step in the agency's consideration of its potential environmental effects is the preparation of an Initial Study. The purpose of an Initial Study is to determine whether the project would involve "significant" environmental effects as defined by CEQA and to describe feasible mitigation measures that would avoid significant effects or reduce them to a less than significant level. In the event that the Initial Study does not identify significant effects, or identifies mitigation measures that would reduce all of the significant effects of the project to a less than significant level, the agency prepares a Negative Declaration. If this is not the case – that is, if the project would involve significant effects that cannot be readily mitigated - the agency must prepare an Environmental Impact Report (EIR).

The agency may also decide to proceed directly with the preparation of an EIR without preparation of an Initial Study.

The proposed project is a “project” as defined by CEQA and is not exempt from CEQA consideration. The City has determined that the project involves the potential for significant environmental effects and requires preparation of this Initial Study. The Initial Study describes the proposed project and its environmental setting, it discusses the potentially significant environmental effects of the project, and it identifies feasible mitigation measures that would avoid the potentially significant environmental effects of the project or reduce them to a level that would be less than significant. The Initial Study considers the project’s potential for significant environmental effects in the following subject areas:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gases
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities and Service Systems
- Mandatory Findings of Significance

The Initial Study concludes that the project would have significant environmental effects, but that all of these effects would be reduced to a less than significant level with recommended mitigation measures. As a result, the City has prepared a Mitigated Negative Declaration and notified the public of the City’s intent to adopt the Initial Study/Mitigated Negative Declaration. As of the distribution of the IS/MND for public review, the applicant has accepted all of the recommended mitigation measures. The time available for comment on the IS/MND is shown in the Notice of Intent.

1.3 Project Background

In 2005, the City of Stockton approved a tentative subdivision map for Tuscany Cove, a proposed residential development on the project site. The tentative map created 14 parcels, ranging in size from approximately 8,000 to 13,500 square feet, for the construction of single-family residences. The approved lots were recorded, and the site was subsequently improved with private street access, utility lines to these lots, and masonry sound walls along the north and portions of the west boundaries of the site. Due to the economic downturn that occurred after approval of the tentative map, the lots were never sold, and the site currently remains vacant. Ownership of the site has changed, and the new owner proposes to develop facilities for senior assisted living and

memory care – the proposed project. The site is currently designated and zoned for low-density residential use, consistent with the existing lot layout.

1.4 Environmental Evaluation Checklist Terminology

The Initial Study repeatedly uses two acronyms that are defined here for the reader's convenience. A complete list of acronyms used in the Initial Study is shown following the Table of Contents.

IS/MND	This Initial Study/Mitigated Negative Declaration.
ODS	The owners, developers and successors-in-interest, meaning the project applicant, property owners, future project owners and other parties with interest or responsibility for the project, now and in the future.

The project's potential environmental effects are evaluated in the Environmental Evaluation Checklist shown in Chapter 3.0. The checklist includes a list of environmental considerations against which the project is evaluated. For each question, the City determines whether the project would involve: 1) a Potentially Significant Impact, 2) a Less Than Significant Impact with Mitigation Incorporated, 3) a Less Than Significant Impact, or 4) No Impact.

A Potentially Significant Impact occurs when there is substantial evidence that the project would involve a substantial adverse change to the physical environment, i.e., that the environmental effect may be significant, and mitigation measures have not been defined that would reduce the impact to a less than significant level. If there are one or more Potentially Significant Impact entries in the Initial Study, an EIR is required.

An environmental effect that is Less Than Significant With Mitigation Incorporated is a Potentially Significant Impact that can be avoided or reduced to a less than significant level with the application of mitigation measures.

A Less Than Significant Impact occurs when the project would involve effects on a particular resource, but the project would not involve a substantial adverse change to the physical environment, and no mitigation measures are required.

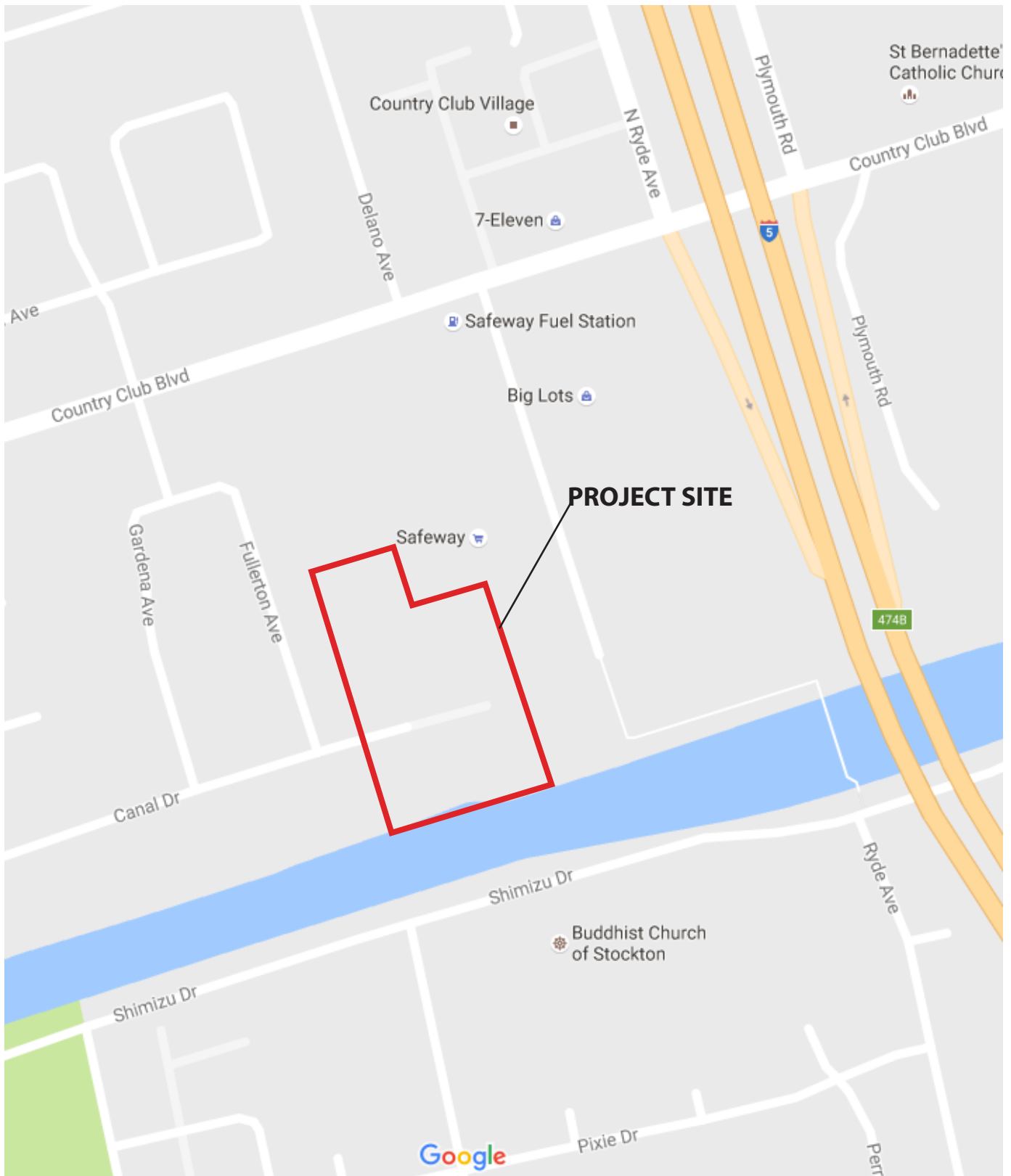
A determination of No Impact is self-explanatory.

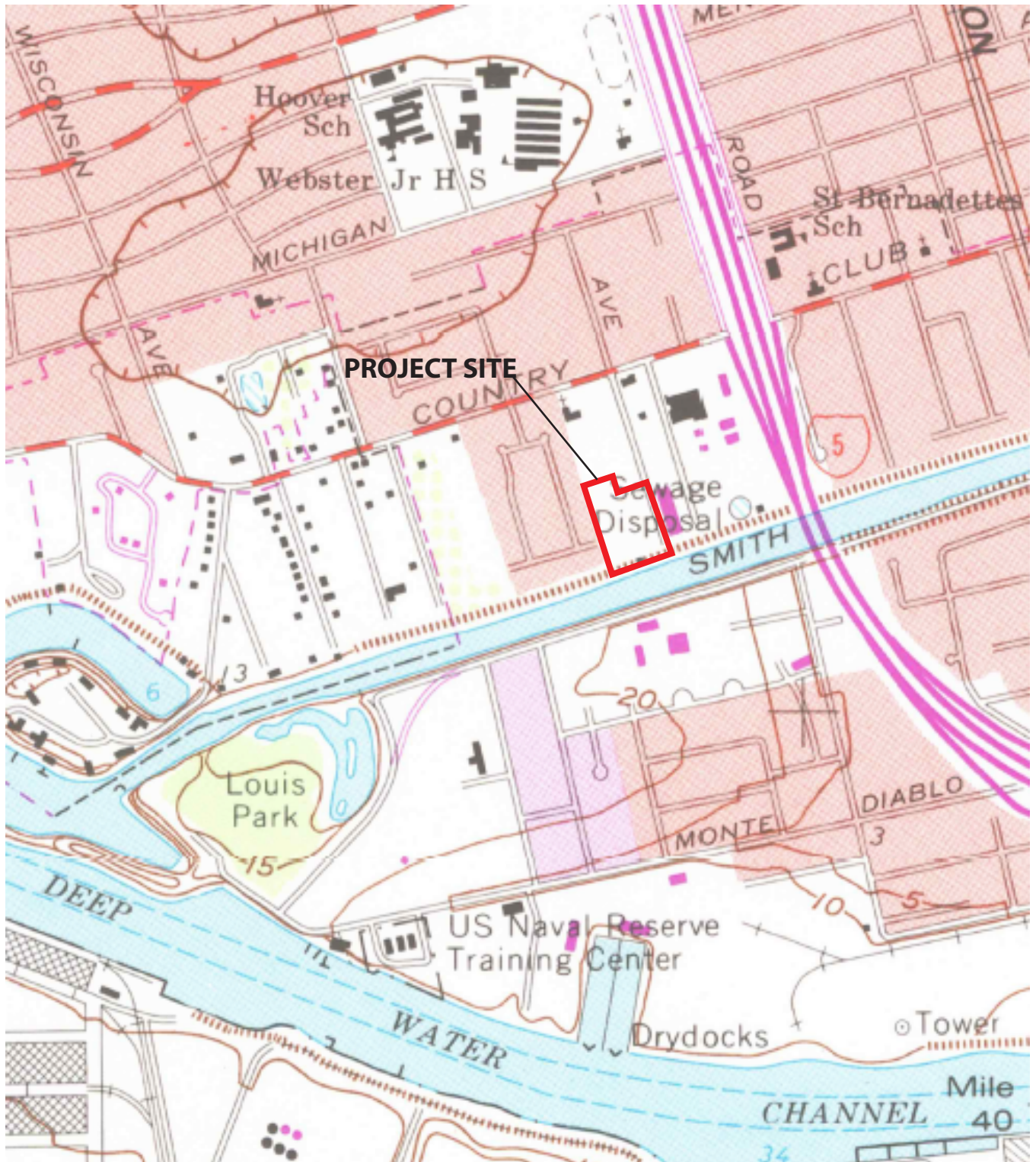
1.5 Summary of Environmental Effects and Mitigation Measures

The following pages general location maps for the project followed by Table 1-1, Summary of Impacts and Mitigation Measures. The table summarizes the results of the Environmental Checklist Form and associated narrative discussion shown in Chapter 3.0.

The potential environmental impacts of the proposed project are summarized in the left-most column of this table. The level of significance of each impact is indicated in the second column. Mitigation measures proposed to minimize the impacts are shown in the third column, and the significance of the impact, after mitigation measures are applied, is shown in the fourth column.



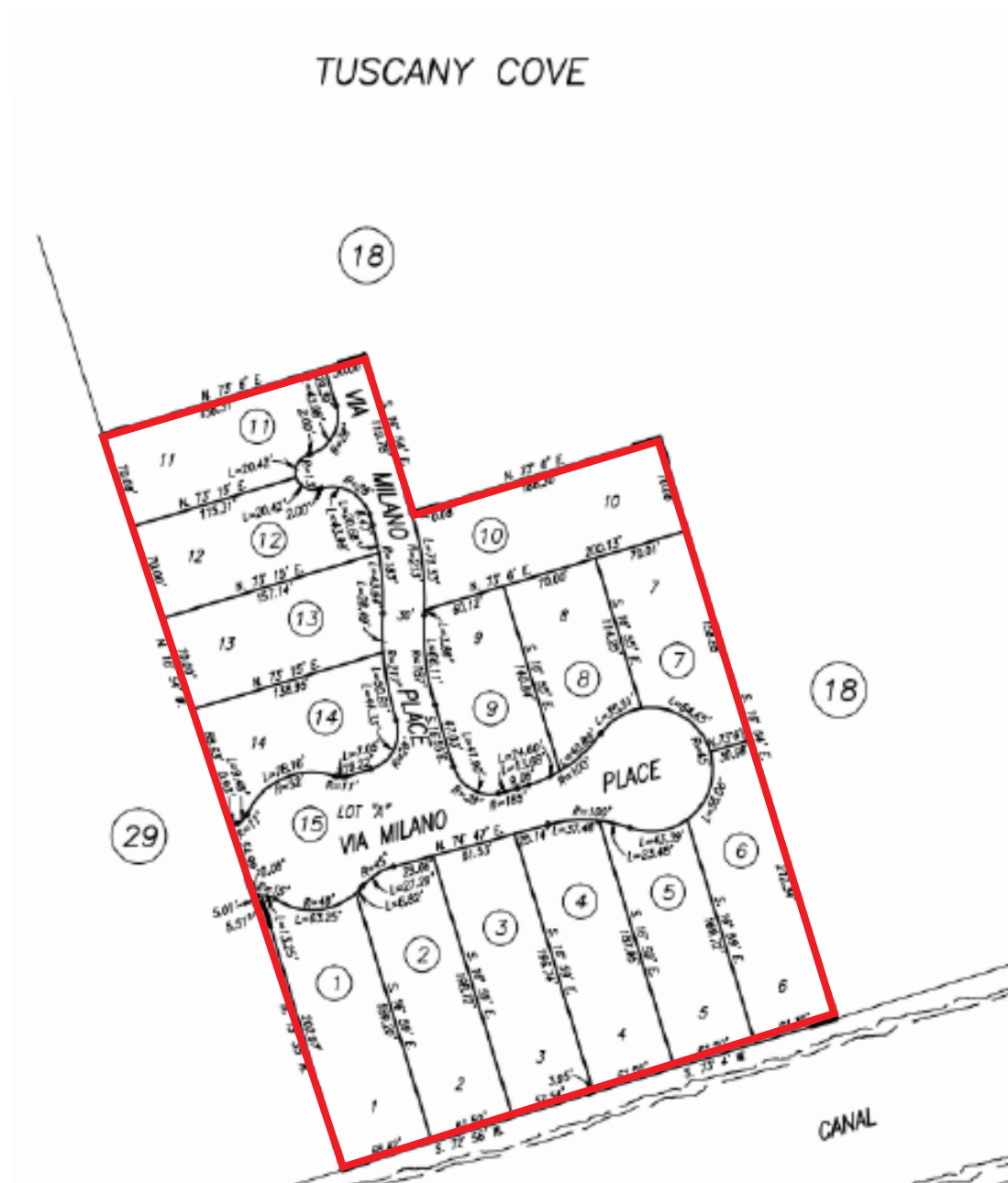




SOURCE: USGS Quadrangle Map

BaseCamp Environmental

Figure 1-3
USGS MAP





Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
3.1 AESTHETICS			
a) Scenic Vistas	LS	None required	
b) Scenic Resources	NI	None required	
c) Visual Character and Quality	LS	None required	
d) Light and Glare	PS	AESTH-1: Site development plans shall include a photometric site plan that describes the type of lighting that would be used and the amount of illumination that would occur on the site and on the property lines of adjacent residential parcels or parcels zoned for residential uses. The photometric plan shall demonstrate that indirect illumination on the property lines with residences adjacent to the project site is consistent with the standards set forth in Stockton Municipal Code Section 16.32.070. The photometric site plan shall be part of the development application package to be reviewed and approved by the City.	LS
3.2 AGRICULTURE AND FORESTRY RESOURCES			
a) Agricultural Land Conversion	NI	None required	
b) Agricultural Zoning and Williamson Act	NI	None required	
c, d) Forest Land Conversion and Zoning	NI	None required	
e) Indirect Conversion of Farmland and Forest Land	NI	None required	
3.3 AIR QUALITY			
a, b) Air Quality Plans and Standards	LS	None required	
c) Cumulative Emissions	LS	None required	

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
d) Exposure of Sensitive Receptors	LS	None required	
e) Odors	NI	None required	
3.4 BIOLOGICAL RESOURCES			
a) Special-Status Species	PS	<p>BIO-1: Prior to construction activities, the beginning of which occurs from March to August, the owners, developers and successors-in-interest (ODS) shall conduct a preconstruction nest survey in the area near Smith Canal to determine the presence of any bird species or their nests. The survey shall be conducted by a qualified biologist, who shall make recommendations on the treatment of any located nests that shall be implemented by the ODS, including but not limited to establishment of buffer areas and restrictions on construction equipment operations near the nest.</p> <p>BIO-2: The applicant shall apply to the San Joaquin Council of Governments (SJCOG) for coverage under the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP). The project site will be inspected by the SJMSCP biologist, who will recommend any Incidental Take Minimization Measures (ITMMs) set forth in the SJMSCP that should be implemented. The ODS shall be responsible for the implementation of any specified ITMMs.</p>	LS
b) Riparian and Other Sensitive Habitats	NI	None required	
c) Wetlands	NI	None required	
d) Fish and Wildlife Movement	PS	Mitigation Measure BIO-1.	LS
e) Local Biological Requirements	NI	None required	

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
f) Conflict with Habitat Conservation Plans	PS	Mitigation Measure BIO-2.	LS

3.5 CULTURAL RESOURCES

a, b) Historical and Archaeological Resources	PS	CULT-1: If any subsurface cultural or paleontological resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist or paleontologist, as appropriate, can examine these materials and make a determination of their significance. If the resource is determined to be significant, recommendations shall be made on further mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. Such measures could include 1) preservation in place or 2) excavation, recovery and curation by qualified professionals. The Stockton Community Development Department shall be notified of any find, and the ODS shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the Community Development Department, consistent with the requirements of the CEQA Guidelines.	LS
c) Paleontological Resources and Unique Geological Features	PS	Mitigation Measure CULT-1.	LS
d) Human Burials	PS	Mitigation Measure TCR-2	LS

3.6 GEOLOGY AND SOILS

a-i) Fault Rupture Hazards	NI	None required	
a-ii, iii) Seismic Hazards	PS	GEO-1: Prior to final site plan approval, the ODS shall have a licensed geotechnical or soils engineer prepare a geotechnical report which shall identify engineering limitations of the site soils, including shrink-swell	LS

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
		potential. Base on the identified limitations, the report shall recommend measures to ensure that the development would not be damaged by these limitations. The ODS shall implement all recommendations in the geotechnical report and incorporate them into the site plans.	
a-iv) Landslides	NI	None required	
b) Soil Erosion	PS	GEO-2: The ODS shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) for the project and file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) prior to commencement of construction activity, in compliance with the Construction General Permit and City of Stockton stormwater requirements. The SWPPP shall be available on the construction site at all times. The ODS shall incorporate an Erosion Control Plan consistent with all applicable provisions of the SWPPP within the site development plans. The ODS shall submit the SWRCB Waste Discharger's Identification Number to the City prior to approval of development or grading plans.	
c) Geologic Instability	LS	None required	
d) Expansive Soils	PS	Mitigation Measure GEO-1. GEO-3: Prior to issuance of a grading permit, a comprehensive grading plan shall be submitted to the City Engineer that addresses potential adverse impacts on structures due to expansive soils. The City Engineer shall review and approve the grading plan and building design, and the City Engineer or designated representative shall verify the implementation in the field.	LS

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
e) Adequacy of Soils for Sewage Disposal	NI	None required	
3.7 GREENHOUSE GAS EMISSIONS			
a, b) Project GHG Emissions and Consistency with GHG Reduction Plans	LS	None required	
3.8 HAZARDS AND HAZARDOUS MATERIALS			
a) Transport, Use, and Disposal of Hazardous Materials	LS	None required	
b, c) Hazardous Material Releases	LS	None required	
d) Hazardous Materials Sites	NI	None required	
e, f) Public Airports and Private Airstrips	NI	None required	
g) Emergency Response and Evacuation	NI	None required	
h) Wildland Fire Hazards	NI	None required	
3.9 HYDROLOGY AND WATER QUALITY			
a, f) Surface Waters and Water Quality	PS	<p>HYDRO-1: The ODS shall submit a Storm Water Quality Plan for the project that shall include post-construction Best Management Practices (BMPs) as required by Title 13 of the SWQCCP. The Storm Water Quality Plan will be reviewed and approved by the City of Stockton Municipal Utilities Department prior to the Certificate of Occupancy.</p> <p>HYDRO-2: The ODS shall execute a Maintenance Agreement with the City for stormwater BMPs prior to receiving a Certificate of Occupancy. The ODS must remain the responsible party and provide funding for the operation, maintenance and replacement costs of the proposed treatment devices built for the subject property.</p>	LS

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
		HYDRO-3: The property owner is required to file a Notice of Intent (NOI) with the State Water Resources Control Board prior to commencement of the construction activity. Upon receipt of the completed NOI the property owner will be sent a receipt letter containing the Waste Discharger's Identification Number (WDID). The City requires the WDID from the State of California Water Resources Control Board to be submitted prior to issuance of a Grading Permit or plan approval. An Erosion Control plan is also required to be incorporated into the project plans and/or grading plans prior to approval. The SWPPP is required to be available on site.	
b) Groundwater Supplies	LS	None required	
c, d, e) Drainage and Runoff	LS	None required	
g, h) Flooding Hazards	PS	HYDRO-4: Construction of residential units on the first floor of each of the project buildings shall not occur until the Central Valley Flood Protection Board certifies that adequate protection exists on the project site from a 200-year flood.	LS
i) Dam and Levee Failure Hazards	LS	None required	
j) Seiche, Tsunami and Mudflow	NI	None required	
3.10 LAND USE AND PLANNING			
a) Division of Established Communities	NI	None required	
b) Consistency with Land Use Plans and Zoning	LS	None required	
c) Conflict with Habitat Conservation Plans	PS	Mitigation Measure BIO-2.	LS

3.11 MINERAL RESOURCES

a, b) Availability of Mineral Resources	NI	None required
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3.12 NOISE

a) Exposure to Noise Levels Above Standards	LS	None required
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b) Groundborne Vibrations	NI	None required
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c) Permanent Increase in Ambient Noise Levels	LS	None required
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d) Temporary or Periodic Increase in Ambient Noise Levels	PS	<p>NOISE-1: Temporary noise impacts resulting from project construction shall be minimized by restricting hours of operation by noise-generating construction equipment to 7:00 a.m. to 7:00 p.m. Monday through Friday, and to 9:00 a.m. to 5:00 p.m. on Saturdays. No construction work shall occur on Sundays or national holidays without a permit from the City.</p> <p>NOISE-2: All construction equipment used at the project site shall be fitted with mufflers in accordance with manufacturers' specifications. Mufflers shall be installed on the equipment at all times on the construction site.</p>	LS
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e, f) Noise from Public Airports and Private Airstrips	NI	None required
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3.13 POPULATION AND HOUSING

a) Population Growth Inducement	LS	None required
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b, c) Displacement of Housing or People	NI	None required
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3.14 PUBLIC SERVICES

a) Fire Protection	LS	None required
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b) Police Protection	PS	SERV-1: The ODS shall coordinate with the Stockton Police Department as required to establish adequate security	LS
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and visibility of the construction site.

c) Schools	NI	None required
d, e) Parks and Other Public Facilities	LS	None required

3.15 RECREATION

a, b) Recreational Facilities	LS	None required
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3.16 TRANSPORTATION/TRAFFIC

a) Consistency with Applicable Plans, Ordinances and Policies	LS	None required	
b) Conflict With Congestion Management Program	NI	None required	
c) Air Traffic Patterns	NI	None required	
d) Traffic Hazards	PS	TRANS-1: The project applicant shall install a stop sign at the main entryway for traffic exiting the project site, along with roadway striping indicating where vehicles shall stop.	LS
e) Emergency Access	NI	None required	
f) Conflict with Non-vehicular Transportation Plans	NI	None required	

3.17 TRIBAL CULTURAL RESOURCES

a,b) Tribal Cultural Resources	PS	TCR-1: The ODS shall retain a qualified professional archaeologist and a local Native American Tribal Representative (NATR) to monitor all ground disturbing activities that occur within the project site. TCR-2: In the event that construction encounters evidence of human burial or scattered human remains, construction in the vicinity of the encounter shall be	LS
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immediately halted. The ODS shall immediately notify the County Coroner, the Stockton Community Development Department, and the NATR. Construction activity in the vicinity of the encounter shall not proceed until the qualified archaeologist/NATR can evaluate the nature and significance of the find. Appropriate federal and State agencies also shall be notified, in accordance with the provisions in the Archaeological Resources Protection Act (16 USC 469), Native American Graves Protection and Repatriation Act (25 U.S.C. 3001-30013), California Health and Safety Code section 7050.5, and California Public Resources Code section 5097.9 *et al.*

The ODS will be responsible for compliance with the requirements of CEQA as to human remains as defined in CEQA Guidelines Section 15064.5, with California Health and Safety Code Section 7050.5, and as directed by the County Coroner. If the human remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission, also identifying the NATR that has been working on the project. The NAHC will notify and appoint a Most Likely Descendant. The Most Likely Descendant will work with the archaeologist and the NATR to decide the proper treatment of the human remains and any associated funerary objects.

TCR-3: In the event that any other tribal cultural resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist/NATR can examine the materials and make a determination of their significance pursuant to the criteria identified in the CEQA checklist above. If the resource is determined to be significant, the archaeologist shall make recommendations, in consultation with the NATR, as to mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. The ODS will be responsible for retaining the

archaeologist and the NATR and implementing their recommendations of the archaeologist, including submittal of a written report to the the Stockton Community Development Department and the NATR documenting the find and its treatment.

TCR-4: Construction foremen and key members of trenching crews shall be instructed to be wary of the possibility of destruction of buried cultural resource materials. They shall be instructed to recognize signs of historic and prehistoric use and their responsibility to report any such finds, or suspected finds, immediately to the archaeologist and the NATR so damage to such resources may be prevented.

3.18 UTILITIES AND SERVICE SYSTEMS

a, e) Wastewater Systems	PS	<p>UTIL-1: The ODS shall submit detailed site improvement plans to the City that show all on-site and off-site utilities necessary to provide wastewater and water services to the project site. The plans shall be accompanied by engineering calculations showing that adequate capacity is available in existing and proposed lines to accommodate project demands. The plans shall be approved by the Director of Municipal Services and the City Engineer prior to final site plan approval.</p> <p>UTIL-2: The ODS shall dedicate permanent public utility easements and construct all on-site and off-site wastewater and water facilities as designed and shown on the approved improvement plans. Any reimbursement costs for oversizing shall be determined in accordance with the Stockton Municipal Code.</p>	LS
b, d) Water Systems and Supply	PS	Mitigation Measures UTIL-1 and UTIL-2.	LS
c) Stormwater Systems	PS	UTIL-3: The ODS shall conduct a watershed analysis and, if required, shall expand or participate in expansion of existing storm water collection services. Expansion plans shall be reviewed and approved by the City of Stockton	LS

Public Works Department and by Reclamation District No. 1614.

f, g) Solid Waste Services	LS	None required
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3.19 MANDATORY FINDINGS OF SIGNIFICANCE

a) Findings on Biological and Cultural Resources	PS	Mitigation measures in Sections 3.4 and 3.5.	LS
b) Findings on Cumulatively Considerable Impacts	LS	None required	
c) Findings on Adverse Effects on Human Beings	PS	Mitigation measures in Sections 3.6, 3.9, and 3.16.	LS

2.0 PROJECT DESCRIPTION

This chapter of the Initial Study provides a brief summary description of the project followed by information on the project location and setting, background and detailed descriptions of the physical elements of the project.

2.1 Project Brief

The project proposes the development of a 4.3-acre site for a senior assisted living facility and a memory care facility. The facility would consist of two buildings, each of which would have two stories. One building, approximately 52,398 square feet in floor area and located along the eastern boundary of the site, would house the senior assisted living facility. The other building, approximately 13,593 square feet in floor area and located in the northwestern portion of the site, would house the memory care facility. The total number of residential units at the two facilities would eventually be 125, pending completion of a flood control facility at the mouth of Smith Canal.

The project would require approval of a General Plan amendment and a rezoning of the project site by the Stockton City Council, with a recommendation from the Stockton Planning Commission. The proposed demolition of on-site streets and re-grading of the site would require permits from the Stockton Building Division, and the proposed removal of some on-site underground utilities would require the approval of the Stockton Municipal Utilities Department.

2.2 Project Location

The 4.3-acre project site is located within the City of Stockton in San Joaquin County, California (Figures 1-1 through 1-5). The project site address is 2860 Via Milano Place, located just east of Fullerton Avenue and approximately 0.2 miles west of Interstate 5. The Assessor's Parcel Numbers (APNs) are 121-270-01 through 121-270-14. The site is located on the USGS Stockton West, California, 7.5-minute quadrangle map within an un-sectionalized portion of Smith Tract in Township 1 North, Range 6 East, Mt. Diablo Base and Meridian. Approximate latitude is 37° 57' 49" North; approximate longitude is 121° 20' 36" West.

2.3 Project Objective

The objective of the proposed project is to provide residential units for senior citizens who need a supervised environment due to health or memory problems that render them unable to live independently. This would entail on-site nursing and other medical attention, as well as regulation in movements on and off the facility site.

2.4 Project Details

The proposed project would develop the 4.3-acre site for a senior assisted living facility and a memory care facility, each housed in a separate building (Figure 2-1). The assisted living facility would be located along the eastern and southern boundaries of the project site, while the memory

care facility would be located in the northwestern corner of the site. Each building would have two stories. The proposed architectural character of the buildings is illustrated on Figures 2-2 and 2-3. Proposed buildings would be stucco with stone wainscoting and window trim.

The proposed assisted living facility would be located in a building approximately 37 feet in total height and 52,398 square feet in floor area. The building would be located along the eastern boundary of the site, with a southern wing parallel to Smith Canal. The southern wing would be set back from Smith Canal as specified by Reclamation District No. 1614 (RD 1614). The second floor of the facility, approximately 10 feet in height, would be initially developed with 69 assisted living units, each approximately 396 square feet in size. It would also accommodate hall and sitting areas, dining and kitchen areas, nurses' stations, a salon, exercise rooms, a theater, audio/video libraries, a laundry, offices, and other utility spaces. A portion of the first floor, approximately 12 feet in height, would accommodate a lobby and would provide stairs and an elevator to the units on the second floor. The remainder of the first floor would be reserved for future development of assisted living units. First and second floor plans for the assisted living building are shown on Figures 2-4 and 2-5.

The proposed memory care facility would be located in a building approximately 31.5 feet in total height and 13,593 square feet in floor area. The second floor of the facility, approximately 9 feet in height, would be initially developed with 20 memory care units, each also approximately 396 square feet in size. It also would include hall and sitting areas, office and other utility spaces. Food service for memory care would be provided from the assisted living kitchen facilities. A portion of the first floor, approximately 12 feet in height, would contain a lobby and would provide stairs and elevator to living units on the second floor. The remainder of the first floor would be reserved for future development of memory care units. First and second floor plans for the memory care building are shown on Figures 2-6 and 2-7.

Initial development would provide a total of 69 assisted living and 20 memory care units. These units would be located on the second floor of each building, which would keep the units above the predicted 200-year flood elevations. The first floor of each building would be designed to allow flood waters to enter and leave the building via flood vents in the event of a 200-year flood. Upon completion of the Smith Canal Closure Gate project, which will provide 200-year flood protection for the project site, the first floor of each building would become available for development of an additional 36 units total, resulting in a total of 125 residential units on the project site. The distribution of the 36 additional units between the two facilities would be 18 at each facility.

Primary access to the project would be from a main entry at the eastern end of Via Milano Way. The main entry would consist of a roundabout with a landscaped median allowing driveways approximately 32 feet in width. A guardhouse with a recess area for sliding gates would separate the entry roundabout from another roundabout at the entry of the assisted living facility. The entry and exit ways at the guardhouse each would be approximately 17 feet in width. The roundabout at the assisted living facility entrance would have a fountain in its center and a lane width of approximately 45 feet. Resident and visitor loading would occur at a portico leading to the first floor lobby in the assisted living facility. A driveway would extend north from the portico area, providing access to a gated entry to a parking area in the adjoining commercial property.

Parking would be provided beneath the assisted living building at the rate of one space per 5 occupant beds plus one space per 10 beds for visitors. At maximum buildout, this would provide a total of 52 spaces. Initially, a portion of the first floor area of the assisted living facility would

provide 46 parking spaces and six handicapped parking spaces. Sidewalks would provide access throughout the project site.

Sewer, water, storm drainage and other utilities would be provided from existing systems located on or adjacent to the project site. Existing water, sewer, and storm drainage lines that were installed for the previous project would be used for this project. An existing 15-inch diameter on-site storm drainage line is connected to an existing storm drainage line in Fontana Avenue through the commercial center to the north.

Landscaping would be installed throughout the site (Figure 2-8). Sliding gates would be installed in front of the guardhouse at the site entry, and additional gates would be installed at locations throughout the site. Fencing would be installed around the front roundabout and in the front of the memory care facility. Existing masonry sound walls are located along the north, and portions of the west boundaries of the site, but no further wall construction is proposed. Continuous on-site security would be provided.

2.5 Demolition

The project would require the demolition of several existing site improvements that were installed in conjunction with the previously approved project. These improvements would include most of the street pavement; only the portion nearest the entrance to the project site would be retained. The curb, gutter, and sidewalk along the pavement would also be removed, as well as a median curb in the existing cul-de-sac. Approximately 29 linear feet of an 8-inch diameter sewer lateral and three storm drain laterals and inlets would be removed, along with 11 sewer laterals installed to serve the planned residential lots. An existing fire hydrant at the end of the existing cul-de-sac would be relocated, but the attached lateral and valve would be removed. Approximately 250 linear feet of fencing near the entrance would be demolished. A portion of the existing wall along the north boundary would be removed in order to allow installation of the proposed access gate.

The site had been graded for building pads in anticipation of residential development. Most of the site would need to be re-graded to make the site suitable for the proposed development.

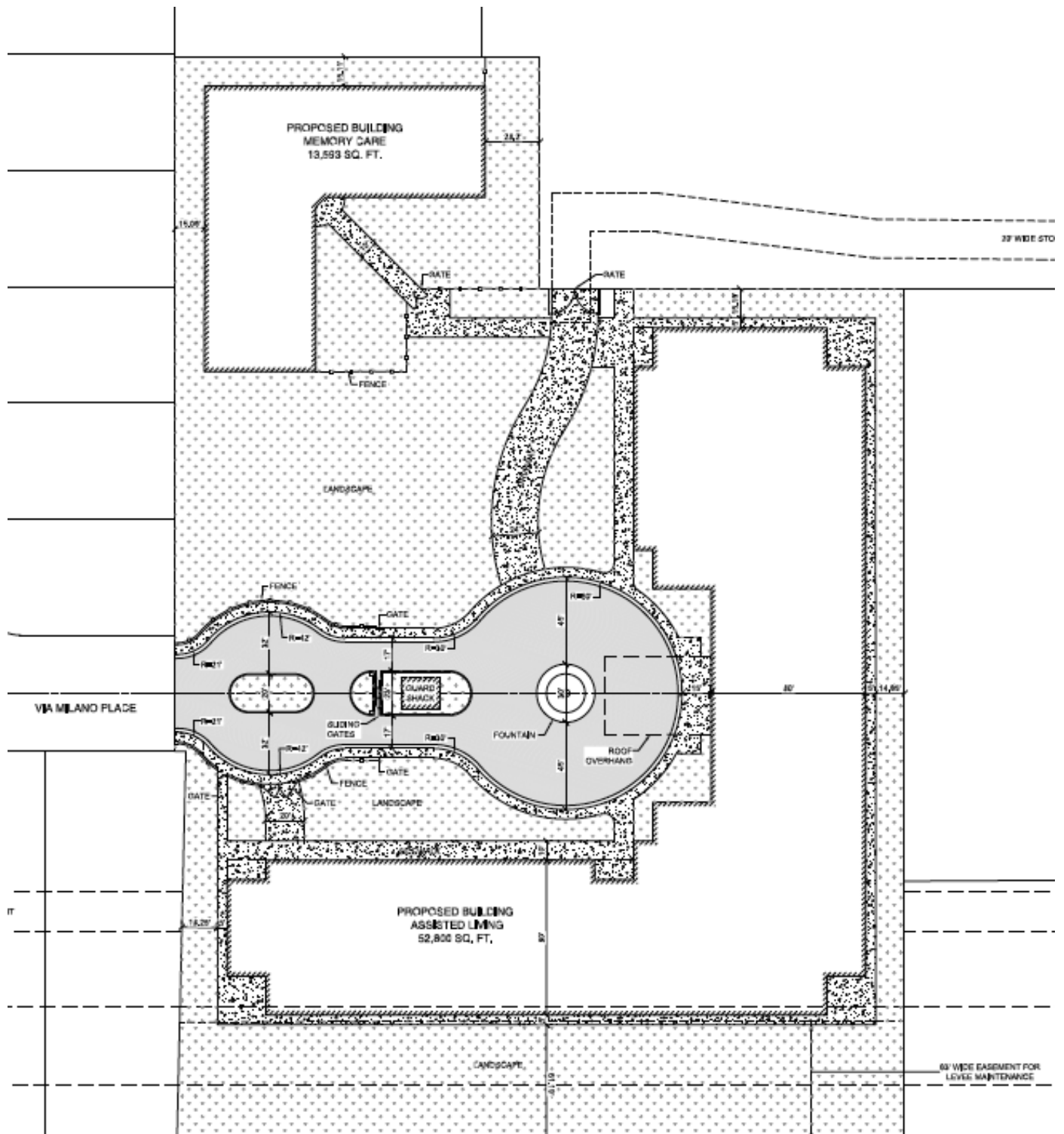
2.6 Permits and Approvals

The project will require City approval of a general plan amendment and rezoning (Figures 2-9 and 2-10) as well as site plan and design review of the proposed development. The project is presently designated by the Stockton General Plan for Low-Medium Density Residential use and zoned R-L (Residential, Low Density). Development of the proposed project would require changes to the General Plan designation and zoning of the project site as follows:

Modify Stockton General Plan land use designation for the entire site from Low-Medium Density Residential to High Density Residential.

Modify City of Stockton zoning for the entire site from R-L (Residential, Low Density) to R-H (Residential, High Density).

The project would require approval of a General Plan amendment and a rezoning of the project site by the Stockton City Council, with a recommendation from the Stockton Planning Commission. The proposed demolition of on-site streets and re-grading of the site would require permits from the Stockton Building Division, and the proposed removal of some on-site underground utilities would require the approval of the Stockton Municipal Utilities Department.



SOURCE: MCR Engineering



Figure 2-1
SITE PLAN



Tuscany Cove

Job #
Date 3/20/17
Scale Noted
Revised by J. Wagner
Date 3/20/17

J. WAGNER
ASSOCIATES, INC.
2100 N. G. Donato Dr.
Stockton, CA 95214
(209) 452-2344
Fax (209) 452-2345

Not For
Construction

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Assisted Living

A6.2

Figure 2-2
ASSISTED LIVING , RENDERING

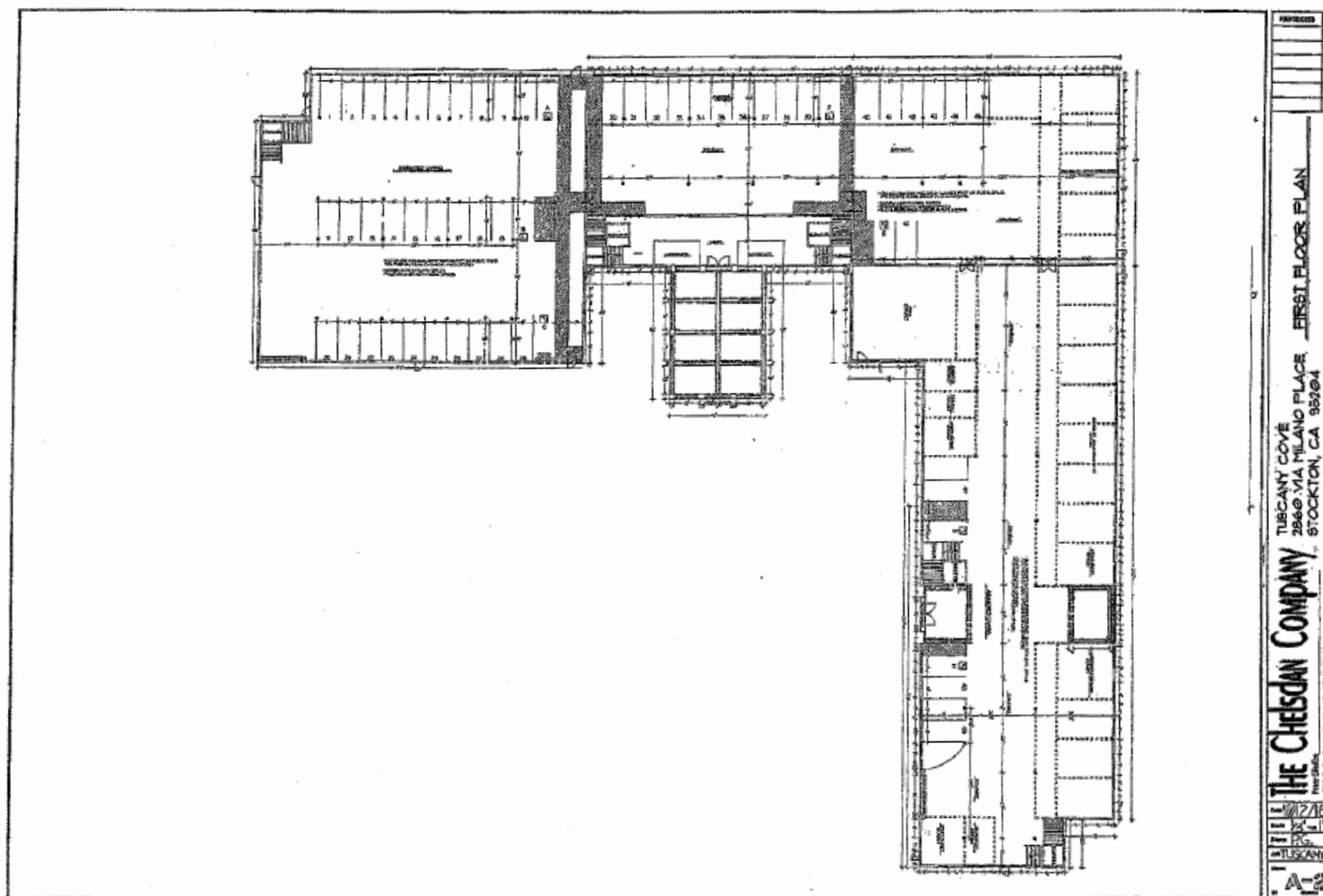
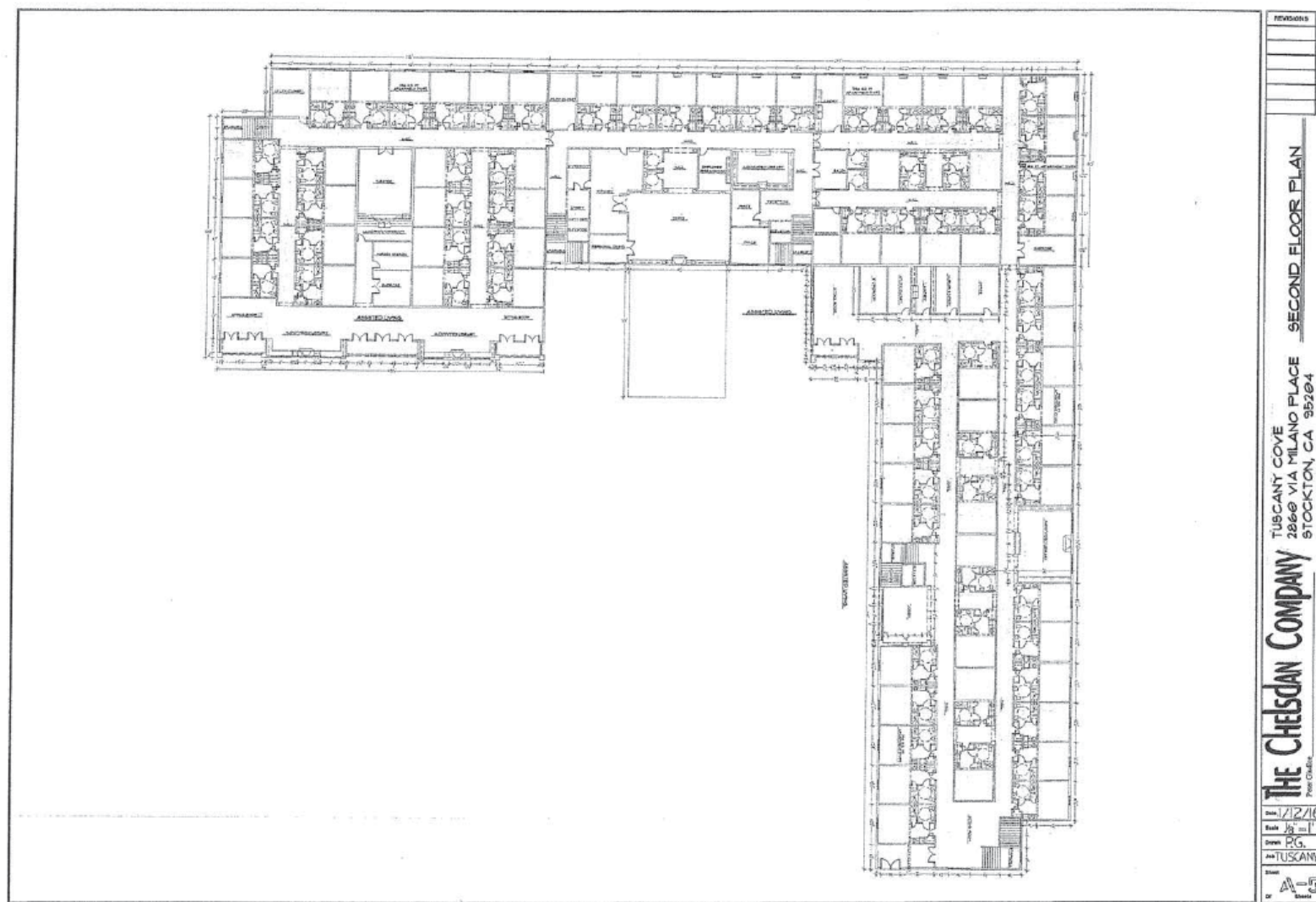
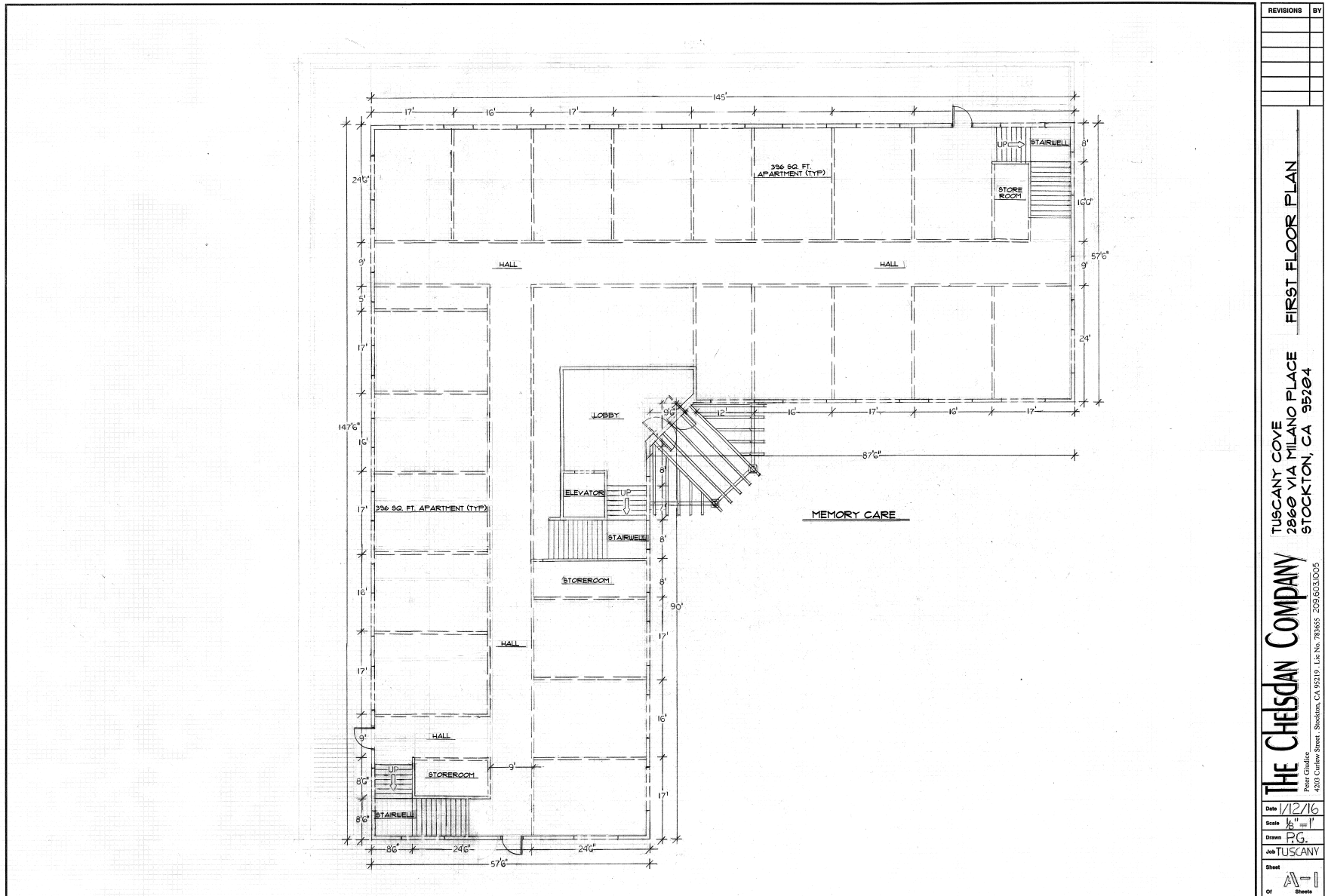
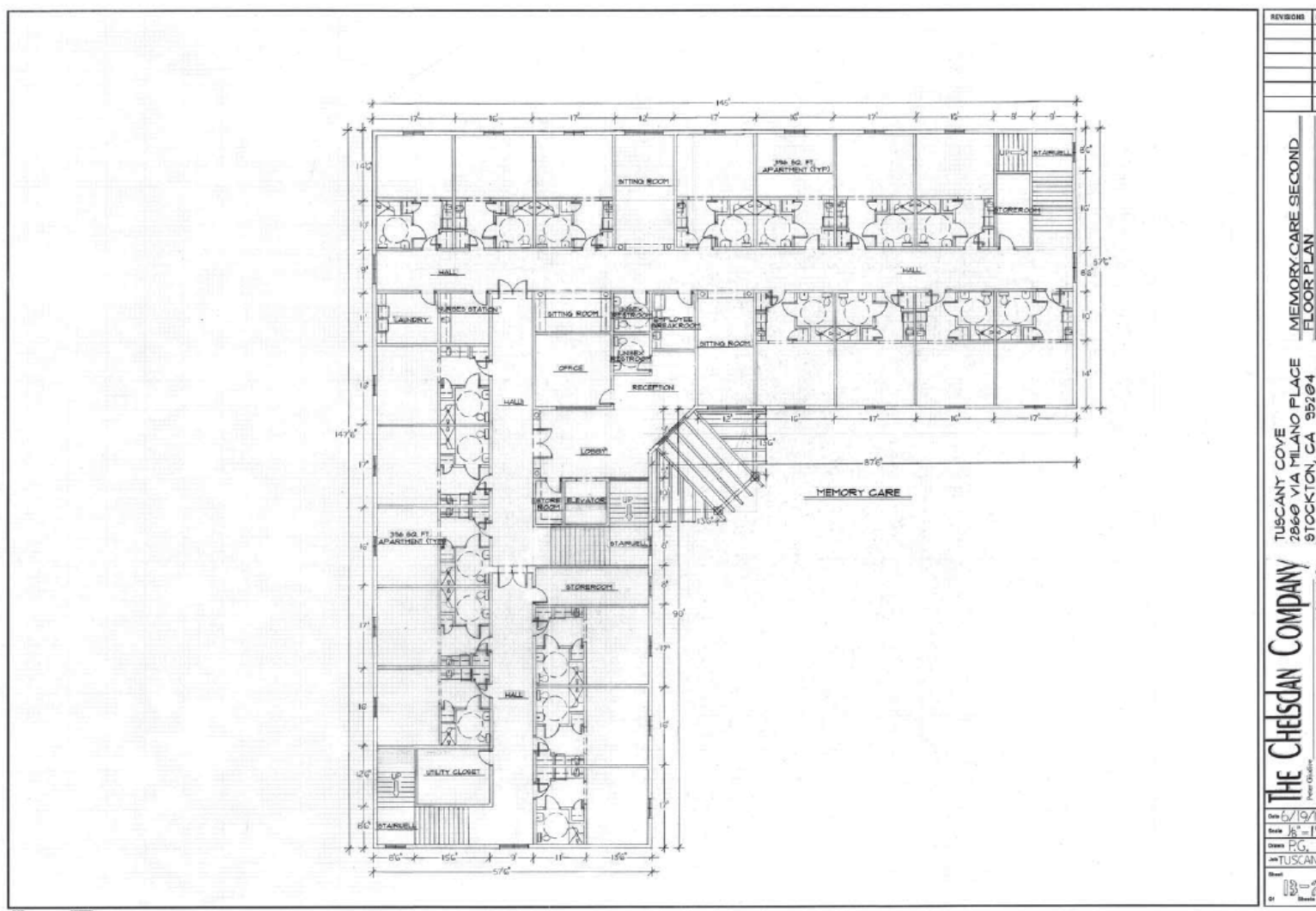
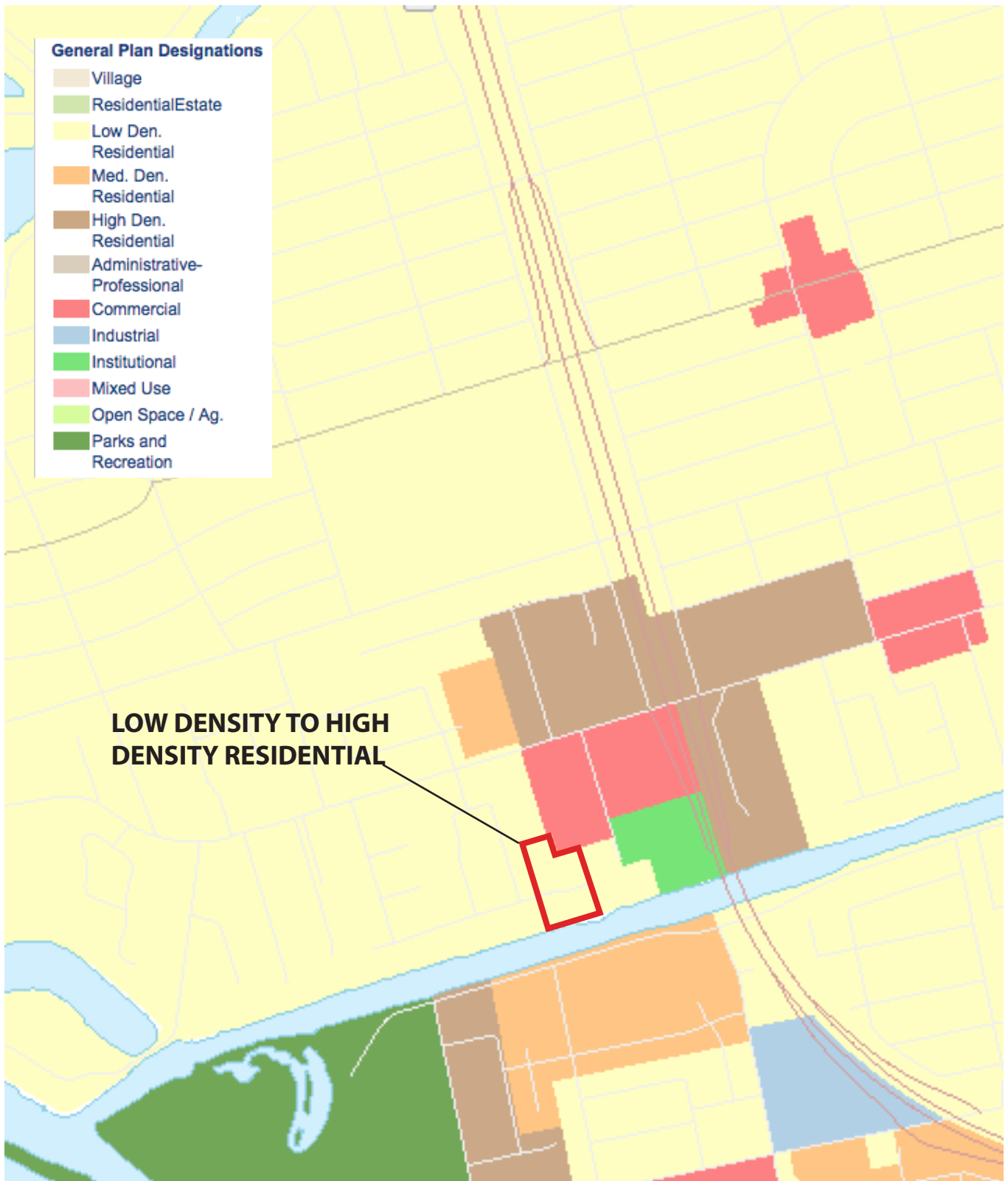


Figure 2-4
ASSISTED LIVING BUILDING, FLOOR 1

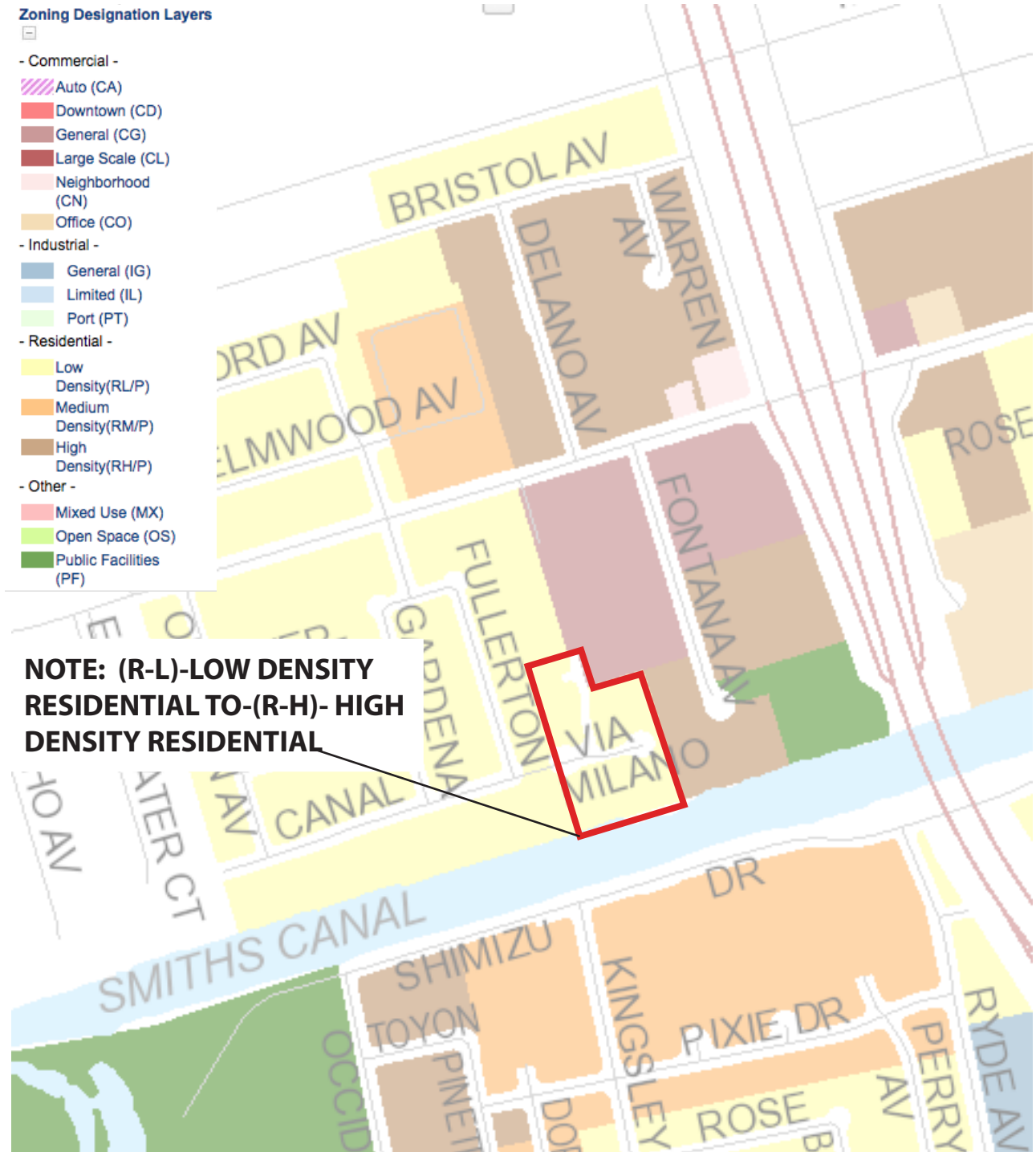








SOURCE: City of Stockton



SOURCE: City of Stockton

3.0 ENVIRONMENTAL CHECKLIST FORM

3.1 AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			√	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				√
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			√	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		√		

NARRATIVE DISCUSSION

Environmental Setting

The project site is currently a vacant parcel consisting of mainly non-native grasses and weeds. Some trees are located in the southern portion of the project site, and a row of trees is located along the eastern boundary of the site. Paved streets with curbs, a storm drain system, and some landscaping were installed on the project site, as well as raised building pads remaining from a residential subdivision project that was not completed. A masonry wall borders the project site along the north and east boundaries, and a wood fence borders the west boundary. A decorative masonry-walled and metal-gated entryway with associated landscaping is located near the southwest corner of the project site, which also was part of the original residential project.

Smith Canal is adjacent to and south of the project site. The canal is separated from the project site by a levee approximately 10-15 feet in height. The levee obstructs views to the south from the project site; views from atop the levee to the south consist of Smith Canal, trees and other vegetation growing along the banks, and the Stockton Buddhist Temple and rooftops of residential homes. Also visible from the levee top are docks along the north bank of Smith Canal. Single-family residences border the project site to the west. Views from the project site to the west consist mainly of rooftops, trees, and wooden poles supporting utility lines. A two-story apartment complex borders the project site to the east. Views consist of the second floor and rooftop of the apartment building, which is screened by the row of trees along the site's eastern boundary. A church and a shopping center anchored by a Safeway grocery store are located along the northern boundary of the site. The rooftop of the church, the upper elevation and rooftop of the Safeway grocery store, and a few trees are visible above the masonry wall along the northern boundary.

From Stockton, views of the Coast Ranges and Mount Diablo to the west and the Sierra Nevada to the east constitute the major scenic vistas, when visibility conditions permit. In the project vicinity, these vistas are mostly obstructed by existing development and trees. San Joaquin County has designated 26 local roadways within the County as scenic routes (San Joaquin County 2009). None of these local scenic routes are in the vicinity. No State scenic highways have been designated in the vicinity (Caltrans 2015).

Lighting at the project site is limited to lighting from the occupied residences that abut the project site. Residential streets in the vicinity of the project site are lighted, and there is security lighting associated with the commercial area north of the project site. Stockton Municipal Code Section 16.32.070 states that light or glare from mechanical or chemical processes or from reflective materials used or stored on a site shall be shielded or modified to prevent emission of light or glare beyond the property line, or upward into the sky.

Environmental Impacts and Mitigation Measures

a) Scenic Vistas.

The project proposes to construct two two-story buildings, which may further obstruct views of the Coast Ranges and Sierra Nevada from places outside the project site. However, these views in the area are already obstructed due to existing development and trees. Project impacts on scenic vistas are considered less than significant.

b) Scenic Resources.

There are no scenic highways in the vicinity. Smith Canal and its banks are the only scenic resources in the area, and project work would not affect these resources. The project would have no impact on scenic resources.

c) Visual Character and Quality.

The project site is in part covered with grasses and weeds, and in part has partial improvements from a residential development that was never completed. The project would replace this existing visual condition with a new development that would contain landscaping and other decorative features. Moreover, the project would be subject to the City of Stockton design review process, which will ensure the aesthetic quality of the proposed improvements. Project impacts on visual character would be less than significant, and are expected to be beneficial.

d) Light and Glare.

The project will result in an increase in overall night lighting at the project site, which would include safety and security lighting of outdoor street and parking areas and pedestrian circulation. This lighting would be consistent with other existing residential and commercial land uses in the vicinity. However, the on-site lighting could disturb residences to the west of the project site by indirect illumination, which would reduce darkness and potentially disrupt sleep. Mitigation described below would reduce the amount of lighting reaching these residences, thereby reducing impacts to a level that would be less than significant.

Level of Significance: Potentially significant

Mitigation Measures:

AESTH-1: Site development plans shall include a photometric site plan that describes the type of lighting that will be used and the amount of illumination that would occur on the site and on the property lines of adjacent residential parcels or parcels zoned for residential uses. The photometric plan shall demonstrate that indirect illumination on the property lines with residences adjacent to the project site is consistent with the standards set forth in Stockton Municipal Code Section 16.32.070. The photometric site plan shall be part of the development application package to be reviewed and approved by the City.

Significance After Mitigation: Less than significant

3.2 AGRICULTURE AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				√
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				√
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				√
d) Result in the loss of forest land or conversion of forest land to non-forest use?				√
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				√

NARRATIVE DISCUSSION

Environmental Setting

The Important Farmland Maps, prepared by the California Department of Conservation as part of the Farmland Mapping and Monitoring Program, designate the viability of lands for farmland use, based on the physical and chemical properties of the soils. The maps categorize farmland, in decreasing order of soil quality, as "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland." Collectively, these categories are referred to as "Farmland" for CEQA purposes. There are also designations for grazing land and for urban/built-up areas, among others. According to the 2014 Important Farmland Map of San Joaquin County, the project site and the surrounding area is classified as Urban and Built-Up Land (FMMP 2014).

There are no forest lands on the project site or in San Joaquin County. Because of this, forestry resources would not be discussed further in this document.

Environmental Impacts and Mitigation Measures

a) Agricultural Land Conversion.

The project would be developed in an area classified as Urban and Built-Up Land. No Farmland is in the area, so no Farmland would be converted as a result of the project. The project would have no impact on this issue.

b) Agricultural Zoning and Williamson Act.

The project site is designated for urban use and zoned for low-density residential use by the City of Stockton. The project would not conflict with any zoning for agricultural land. The Williamson Act is State legislation that seeks to preserve farmland by offering property tax breaks to farmers who sign a contract pledging to keep their land in agricultural use. Since there is no farmland in the area, no lands are subject to a Williamson Act contract. The project would have no impact on these issues.

c, d) Forest Land Conversion and Zoning.

There is no forest land in the project vicinity. The project would have no impact on forest lands.

e) Indirect Conversion of Farmland and Forest Land.

As there are no farmlands or forest lands in the area, the project would not contribute indirectly to conversion of these lands. The project would have no impact on this issue.

3.3 AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable Air Quality Attainment Plan?			√	
b) Violate any air quality standard or contribute to an existing or projected air quality violation?			√	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			√	
d) Expose sensitive receptors to substantial pollutant concentrations?			√	
e) Create objectionable odors affecting a substantial number of people?				√

NARRATIVE DISCUSSION

Environmental Setting

Air Quality Status

The project site, along with the City of Stockton and San Joaquin County, is within the San Joaquin Valley Air Basin. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has jurisdiction over most air quality matters in the Air Basin. The SJVAPCD is tasked with implementing programs and regulations required by both the federal and California Clean Air Acts. Under their respective Clean Air Acts, both the federal government and the State of California have established ambient air quality standards for six criteria air pollutants: ozone, particulate matter, carbon monoxide, nitrogen dioxide, sulfur dioxide, and lead. California has four additional criteria pollutants under its Clean Air Act. Table 3-1 shows the current attainment status of the Air Basin relative to the federal and State ambient air quality standards for criteria pollutants. Except for ozone and particulate matter, which are discussed below, the Air Basin is in attainment of, or unclassified for, all federal and State ambient air quality standards.

Air Pollutants of Concern

The San Joaquin Valley Air Basin is designated a non-attainment area for ozone. Ozone is not emitted directly into the air, but is formed when reactive organic gases (ROG) and nitrogen oxides (NO_x) react in the atmosphere in the presence of sunlight. Ozone is a respiratory irritant and an oxidant that increases susceptibility to respiratory infections and can cause substantial damage to vegetation and other materials. The SJVAPCD currently has a 2007 Ozone Plan and a

2013 Plan for the Revoked 1-Hour Ozone Standard for the Air Basin to attain federal ambient air quality standards for ozone.

The Air Basin is also designated a non-attainment area for respirable particulate matter, a mixture of solid and liquid particles suspended in air, including dust, pollen, soot, smoke, and liquid droplets. In San Joaquin County, particulate matter is generated by a mix of rural and urban sources, including agricultural activities, industrial emissions, dust suspended by vehicle traffic, and secondary aerosols formed by reactions in the atmosphere. Health concerns associated with suspended particulate matter focus on those particles small enough to reach the lungs when inhaled; consequently, both the federal and state air quality standards for particulate matter apply to particulates 10 micrometers or less in diameter (PM₁₀) as well as to particulates less than 2.5 micrometers in diameter (PM_{2.5}), which are carried deeper into the lungs. Acute and chronic health effects associated with high particulate levels include the aggravation of chronic respiratory diseases, heart and lung disease, coughing, bronchitis, and respiratory illnesses in children. The SJVAPCD currently has a 2007 PM₁₀ Maintenance Plan to maintain the Air Basin's attainment status for federal PM₁₀ ambient air quality standards, and a 2008 PM_{2.5} Plan for the Air Basin to attain federal PM_{2.5} ambient air quality standards.

TABLE 3-1
SAN JOAQUIN VALLEY AIR BASIN ATTAINMENT STATUS

Designation/Classification		
Criteria Pollutant	Federal Primary Standards	State Standards
Ozone - One hour	No Federal Standard	Nonattainment/Severe
Ozone - Eight hour	Nonattainment/Extreme	Nonattainment
PM ₁₀	Attainment	Nonattainment
PM _{2.5}	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide (NO _x)	Attainment/Unclassified	Attainment
Sulfur Dioxide (SO _x)	Attainment/Unclassified	Attainment
Lead	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing		
Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment

Note: Federal primary standards are those designed to protect human health.

Source: SJVAPCD 2015a.

Carbon monoxide (CO) is an odorless, colorless gas that is highly toxic. It is formed by the incomplete combustion of fuels and is emitted directly into the air, unlike ozone. The main source of CO in the San Joaquin Valley is on-road motor vehicles (SJVAPCD 2015b). The San Joaquin Valley Air Basin is in attainment/unclassified status for CO; as such, the SJVAPCD has no CO attainment plans. High CO concentrations may occur in areas of limited geographic size, sometimes referred to as "hot spots," which are ordinarily associated with areas of highly congested traffic.

In addition to the criteria pollutants, the California Air Resources Board has also identified other air pollutants as toxic air contaminants (TACs) - pollutants that may cause acute serious, long-term effects, such as cancer, even at low levels. Diesel particulate matter is the most commonly identified TAC, generated mainly as a product of combustion in diesel engines. Other TACs are less common and are typically associated with industrial activities.

Air Quality Rules and Regulations

As previously noted, the SJVAPCD has jurisdiction over most air quality matters in the Air Basin. It implements the federal and California Clean Air Acts, and the applicable attainment and maintenance plans, through local regulations. The SJVAPCD has developed plans to attain State and federal standards for ozone and particulate matter, which include emissions inventories to measure the sources of air pollutants and the use of computer modeling to estimate future levels of pollution and make sure that the Valley will meet air quality goals (SJVAPCD 2015b). A State Implementation Plan for carbon monoxide has been adopted by the California Air Resources Board (ARB) for the entire state. The SJVAPCD regulations that would be applicable to the project are summarized below.

Regulation VIII (Fugitive Dust PM₁₀ Prohibitions)

Rules 8011-8081 are designed to reduce PM₁₀ emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track out, landfill operations, etc.

Rule 4101 (Visible Emissions)

This rule prohibits emissions of visible air contaminants to the atmosphere and applies to any source operation that emits or may emit air contaminants.

Rule 9510 (Indirect Source Review)

Rule 9510, also known as the Indirect Source Rule (ISR), is intended to reduce or mitigate emissions of NO_x and PM₁₀ from new development in the SJVAPCD including construction and operational emissions. This rule requires specific percentage reductions in estimated on-site construction and operation emissions, and/or payment of off-site mitigation fees for required reductions that cannot be met on the project site. Construction emissions of NO_x and PM₁₀ exhaust must be reduced by 20% and 45%, respectively. Operational emissions of NO_x and PM₁₀ must be reduced by 33.3% and 50%, respectively. The rule applies to development projects of 50 residential units and larger. Based on this criteria, the project would be subject to Rule 9510.

Environmental Impacts and Mitigation Measures

In 2015, the SJVAPCD adopted a revised Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI). GAMAQI defines an analysis methodology, thresholds of significance, and mitigation measures for the assessment of air quality impacts for projects within SJVAPCD's jurisdiction. Table 3-2 shows the CEQA thresholds for significance for pollutant emissions within the SJVAPCD. The significance thresholds apply to emissions from both project construction and project operations.

Construction of the project would involve the use of heavy equipment powered by diesel or other internal combustion engines. The California Emissions Estimator Model (CalEEMod) was used

to estimate both project construction emissions, assumed to occur over a construction period of one year, and annual operational emissions at completion and occupancy of the proposed project, assumed to occur in 2020. The CalEEMod results are shown in Appendix A of this document and in Table 3-2. It should be noted that the results in Table 3-2 are for unmitigated emissions; that is, emissions without implementation of laws and regulations with which projects must comply and without emission reduction measures typically employed for development projects.

TABLE 3-2
ESTIMATED PROJECT AIR POLLUTANT EMISSIONS

Pollutant	SJVAPCD Significance Threshold	Maximum Annual Construction Emissions		Annual Operational Emissions	
		Project Emissions	Exceeds Threshold?	Project Emissions	Exceeds Threshold?
ROG	10	1.32	No	0.74	No
NO _x	100	2.81	No	0.93	No
CO	10	2.08	No	2.26	No
SO _x	27	<0.01	No	<0.01	No
PM ₁₀	15	0.38	No	0.36	No
PM _{2.5}	15	0.25	No	0.11	No

Notes: Significance thresholds apply to both construction and operational emissions. All figures are in tons per year.

Sources: California Emissions Estimator Model v. 2016.3.1; SJVAPCD 2015b.

a, b) Air Quality Plans and Standards.

As shown in Table 3-2, neither project construction nor operational emissions would exceed the significance thresholds for any of the criteria pollutants. Moreover, the emission data in Table 3-2 are for unmitigated emissions. The project would be required to comply with SJVAPCD Regulation VIII, which would reduce generation of particulate matter emissions, specifically dust, during project construction. The project would also be required to comply with the ISR, which requires reductions in NO_x and PM₁₀ construction and operational emissions. Implementation of these rules would further reduce the amount of project emissions that are already considered less than significant.

The SJVAPCD has attainment plans for ozone and particulate matter. Since project emissions would not exceed the significance thresholds for these pollutants, the project would not interfere with the objectives of these attainment plans. Project impacts related to air quality plans would be less than significant.

c) Cumulative Emissions.

As indicated in Table 3-2, project operations would generate pollutant emissions that would not exceed SJVAPCD significance thresholds. The project is not expected to contribute cumulatively considerable emissions of any criteria pollutant, especially since vehicle traffic generated by the project development is expected to be more limited than for more typical residential projects. Project impacts would be less than significant.

d) Exposure of Sensitive Receptors.

The land uses most sensitive to pollutant emissions generated by the project are the residences west of the project site. Project construction may generate dust emissions that could reach residences nearest the construction site. Implementation of SJVAPCD Regulation VIII and the ISR would reduce particulate matter emissions from construction activities, which as indicated in Table 3-2 would not be significant per the SJVAPCD significance thresholds.

The project proposes a driveway off Fontana Avenue. The main pollutant of concern associated with road intersections is carbon monoxide, which is typically associated with large volumes of traffic. The GAMAQI indicates that a project would create no violations of the CO standards if neither of the following criteria are met:

- A traffic study for the project indicates that the Level of Service (LOS) on one or more streets or at one or more intersections in the project vicinity will be reduced to LOS E or F; or
- A traffic study indicates that the project will substantially worsen an already existing LOS F on one or more streets or at one or more intersections in the project vicinity (See Section 3.16, Transportation/Traffic, for an explanation of LOS).

It is not expected that the project would generate traffic at a level that would cause degradation of LOS on local streets to E or F. As discussed in Section 3.16, Transportation/Traffic, congregate care facilities generate traffic at a substantially lower rate than other residential projects, as residents of these facilities typically drive less. The project is expected to have no adverse impact on carbon monoxide emissions in the project area or immediate vicinity.

Project construction would likely generate emissions of diesel particulate matter, which is considered a TAC. This would be of particular concern to the residential area adjacent to the west. As shown in Appendix A, PM exhaust emissions, which include diesel particulate matter, are small in total when compared with the SJVAPCD significance thresholds. Construction emissions of diesel particulate matter are temporary, and would cease once project construction is completed. Health impacts related to TACs such as diesel particulate matter are associated with long-term exposure. Diesel particulate emissions generated by construction activities are not considered to have a significant impact. Project operational emissions of PM exhaust are minimal, well below the significance thresholds (see Appendix A). Overall, impacts of diesel particulate matter emissions are considered less than significant.

e) Odors.

The land uses most sensitive to potential odors are the residences adjacent to and west and east of the project site. The project is a residential project; as such, it would not generate any odors that would affect these and other residences in the vicinity. The project would have no impact related to odors.

3.4 BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Adversely impact, either directly or through habitat modifications, any endangered, rare, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?		√		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				√
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				√
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		√		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				√
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?		√		

NARRATIVE DISCUSSION

Environmental Setting

Information for this section is primarily provided by the Tuscany Cove Tentative Map IS/MND prepared in 2004. Although this IS/MND is 12 years ago and a few alterations have been made to the project site during that time, most of the information remains valid. Changes from the Tentative Map IS/MND description shall be noted.

The project site is former agricultural land that contained low-lying grasses and weeds, approximately ten pecan trees and other fruit and ornamental trees. In addition, a tree assessment conducted for the residential subdivision project determined that five of the seven oak trees within the project site were Heritage Oaks, as defined in Stockton Municipal Code Section 16.240.020. At present, vegetation found within the project site consists of grasses and weeds outside the partial development that has occurred, and a row of trees along the eastern site boundary. All other trees previously described have been removed. The entrance gate was previously landscaped with ornamental trees and shrubs, the majority of which are located outside the gate.

No wetlands or other Waters of the U.S. were identified within the project site. The Smith Canal, located along the south boundary of the project site, does contain wetland and riparian habitat values, including trees located along the banks. The Smith Canal and its riparian area is separated from the project site by a levee.

The Tentative Map IS/MND noted that special-status species were considered unlikely to occur on or adjacent to the project site, as habitat quality was considered poor and the Smith Canal levee is maintained for flood control purposes. However, the project site, in its former state of vegetation, was identified as providing a small amount of suitable foraging habitat for Swainson's hawk, which is listed as a threatened species under the California Endangered Species Act. The site was also identified as providing potential habitat for aquatic species along the southern site boundary, although specific species were not named. Due to the high level of disturbance of the project site at the time the Tentative Map IS/MND was prepared, the potential for the occurrence of other threatened and endangered species was considered very low.

The project site is within the coverage area of the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP), a habitat conservation plan adopted by San Joaquin County and its incorporated cities and implemented locally by the San Joaquin Council of Governments (SJCOG). The SJMSCP provides a strategy for balancing the need to conserve open space and wildlife habitat values with the need to accommodate the County's growth and development. As part of SJMSCP implementation, a habitat conservation fee is assessed on open space land that is converted to urban uses. Collected fees are used to fund habitat acquisition and improvement programs. If a development project would affect special-status species, the SJMSCP sets forth Incidental Take Minimization Measures (ITMMs) that are required to be implemented to avoid or minimize impacts on the affected special-status species (SJCOG 2000). The site is within SJMSCP Category A - No Pay Zone. Projects in Zone A may obtain SJMSCP coverage without paying fees.

Environmental Impacts and Mitigation Measures

a) Special-Status Species.

The project would not involve any direct effects on special-status species; there are no known occurrences or nesting habitat located on the project site. The project would have no effect on aquatic species potentially occurring within Smith Canal, as it is separated from the project site by a levee and no project activity would occur at or beyond the levee. However, the project site, was identified as providing a small amount of suitable foraging habitat for Swainson's hawk, albeit marginal. Loss of this foraging habitat is considered a potentially significant impact. In addition, project construction has the potential to affect nesting behaviors that may occur in trees along Smith Canal by special-status bird species. Mitigation described below would minimize

impacts on these bird species or their nests if any are found, thereby reducing impacts to a level that would be less than significant.

Level of Significance: Potentially significant

Mitigation Measures:

BIO-1: Prior to construction activities, the beginning of which occurs from March to August, the owners, developers and successors-in-interest (ODS) shall conduct a preconstruction nest survey in the area near Smith Canal to determine the presence of any bird species or their nests. The survey shall be conducted by a qualified biologist, who shall make recommendations on the treatment of any located nests that shall be implemented by the ODS, including but not limited to establishment of buffer areas and restrictions on construction equipment operations near the nest.

BIO-2: The applicant shall apply to the San Joaquin Council of Governments (SJCOG) for coverage under the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP). The project site will be inspected by the SJMSCP biologist, who will recommend any Incidental Take Minimization Measures (ITMMs) set forth in the SJMSCP that should be implemented. The ODS shall be responsible for the implementation of any specified ITMMs.

Significance After Mitigation: Less than significant

b) Riparian and Other Sensitive Habitats.

Riparian habitat is located along Smith Canal, but this habitat is separated from the project site by a levee and no project activities would occur within the riparian area. No other sensitive natural communities have been identified in the area. The project would have no impact on this issue.

c) Wetlands.

No federally-protected wetlands or other Waters of the U.S. were identified on the project site. Smith Canal is considered a Water of the U.S., but the project would not affect Smith Canal or its banks. The project would have no impact on this issue.

d) Fish and Wildlife Movement.

Smith Canal may be considered a corridor for fish and migratory birds. The project would have no direct impact on Smith Canal or its riparian area. However, as noted above, the project could disturb the nesting behavior of migratory birds using trees in the riparian area. Implementation of Mitigation Measure BIO-1 would reduce potential impacts on migratory birds to a level that would be less than significant.

e) Local Biological Requirements.

Stockton Municipal Code Chapter 16.130 includes protections for oak trees, including protection from damage and a requirement that a tree removal permit be obtained and replacement mitigation provided if oak trees must be removed. While oak trees had existed on the project site,

that is no longer the case. The oak protection provisions of the Municipal Code would not apply to the project. No other local biological requirements apply. The project would have no impact related to local biological requirements.

f) Conflict with Habitat Conservation Plans.

The project site is located in the coverage area of the SJMSCP, although it is located in a “no pay” zone. The project site was found to not contain any special-status species, but foraging habitat for Swainson’s hawk was identified on the site. Mitigation Measure BIO-2 would require the project to comply with the SJMSCP, including the implementation of any applicable ITMMs as determined by SJCOG. No other habitat conservation plans apply to the project site.

3.5 CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?		√		
b) Cause a substantial adverse change in the significance of a unique archaeological resource (i.e., an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it contains information needed to answer important scientific research questions, has a special and particular quality such as being the oldest or best available example of its type, or is directly associated with a scientifically recognized important prehistoric or historic event or person)?		√		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		√		
d) Disturb any human remains, including those interred outside of formal cemeteries?		√		

NARRATIVE DISCUSSION

Environmental Setting

An archaeological inventory of the project site was conducted by Jensen and Associates (2004) as part of the preparation for the Tentative Map IS/MND. The inventory included a cultural resources records search and a pedestrian field survey of the project site. Information from this inventory remains valid.

Prehistoric Background

The project site is within territory claimed by the Northern Valley Yokuts. The Yokuts occupied an extensive area, from the Coast Ranges to the Sierra Nevada foothills, and from the American River to the upper San Joaquin River. Yokut villages typically consisted of a scattering of small structures, numbering from four or five to several dozen in larger villages, and were often located on elevated features adjoining streams. These villages were inhabited mainly in the winter; the Yokuts established temporary camps in the hills and higher elevations during food-gathering seasons. Economic life revolved around hunting, fishing, and plant collection, with deer, acorns, and avian and aquatic resources representing primary staples. The Yokuts used local resources to manufacture an array of primary and secondary tools and implements, including a wide variety of wooden, bone, and stone artifacts to collect and process food. Only fragmentary evidence of their material culture remains, due to perishability and to impacts on archaeological sites resulting from later land uses.

In 2014, the California Legislature enacted Assembly Bill (AB) 52, which focuses on consultation with Native American tribes on land use issues potentially affecting the tribes. The intent of this consultation is to avoid or mitigate potential impacts on “tribal cultural resources,” which are defined as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe.” Under AB 52, when a tribe requests consultation with a CEQA lead agency on projects within its traditionally and culturally affiliated geographical area, the lead agency must provide the tribe with notice of a proposed project within 14 days of a project application being deemed complete or when the lead agency decides to undertake the project if it is the agency’s own project. The tribe has up to 30 days to respond to the notice and request consultation; if consultation is requested, then the local agency has up to 30 days to initiate consultation.

Historic-Era Background

Early Spanish expeditions arrived from the Bay Area missions as early as 1804, penetrating the northwestern San Joaquin Valley. By the late 1830s and early 1840s, small permanent European-American settlements had settled in the Central Valley and surrounding foothills. In 1841, Charles Weber arrived in California as part of the Bidwell-Bartleson party and settled in what would become present-day downtown Stockton. Weber, partnering with others, established a colony at this location and received the Rancho del Campo de los Franceses land grant in 1844. During the spring of 1849, the town of Stockton was surveyed and established.

With the discovery of gold in the Sierra Nevada in 1848, demand for commodities from the Valley’s eastside mining communities led quickly to the expansion of ranching and agriculture throughout the Central Valley, followed by permanent communities along major transportation corridors, particularly railroads. The Southern Pacific and Central Pacific Railroads and a host of smaller interurban lines began intensive projects in the late 1860s. By the start of the 20th Century, nearly 3,000 miles of railroad lines connected Stockton with points north and south.

Paleontological Resources

The vast majority of paleontological specimens from San Joaquin County have been found in rock formations in the foothills of the Diablo Mountain Range, but remains of extinct animals, such as mammoth, can be found virtually anywhere in the County, especially along watercourses such as the San Joaquin River and its tributaries (San Joaquin County 2009). Geological materials

underlying the project site include the recent (Quaternary) sedimentary deposits of the Modesto Formation (Wagner et al. 1991). Numerous vertebrate fossil sites have been associated with the Modesto Formation in the Central Valley, including land mammals, birds, reptiles, and amphibians (California High Speed Rail Authority 2012).

The project is located in an urbanized area of Stockton. As stated in the previous IS/MND, the site has been fully disturbed through previous agricultural uses, the construction of two single-family homes, and the levee associated with Smith Canal. Following approval of the previous project, the single-family homes and other structures were removed, land was graded to accommodate single-family building pads and paved streets were constructed with gutters and storm drain basins. The current project would include re-grading to level the raised building pads, demolish the majority of the paved streets and underground utilities that were constructed beneath the streets, as well as any new grading and trenching associated with the new project.

Environmental Impacts and Mitigation Measures

a, b) Historical and Archaeological Resources.

The 2004 archaeological inventory did not find any records indicating the presence of cultural resources on the project site. Likewise, the pedestrian field survey revealed no presence of any cultural resources. There is no record of any cultural resources encountered during the installation of improvements associated with the previous approved project. Given the past disturbance of the project site, it is unlikely that any intact historical or archaeological resources would be encountered. Nevertheless, it is conceivable that currently unknown resources could be uncovered during construction activities. Mitigation described below sets forth procedures to be implemented to protect cultural resources should any be uncovered during project construction. Implementation of this mitigation measure would reduce potential impacts on these resources to a level that would be less than significant.

Level of Significance: Potentially significant

Mitigation Measures:

CULT-1: If any subsurface cultural or paleontological resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist or paleontologist, as appropriate, can examine these materials and make a determination of their significance. If the resource is determined to be significant, recommendations shall be made on further mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. Such measures could include 1) preservation in place or 2) excavation, recovery and curation by qualified professionals. The Stockton Community Development Department shall be notified of any find, and the ODS shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the Community Development Department, consistent with the requirements of the CEQA Guidelines.

Significance After Mitigation: Less than significant

c) Paleontological Resources and Unique Geological Features.

The project site is flat and contains no geological features that may be considered unique. The project site is underlain by the Modesto Formation, which has been a source of paleontological finds. Given past disturbance of the project site, it is unlikely that any paleontological resources would be encountered, but it is conceivable that currently unknown resources may be uncovered during construction activities. Mitigation Measure CULT-1 sets forth procedures to be implemented to protect paleontological resources should any be uncovered during project construction. Implementation of this mitigation measure would reduce potential impacts on these resources to a level that would be less than significant.

d) Human Burials.

Given past disturbance of the project site, it is unlikely that any human burials would be encountered. Disturbance of any burials, particularly Native American burials, would be a potentially significant impact, so general provisions for the discovery of previously unknown burials are considered appropriate.

The California Public Resources Code, as applied in CEQA Guidelines Section 15064.5(e), describes the procedure to be followed when human remains are uncovered in a location outside a dedicated cemetery. All work in the vicinity of the find shall be halted and the County Coroner shall be notified to determine if an investigation of the death is required. If the County Coroner determines that the remains are Native American in origin, then the County Coroner must contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall identify the most likely descendants of the deceased Native American, and the most likely descendants may make recommendations on the disposition of the remains and any associated grave goods with appropriate dignity. If a most likely descendant cannot be identified, the descendant fails to make a recommendation, or the landowner rejects the recommendations of the most likely descendant, then the landowner shall rebury the remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance.

Compliance with Mitigation TCR-2 would ensure that impacts on any human remains encountered during project construction would be minimized and therefore effects in this issue area would be less than significant.

Level of Significance: Potentially significant

Mitigation Measures: Mitigation Measure TCR-2

Significance After Mitigation: Less than significant

3.6 GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				√
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			√	
ii) Strong seismic ground shaking?		√		
iii) Seismic-related ground failure, including liquefaction?		√		
iv) Landslides?				√
b) Result in substantial soil erosion or the loss of topsoil?		√		
c) Be located on strata or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			√	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?		√		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				√

NARRATIVE DISCUSSION

Environmental Setting

Project Site Soils

The project site lies in the San Joaquin Valley in central California. The San Joaquin Valley is in the southern portion of the Great Valley Geomorphic Province. The Great Valley, also known as the Central Valley, is a topographically flat, northwest-trending, structural trough (or basin) about 50 miles wide and 450 miles long. It is bordered by the Tehachapi Mountains on the south, the

Klamath Mountains on the north, the Sierra Nevada on the east, and the Coast Ranges on the west. The San Joaquin Valley, the southern portion of the Great Valley, is filled with thick sedimentary rock sequences that were deposited as much as 130 million years ago. Large alluvial fans have developed on each side of the Valley. The larger and more gently sloping fans are on the east side of the Valley, and overlie metamorphic and igneous basement rocks. These basement rocks are exposed in the Sierra Nevada foothills and consist of metasedimentary, volcanic, and granitic rocks.

The sediments that form the Valley floor were derived largely from erosion of the Sierra Nevada. The smaller and steeper slopes on the west side of the Valley overlie sedimentary rocks more closely related to the Coast Ranges. Most of the soils in the San Joaquin Valley consist of sand, silt, loamy clay alluvium, peat, and other organic sediments. These soils are the result of long-term natural soil deposition and the decomposition of marshland vegetation. The Geologic Map of the San Francisco-San Jose Quadrangle (Wagner et al. 1991) designates the underlying geology of the project site as the Modesto Formation, consisting of Quaternary sediments.

According to the U.S. Department of Agriculture's Soil Survey of San Joaquin County (SCS 1992, NRCS 2016), the soil on the project site is Scribner-Urban land complex. This complex consists of 50% Scribner clay loam, 35% urban land, and 15% other soil types. Scribner clay loam is a very deep and poorly drained soil found in floodplains. Permeability is moderately slow in this soil, and runoff is very slow. The water erosion hazard is slight, and the soil blowing hazard is moderate. The shrink-swell potential of Scribner clay loam is moderate. The characteristics of the soil beneath the impervious surfaces of the urban land are similar to Scribner clay loam.

Seismic and Geologic Hazards

The project site is not in an area included in the Alquist-Priolo Earthquake Fault Zones (California Geological Survey 2015). However, the project site, along with the rest of San Joaquin County, is subject to seismic shaking from fault features east and west of the County, including the Hayward/Rodgers Creek, San Andreas, and Calaveras Faults (San Joaquin County 2009). In the Stockton area, ground shaking equivalent to an intensity of VIII or IX on the Modified Mercalli Scale may occur, which could lead to moderate to significant structural damage (City of Stockton 2007).

If the sediments which compact during an earthquake are saturated, soils may lose strength and become fluid; water from voids may be forced to the ground surface, where it emerges in the form of mud spouts or sand boils – a process called liquefaction. The Stockton General Plan EIR states that areas believed to have the greatest potential for liquefaction are those areas in which the water table is less than 20 feet below the ground surface and the soils are predominantly clean, relatively uniform sands of loose to medium density (City of Stockton 2006).

Environmental Impacts and Mitigation Measures

a-i) Fault Rupture Hazards.

There are no active or potentially active faults within or near the project site. As noted above, the project site is not within an Alquist-Priolo Earthquake Fault Zone. The project would have no impact related to fault rupture.

a-ii, iii) Seismic Hazards.

The project site, along with the rest of the City, is subject to seismic shaking from fault features east and west of the City. Individual improvements would incorporate engineering design features that would be in accordance with the California Building Code, which contains design criteria that would enable structures to withstand projected seismic shaking. In addition, the mitigation measure described below will require preparation of a geotechnical report in conjunction with the review and approval of proposed building plans. Implementation of the recommendations in the geotechnical regarding building construction would reduce potential seismic and geologic impacts to a level that would be less than significant.

As previously noted, areas in which the water table is less than 20 feet below the ground surface and with predominantly clean, relatively uniform sands of loose to medium density are susceptible to liquefaction. The soil on the project site is Scribner clay loam, which is not sandy. Also, the depth to the groundwater table at the project site is greater than 30 feet (see Section 3.9, Hydrology and Water Quality). Liquefaction is not considered a significant hazard on the project site.

Level of Significance: Potentially significant

Mitigation Measures:

GEO-1: Prior to final site plan approval, the ODS shall have a licensed geotechnical or soils engineer prepare a geotechnical report which shall identify engineering limitations of the site soils, including shrink-swell potential. Base on the identified limitations, the report shall recommend measures to ensure that the development would not be damaged by these limitations. The ODS shall implement all recommendations in the geotechnical report and incorporate them into the site plans.

Significance After Mitigation: Less than significant

a-iv) Landslides.

The project site is in a topographically flat area, so no landslides would occur. The project would have no impact related to this issue.

b) Soil Erosion.

The Scribner clay loam on the project site is characterized as having a low potential for erosion. Project construction activities would loosen the soil, leaving it exposed to potential water erosion and sediment transport.

Compliance with SJVAPCD Regulation VIII, which is discussed in Section 3.3, Air Quality, would reduce potential erosion impacts. In addition, the project would be required to comply with City of Stockton storm water requirements, which incorporate the provisions of the Construction General Permit, issued by the State Water Resources Control Board (SWRCB). These requirements are discussed in more detail in Section 3.9, Hydrology and Water Quality. The Construction General Permit is required for all projects that disturb one acre of land or more. The permit requirements include preparation of a Storm Water Pollution Prevention Plan (SWPPP) by a Qualified SWPPP Developer to address potential water quality issues. The

SWPPP includes implementation of Best Management Practices (BMPs) to avoid or minimize adverse water quality impacts. BMPs fall within the categories of Temporary Soil Stabilization, Temporary Sediment Control, Wind Erosion Control, Tracking Control, Non-Storm Water Management, and Waste Management and Materials Pollution Control. Only BMPs applicable to the project would become part of the SWPPP. The mitigation measure described below would require preparation of the SWPPP, in compliance with the Construction General Permit.

In short, the project has potentially significant impacts related to erosion, but compliance with SJVAPCD Regulation VIII and implementation of the following mitigation measure would minimize the amount of soil erosion that leaves the construction site. Soil erosion impacts would be less than significant with mitigation.

Level of Significance: Potentially Significant

Mitigation Measures

GEO-2: The ODS shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) for the project and file a Notice of Intent with the State Water Resources Control Board (SWRCB) prior to commencement of construction activity, in compliance with the Construction General Permit and City of Stockton stormwater requirements. The SWPPP shall be available on the construction site at all times. The ODS shall incorporate an Erosion Control Plan consistent with all applicable provisions of the SWPPP within the site development plans. The ODS shall submit the SWRCB Waste Discharger's Identification Number to the City prior to approval of development or grading plans.

Significance After Mitigation: Less than significant

c) Geologic Instability.

The soils underlying the sites where the facilities would be constructed have not been identified as inherently unstable or prone to failure. The project is not expected to change existing conditions related to geologic stability. Appropriate engineering design would avoid potential adverse effects. Project impacts are considered less than significant.

d) Expansive Soils.

As noted above, the shrink-swell potential of the on the project site has been classified as moderate. Expansive soils can lead to damage of buildings and supporting infrastructure if not addressed. Implementation of Mitigation Measure GEO-1, along with the mitigation measure below, would identify and implement recommended measures to address expansive soils, thereby reducing impacts to a level that would be less than significant.

Level of Significance: Potentially significant

Mitigation Measures:

GEO-3: Prior to issuance of a grading permit, a comprehensive grading plan shall be submitted to the City Engineer that addresses potential adverse impacts on structures due to expansive soils. The City Engineer shall review and

approve the grading plan and building design, and the City Engineer or designated representative shall verify the implementation in the field.

Significance After Mitigation: Less than significant

e) Adequacy of Soils for Sewage Disposal.

The project would not use, and does not propose to install, any septic systems. The project would have no impact related to soil adequacy for sewage disposal.

3.7 GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			√	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			√	

NARRATIVE DISCUSSION

Environmental Setting

GHG Background

Greenhouse gases (GHGs) are gases that absorb and emit radiation within the thermal infrared range, trapping heat in the earth's atmosphere. GHGs are both naturally occurring and are emitted by human activity. GHGs include carbon dioxide (CO₂), the most abundant GHG, as well as methane, nitrous oxide and other gases. Major GHG sources in California include transportation, industrial, electric power, commercial and residential, and agriculture (ARB 2016). Increased atmospheric concentrations of GHGs are considered a primary contributor to global climate change, which is a subject of concern for the State of California. Potential impacts of global climate change in California include reduced Sierra Nevada snowpack, increased wildfire hazards, greater number of hot days with associated decreases in air quality, and potential decreases in agricultural production (Climate Action Team 2010).

Unlike the criteria air pollutants described in Section 3.3 Air Quality, GHGs have no "attainment" standards established by the federal or State government. In fact, GHGs are not generally thought of as traditional air pollutants because their impacts are global in nature, while air pollutants mainly affect the general region of their release to the atmosphere (SJVAPCD 2015b). Nevertheless, the U.S. Environmental Protection Agency (EPA) has found that GHG emissions endanger both the public health and public welfare under Section 202(a) of the Clean Air Act, due to their impacts associated with climate change (EPA 2009).

GHG Emission Reduction Plans

The State of California has implemented GHG emission reduction strategies through AB 32, the Global Warming Solutions Act of 2006, which requires total statewide GHG emissions to reach 1990 levels by 2020, or an approximately 29% reduction from 2004 levels. In compliance with AB 32, the State adopted the Climate Change Scoping Plan in 2008, and updated the plan in 2014. Primary strategies addressed in the original Scoping Plan included new industrial and emission control technologies; alternative energy generation technologies; advanced energy conservation in lighting, heating, cooling and ventilation; fuels with reduced carbon content; hybrid and electric vehicles; and methods for improving vehicle mileage (ARB 2008). The 2014 update highlights California's progress toward meeting the 2020 GHG emission reduction goal of the original Scoping Plan, and it establishes a broad framework for continued emission reductions beyond 2020, on the path to 80% below 1990 levels by 2050 (ARB 2014). It should be noted that the 2050 reduction target was set by executive order and has not been made State law.

In 2016, Senate Bill (SB) 32 became law. SB 32 sets a GHG emission reduction target for California of 40% below 1990 levels by 2030. The State is currently in the process of preparing a plan for achieving the SB 32 target.

The SJVAPCD adopted a Climate Change Action Plan in 2008 and issued guidance for development project compliance with the plan in 2009. The guidance adopted an approach that relies on the use of Best Performance Standards to reduce GHG emissions. Projects implementing Best Performance Standards would be determined to have a less than cumulatively significant impact. For projects not implementing Best Performance Standards, demonstration of a 29% reduction in project-specific (i.e., operational) GHG emissions from business-as-usual conditions is required to determine that a project would have a less than cumulatively significant impact (SJVAPCD 2009).

City of Stockton Plans and Policies

The City of Stockton adopted a Climate Action Plan (CAP) in 2014, in compliance with a legal settlement related to its General Plan 2035 and associated EIR. The CAP "outlines a framework to feasibly reduce community GHG emissions in a manner that is supportive of AB 32 and is consistent with the Settlement Agreement and 2035 General Plan policy" (City of Stockton 2014). The CAP set a GHG emission reduction target of 10% below 2005 GHG emission levels by 2020. To achieve this target, the CAP incorporates a Development Review Process through which development projects document the incorporation of measures that would produce a 29% reduction from 2020 business-as-usual GHG emissions. The majority of the GHG reductions in Stockton would occur through State regulatory programs and local programs that are producing or will produce GHG emission reductions that would help to reduce total emissions associated with a project by approximately 25% from business-as-usual levels. Development must identify the BMPs that would provide the additional 4% reduction in GHG emissions (City of Stockton 2014).

Environmental Impacts and Mitigation Measures

a) Project GHG Emissions and Consistency with GHG Reduction Plans.

The CalEEMod model estimated the total GHG construction and operational emissions associated with the project (see Appendix A). Table 3-3 presents the results of the CalEEMod run.

TABLE 3-3
ESTIMATED PROJECT GHG EMISSIONS

GHG Emission Type	Unmitigated Emissions	Mitigated Emissions
Construction ¹	577.23	577.23
Operational ²	821.21	714.13

¹ Total GHG emissions for construction period (one year) in tons carbon dioxide equivalent (CO₂e).

² Annual emissions in tons CO₂e.

Source: California Emissions Estimator Model v. 2016.3.1.

“Mitigated emissions” are the result of project compliance with applicable laws, rules and regulations. These include the following:

- SB X7-7 in 2009 sets an overall goal of reducing per capita urban water use by 20% by December 31, 2020. The California Green Building Code mandates a 20% reduction in indoor water use.
- AB 341 establishes the goal of diverting 75% of California’s waste stream from landfills by 2020.
- SJVAPCD Rule 4601 limits the volatile organic compound emissions from paints and other architectural coatings.

As shown in Table 3-3, mitigated operational emissions from the project would be approximately 13% less than under business-as-usual (unmitigated) conditions, which exceeds the 4% GHG reduction requirement of the CAP. If construction emissions are included, the total GHG mitigated emissions would be approximately 7.7% less than business-as-usual conditions, which still exceeds the 4% reduction requirement.

In addition, the project would be required to comply with the provisions of Chapter 15.72 of the Stockton Municipal Code, which requires all new construction to comply with the applicable requirements of the 2013 California Building Energy Efficiency Standards, Title 24, Part 6 of the California Building Code. Compliance with these standards would further reduce the amount of GHG emissions generated by the project, although the reduction cannot be quantified.

Overall, GHG emissions associated with the project would be consistent with the Stockton CAP and other applicable GHG emission reduction plans, with implementation of applicable laws and regulations. Project impacts related to GHG emissions are considered less than significant.

3.8 HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			√	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			√	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				√
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				√
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				√
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				√
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				√
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				√

NARRATIVE DISCUSSION

Environmental Setting

Hazardous Materials

An environmental records search was performed for the single-family residential project by ATC Associates, Inc. as part of the Tentative Map IS/MND. The intent of the records search was to locate and identify recognized environmental conditions, potential hazardous materials, and/or hazardous waste sites on or within a one-mile radius of the project site. The ATC report included site history review through historical aerial photographs and geological, wetland, floodplain, fire insurance, and topographic maps. Additional site analysis included on-site observations, interviews, and a records search of known hazardous material sites maintained by federal and state environmental agencies, as well as environmental databases and local environmental records.

Historical aerial photographs and topographic maps reviewed by ATC Associates indicated that the site had been in agricultural or open space throughout the history recorded by those documents. Neither the project site nor any properties within one-quarter mile were reported on any of the hazardous material sites, or environmental database. Six Leaking Underground Storage Tank sites were recorded within one mile of the site, five of which were located down gradient or cross gradient from the project site. Remediation of the one remaining site, the Smith Canal Pump Station located at 2144 Fontana Avenue, was completed in 1999, and was considered by ATC to be of low environmental concern.

The ATC report stated that two on-site residential houses had a potential to have asbestos-containing materials and polychlorinated biphenyls (PCBs) in fluorescent light ballasts. These houses have since been demolished. Containers of paint thinner, power steering fluid, brake and gear oil and other cleaning agents were found on the project site at the time of report preparation, but they are no longer on the site. On-site septic systems and wells associated with the two houses may have been on the site, but they were probably removed along with the houses with the start of work on the residential subdivision.

Data on hazardous material sites are kept in the GeoTracker database, maintained by the SWRCB, and in the EnviroStor database, maintained by the California Department of Toxic Substances Control (DTSC). Both GeoTracker and EnviroStor provide the names and addresses of hazardous material sites, along with their cleanup status. A search of both databases indicated no record of active hazardous material sites (i.e., sites not cleaned up) on or near the project site (DTSC 2016, SWRCB 2016).

Other Potential Hazards

Aboveground Pacific Gas & Electric (PG&E) power lines are located along Canal Drive, but do not extend to the project site. Underground electrical service was extended to the project site following approval of the previous project.

Wildland fires are an annual hazard in San Joaquin County. Wildland fires burn natural vegetation on undeveloped lands and include rangeland, brush, and grass fires. Long, hot, and dry summers with temperatures often exceeding 100°F add to the County's fire hazard. Human activities are the major causes of wildland fires, while lightning causes the remaining wildland

fires. High hazard areas for wildland fires are the grass-covered areas in the east and the southwest foothills of the County (San Joaquin County 2009). The project site is not within these areas.

Environmental Impacts and Mitigation Measures

a) Transport, Use, and Disposal of Hazardous Materials.

Project operations would likely include the provision of medical services. This activity may generate medical wastes, which are considered hazardous. Medical waste generated at health facilities is regulated by the Medical Waste Management Act (California Health and Safety Code Sections 117600-118360), which regulates the management of wastes at generating facilities, at transfer stations, and at treatment facilities. Transportation of medical wastes is regulated by the Medical Waste Management Act and by Sections 173.196 and 173.197 of Title 49 of the Code of Federal Regulations. The purpose of these regulations is to ensure that medical wastes are not released into the environment and threaten human health. Compliance with these regulations would ensure that medical waste impacts would be less than significant.

Other aspects of project operations may require the use and storage of hazardous materials, along with their transport and disposal. The amounts of hazardous materials that would be used are expected to be limited, as the project is a residential use. Project area activities that would transport, use, or store hazardous materials would be required to do so in compliance with local, state, and federal regulations. Compliance with existing hazardous material regulations would reduce impacts related to routine transport, use, and storage of hazardous materials to a level that would be less than significant.

b, c) Hazardous Materials Releases.

Construction activities may involve the use of hazardous materials such as fuels and solvents, which would create a potential for hazardous material spills. Construction vehicles would transport and use fuels in ordinary quantities. Fuel spills, if any occur, would be minimal and would not have significant adverse effects in the area. Other substances used in the construction process would be stored in approved containers and used in relatively small quantities, in accordance with the manufacturers' recommendations and/or applicable regulations. Overall, project impacts related to hazardous material releases are considered less than significant.

Project operations are not expected to lead to any substantial releases of hazardous materials. As noted above, the transport, use, and storage of any hazardous materials must comply with local, state, and federal regulations. The nearest school campus is Commodore Stockton Skills School, located approximately 0.35 miles north of the project site. The project would not involve any substantial hazardous materials use or air emissions that could affect this school.

d) Hazardous Materials Sites.

None of the lists of hazardous materials sites compiled pursuant to Government Code Section 65962.5 contains sites within the project area. As previously noted, a search of the GeoTracker and EnviroStor databases did not identify any hazardous material sites within the project vicinity. A list of solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside the waste management unit did not show any locations within the project

area (CalEPA 2016a); likewise, a list by SWRCB containing sites under Cease and Desist Orders and Cleanup and Abatement Orders showed no locations (CalEPA 2016b).

Existing aboveground power lines owned by PG&E are located along Canal Drive. No setback requirements would be applicable to the proposed project by the City of Stockton, and there are no regulations that restrict land uses in the vicinity of these power lines. All new utility lines installed as part of the proposed project would be located underground. The project would have no impact related to hazardous material sites.

e, f) Public Airport and Private Airstrip Operations.

The project site is not near any public airports – the closest public airport is Stockton Metropolitan Airport, approximately 7.5 miles to the southeast. There are no private airstrips in the vicinity. The project would have no impact related to this issue.

g) Emergency Response and Evacuation.

The project would be constructed off public roads that would be used by emergency vehicles in response to calls or as evacuation routes. The project would have no impact on emergency response or evacuation.

h) Wildland Fires.

The project site lies within the City of Stockton, which is not subject to wildland fire hazards. The project would have no impact on this issue.

3.9 HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?		√		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			√	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			√	

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?

f) Otherwise substantially degrade water quality?

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of a levee or dam?

j) Inundation by seiche, tsunami, or mudflow?

		√	
		√	
	√		
	√		
		√	
		√	
			√

NARRATIVE DISCUSSION

Environmental Setting

Surface and Ground Waters and Water Quality

The project site is within the legally defined boundaries of the secondary area of the Sacramento-San Joaquin Delta, a region of waterways and reclaimed land where the Sacramento and San Joaquin Rivers converge. The nearest surface water to the project site is Smith Canal, a man-made backwater slough authorized for construction in 1887 and possibly completed by 1894 (SJAFC 2011). Smith Canal extends from the San Joaquin River approximately 2.5 miles east to Yosemite Lake.

Groundwater resources beneath the project area are part of the vast Central Valley aquifer, which consists of unconsolidated sediments derived from the Coast Ranges and the Sierra Nevada Mountains. The project site is within the Eastern San Joaquin County Subbasin. As of the spring of 2015, groundwater levels in the project vicinity were more than 30 feet below ground surface (San Joaquin County Flood Control and Water Conservation District 2015).

Historically, combined annual groundwater pumping for municipal and agricultural uses has exceeded the safe yield of the basin and has caused a lowering of the ground water level (Leedshill-Herkenhoff, 1985). In more recent years, the groundwater basin underlying the

Stockton Metropolitan Area has recovered, is stabilized and is operating within a manageable range. As discussed in Section 3.17, Utilities and Service Systems, the project vicinity is served by the California Water Service Company (Cal Water), which obtains the water it provides to its Stockton service area from water purchases and groundwater. The surface water supply has been augmented with the completion of the City's Delta Water Supply Project, which draws surface water from the Delta region.

Water Quality

Surface water quality in the Central Valley is managed by the Central Valley Regional Water Quality Control Board (RWQCB) by means of The Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan), revised in June 2015. The beneficial uses of surface waters in the region include municipal and domestic water supply; industrial service and process supply; agricultural irrigation; groundwater recharge; navigation; contact and non-contact recreation; commercial and sport fishing; migration of aquatic organisms; wildlife habitat; and habitat for rare, threatened, and endangered species. The SWRCB determined that the quality of these waters does not fully support all of the beneficial uses assigned to the water bodies in the project vicinity (RWQCB 2015). Water quality impacts are a result of tidal fluctuations; Sacramento River and San Joaquin River inflows; local agricultural, industrial, and municipal diversions and returns; and inadequate channel capacities. The RWQCB has listed pollutants for which water quality in the segment of the Calaveras River adjacent to the project site is considered impaired under Clean Water Act Section 303(d), along with the category of the pollutant (RWQCB 2010). Table 3-4 lists the pollutants identified in Smith Canal and their sources.

Groundwater used for the City's water supply is generally of good quality, with iron and manganese sequestering and chlorination being the only treatment required. However, there is concern regarding the deterioration of groundwater quality due to salt water intrusion from connate brines under the Delta into Stockton's western regions. Small annual increases in salinity have been noted during years with low surface water availability.

TABLE 3-4
SECTION 303(D) LIST OF POLLUTANTS IN SMITH CANAL

Pollutant	Pollutant Category	Potential Source
Organic Enrichment/Low Dissolved Oxygen	Nutrients	Urban Runoff/Storm Sewers
Organophosphorus Pesticides	Pesticides	Urban Runoff/Storm Sewers
Pathogens	Pathogens	Urban Runoff/Storm Sewers, Recreational and Tourism Activities (non-boating)

Source: RWQCB 2010.

The SWRCB has the responsibility under the federal Clean Water Act and the National Pollutant Discharge Elimination System (NPDES) program for the control of storm water quality. Additional storm water regulation is established in the NPDES area-wide municipal separate storm sewer system (MS4) permit system administered by the SWRCB, which requires affected jurisdictions, including the City of Stockton, to adopt and implement a Storm Water Management Program (SWMP). The City of Stockton has adopted a SWMP, which is intended to minimize

the potential storm water quality impacts of development, including both construction and post-construction activity. The Stockton SWMP consists of a variety of programs, including controls on illicit discharges, public education, controls on City operations, and water quality monitoring (City of Stockton 2009a). The requirements of the SWMP are enforced primarily through the City's Storm Water NPDES permit, issued by the Central Valley RWQCB.

Flooding Hazards

The project site is located north of and adjacent to Smith Canal, which has levees along both its north and south banks. According to a Flood Insurance Rate Map prepared by the Federal Emergency Management Agency (FEMA), the project site lies within an area classified as Zone A (FEMA 2009). Zone A denotes areas within the 100-year floodplain for which no base flood elevations have been determined.

SB 5 and associated legislation requires protection for a 200-year flood for urban and urbanized areas in the Central Valley. Under SB 5, development in moderate or special hazard areas within the Central Valley is permitted if the local agency can provide substantial evidence that the development would be subject to less than 3 feet of flooding during a 200-year flood event or that "adequate progress" has been made toward provision of 200-year flood protection by 2025. These requirements are to be instituted in local general plans and zoning. Stockton Municipal Code Section 16.90.020 incorporated these requirements as part of the City's development review procedures. Based on information provided by the Department of Water Resources (DWR), the project site would be subject to a 200-year flood at a depth ranging from 5 feet to greater than 10 feet (City of Stockton 2016a).

According to a dam failure plan prepared by the County Office of Emergency Services, the project site is potentially subject to inundation from failure of Lake McClure, Camanche Dam, and New Hogan Dam (San Joaquin County OES 2003). Levees have been constructed along the north and south banks of Smith Canal to prevent back-flooding from the Delta (SJAFCA 2011). RD 1614 is responsible for the north levee, and RD 828 is responsible for the south levee. There have been no recorded breaches of the Smith Canal levees, but the levees lost their FEMA accreditation in 2009 due to extensive encroachments onto the levees, primarily from residential structures (SJAFCA 2011).

Environmental Impacts and Mitigation Measures

a, f) Surface Waters and Water Quality.

The project would not directly affect surface waters in the vicinity. Smith Canal is located adjacent to the project site, but a levee separates the canal from the project site, and project activities would not encroach upon the levee or any place within the levee.

As noted in Section 3.6, Geology and Soils, construction activities could loosen soils, which could be transported off site by runoff and eventually enter surface waters. Project development would likely lead to deposits of fuels, oils, metals, and other substances associated with motor vehicles. These deposits also could be transported off site by runoff and eventually enter surface waters. This is considered a potentially significant impact.

As previously discussed, the City of Stockton has adopted a SWMP, which is intended to minimize the potential storm water quality impacts of development. Program elements most

applicable to land development include construction storm water discharge requirements, industrial discharge requirements and the incorporation of post-construction BMPs in new development.

Post-construction elements of the SWMP are governed by City ordinances that require compliance with the City's adopted Storm Water Quality Control Criteria Plan (SWQCCP), as outlined in the City's Phase 3 Storm Water NPDES permit issued by the RWQCB, Central Valley Region (Order No. R5-2007-0173). The SWQCCP identifies a range of post-construction BMPs that must be incorporated into development plans. BMPs include provisions for water quality control as well as volume reduction (City of Stockton 2009b). Under new NPDES requirements applicable to the City, storm water discharge volumes associated with new development cannot exceed existing discharges. Volume control can be achieved through a combination of low-impact development and specific volume control measures. The proposed project would be required to conform to the applicable requirements.

Storm water from areas of new development must be treated using the post-construction BMPs specified in the SWQCCP. These BMPs, which provide water quality treatment and volume control for runoff from building, paving and other site development areas, include vegetated buffer strips and swales, detention basins, vaults and wetlands, and various filtration and infiltration and structures devices, among others. These measures will be specified during the design phase of the project. Developers are required to enter into an agreement for maintenance of the post-construction BMPs.

Project development would have a potentially significant impact on surface water quality. Compliance with the applicable permits, programs and regulations, which are specified in the mitigation measures below, would reduce impacts to a level that would be less than significant. In addition, implementation of Mitigation Measure GEO-1, described in Section 3.6, Geology and Soils, would minimize impacts from construction activities, along with compliance with SJVAPCD Regulation VIII.

Level of Significance: Potentially Significant

Mitigation Measures:

- HYDRO-1: The ODS shall submit a Storm Water Quality Plan for the project that shall include post-construction Best Management Practices (BMPs) as required by Title 13 of the SWQCCP. The Storm Water Quality Plan will be reviewed and approved by the City of Stockton Municipal Utilities Department prior to the Certificate of Occupancy.
- HYDRO-2: The ODS shall execute a Maintenance Agreement with the City for stormwater BMPs prior to receiving a Certificate of Occupancy. The ODS must remain the responsible party and provide funding for the operation, maintenance and replacement costs of the proposed treatment devices built for the subject property.
- HYDRO-3: The property owner is required to file a Notice of Intent (NOI) with the State Water Resources Control Board prior to commencement of the construction activity. Upon receipt of the completed NOI the property owner will be sent a receipt letter containing the Waste Discharger's Identification Number (WDID). The City requires the WDID from the

State of California Water Resources Control Board to be submitted prior to issuance of a Grading Permit or plan approval. An Erosion Control plan is also required to be incorporated into the project plans and/or grading plans prior to approval. The SWPPP is required to be available on site.

Significance After Mitigation: Less than significant

b) Groundwater Supplies.

The project would not draw directly from the underlying groundwater but would be connected to the California Water Service Company (Cal Water) system. The Cal Water supply relies on purchased surface water supplies and groundwater. Project demand would indirectly affect groundwater supplies, but adequate water supply exists to accommodate this demand (see Section 3.17, Utilities and Service Systems).

The project would replace a partially developed parcel with areas of grasses and weeds with urban development, including pavement. This would substantially reduce the amount of precipitation that would percolate into the ground, thereby reducing groundwater recharge. Given the relatively small acreage of the project site, the project is not expected to interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Project impacts on groundwater are considered less than significant.

c, d, e) Drainage and Runoff.

The project would alter existing storm drainage patterns, due to grading and the installation of structures, roadways, and storm drainage facilities. In addition, proposed improvements would result in the generation of additional runoff due to the expansion of impervious surfaces. On-site drainage facilities, constructed in accordance with City standards and specifications, would detain and improve the quality of runoff and conduct runoff discharged from the project site to the City's drainage system. This would be accomplished through the incorporation of storm water Best Management Practices defined in the City's Stormwater Quality Control Criteria Plan into the project. Project impacts on drainage and runoff are considered less than significant.

g, h) Flooding Hazard.

The project site is located within both a FEMA 100-year floodplain and a 200-year floodplain designated under the provisions of SB 5. A levee located along the north bank of Smith Canal is intended to provide 100-year flood protection, but this levee is not accredited by FEMA. Nonetheless, the project is designed to avoid encroachment into the levee setback area defined by the reclamation district.

The project site does not have the level of flood protection required by SB 5. The 200-year flood protection for the Smith Canal area is intended to be provided by a closure structure that would be constructed at the mouth of Smith Canal by the San Joaquin Area Flood Control Agency (SJAFC), independently of the proposed project. SJAFC determined that this was the most feasible alternative to provide the required flood protection for the area, as rehabilitation of the Smith Canal levees was considered economically infeasible. The closure structure would contain a gate that would be closed during times of high tide combined with high river flows in the Delta, when water levels in Smith Canal are forecasted to approach or exceed the design operating water

surface elevation. The gate would be open at all other times. The closure structure is currently in the design stages and is not expected to be constructed in the immediate future.

The project applicant has incorporated the 200-year flooding hazard in the design and construction process for the project. Residential units would be confined to the second story of both proposed buildings, above the anticipated 200-year flood levels. Once the Smith Canal closure structure is completed, then residential units may be constructed on the first story. The buildings would also contain design features that would allow flood waters to enter and leave each building. Mitigation described below would further reduce the potential flooding hazard to residents and employees, thereby reducing potential impacts to a level that would be less than significant.

Level of Significance: Potentially Significant

Mitigation Measures

HYDRO-4: Construction of residential units on the first floor of each of the project buildings shall not occur until the Central Valley Flood Protection Board (CVFPB) certifies that adequate protection exists on the project site from a 200-year flood.

Significance After Mitigation: Less than significant

i) Dam and Levee Failure Hazards.

The project site is located within potential inundation zones of several facilities were they to fail. The probability of failure of the specified dams and reservoirs is considered low, and the project would have no change on the potential hazard at the project site.

While the levee along the north bank of Smith Canal is not accredited by FEMA, there is no record of any breach occurring at that levee. As with dams, the probability of a levee breach occurring at any given time is considered low, and the project would have no change on the potential hazard. Project impacts are considered less than significant.

j) Seiche, Tsunami, and Mudflow Hazards.

The project site is in a topographically flat area away from large bodies of water. Because of this, the project would not be subject to seiche, tsunami or mudflow hazards. The project would have no impact related to this issue.

3.10 LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?				√
b) 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 an environmental effect?

c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?

	√		

NARRATIVE DISCUSSION

Environmental Setting

The project site is located in an urbanized area of Stockton within the City limits. Both the General Plan designation and zoning for the project site is Low Density Residential. Following approval of the subsequently discontinued residential project, improvements were constructed on the project site. These included paved streets with gutters and street light fixtures, building pads for single-family residences, a gated and landscaped entryway to the project site and a row of trees located along the eastern property boundary.

The site is surrounded by existing urban residential, institutional and commercial uses except to the south. Table 3-5 shows the existing land uses on, and land use designations for, the area immediately surrounding the site.

TABLE 3-5
LAND USES AND DESIGNATIONS ON LANDS ADJACENT TO THE PROJECT SITE

Adjacent Land Uses	Zoning (City)	General Plan Designation
North: Retail commercial, church facility	RL (Residential, Low Density), CG (Commercial, General)	Low Density Residential, Commercial
South: Smith Canal	No zoning	No designation
East: Apartments	RH (Residential, High Density)	Low Density Residential
West: Single-family residential	RL (Residential, Low Density)	Low Density Residential

Environmental Impacts and Mitigation Measures

a) Division of Established Community.

The project would be constructed on a vacant lot in an area of commercial, single-family residential, and multifamily residential development. The project would not physically divide an established residential established community, so it would have no impact on this issue.

b) Consistency with Land Use Plans and Zoning.

The project proposes residential housing to primarily senior citizens requiring assisted living or memory care in. The project site is currently designated and zoned for single-family residential

development, which does not allow for the proposed development. The project applicant has submitted General Plan amendment and rezoning applications to the City requesting a change to a high-density residential designation and zone. As a residential project, the proposed project would be consistent with the residential land uses surrounding the site. It also would be consistent with the adjacent multifamily land use to the east.

The project is consistent with goals and policies in the Housing Element of the Stockton General Plan that encourage the residential units proposed by the project. Goal HE-7 states that the City shall provide a range of housing opportunities and services for households with special needs, including seniors and persons with disabilities. In addition, Goal HE-4 states that the City shall enhance opportunities for infill development within the existing City limits (City of Stockton 2010). Project impacts regarding consistency with land use plans and zoning are considered less than significant.

c) Conflict with Habitat Conservation Plans.

As discussed in Section 3.4, Biological Resources, the project site is located in the coverage area of the SJMSCP. Mitigation Measure BIO-2 would require the project to comply with the SJMSCP, including the implementation of any applicable ITMMs as determined by SJCOG. Compliance with this mitigation measure would reduce potential impacts to a level that would be less than significant. No other habitat conservation plans apply to the project site.

3.11 MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				√
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				√

NARRATIVE DISCUSSION

Environmental Setting

The mineral resource development potential of lands in the counties are classified as Mineral Resource Zones (MRZs) by the State Geologist in accordance with the California Mineral Land Classification System. The classifications include:

- MRZ-1 Areas of No Mineral Resource Significance
- MRZ-2 Areas of Identified Mineral Resource Significance
- MRZ-3 Areas of Undetermined Mineral Resource Significance

MRZ-4 Areas of Unknown Mineral Resource Significance

According to the City of Stockton General Plan Background Report, all of the land within the Stockton Planning Area, other than a portion between Eight Mile Road and the City of Lodi, is classified MRZ-1 (City of Stockton 2007). There are no active oil or natural gas fields in Stockton – the nearest active field to the project site is the French Camp field to the south (DOGGR 2001).

Environmental Impacts and Mitigation Measures

a, b) Availability of Mineral Resources.

The project site has no identified mineral resource significance or value on any maps. There are no mineral resources delineated on any general plan, specific plan or other land use plan applicable to the project site or vicinity. The project would not result in the loss of any locally important mineral resources or resources of statewide significance. The project would have no impact on mineral resources.

3.12 NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			√	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				√
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			√	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		√		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				√
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				√

NARRATIVE DISCUSSION

Environmental Setting

Noise Background

Noise is often described as unwanted sound, which is any pressure variation in air that the human ear can detect. Since measuring sound by pressure would require a large and awkward range of numbers, the decibel (dB) scale was devised. This scale is typically adjusted for perception of loudness by the standardized A-weighting network, which provides a strong correlation between A-weighted sound levels (expressed as dBA) and community noise.

Community noise is commonly described in terms of the "ambient" noise level, which is defined as the all-encompassing noise level associated with a given noise environment. A common statistical tool to measure the ambient noise level is the average, or equivalent, sound level (L_{eq}), which corresponds to a steady-state, dBA sound level containing the same total energy as a time-varying signal over a given time period (usually one hour). The L_{eq} shows very good correlation with community response to noise, and it is the basis for other noise descriptors such as the Day-Night Average Sound Level (L_{dn}). The L_{dn} represents an average sound exposure over a 24-hour period, with noise occurring between 10:00 p.m. and 7:00 a.m. weighted more heavily to account for the greater sensitivity of people to noise during those times.

Existing Noise Conditions

The project site is located within an urbanized area of Stockton, surrounded by residential land use to the west and east, as well as a church and residential land use across Smith Canal to the south. Land use to the north consists of retail commercial businesses and a church. Country Club Boulevard, a major City street, is approximately 600 feet north of the project site. Interstate 5 (I-5), an interstate freeway, is approximately 0.15 miles to the east.

The Tentative Map IS/MND noted that an acoustical study was conducted that identified noise sources that could affect the project site. Noise from traffic on I-5 was found to not exceed City standards (see below) at the project site. The Tentative Map IS/MND also noted the noise from the Safeway grocery store in the adjacent commercial center, mainly from trucks at the loading docks, could exceed City noise standards at adjacent properties, and mitigation measures were suggested. These measures included construction of a masonry wall 9 feet in height along the southern and western perimeter of the Safeway property, and construction of a masonry wall 14 feet in height that encloses the trash compactor and truck loading bay. These measures were observed to have been implemented. However, a recent visit to the project site detected noise, described as not loud but constant, coming from the roof of the Safeway store. This noise presumably is being generated by the heating, ventilating and air conditioning (HVAC) system installed for the store.

Noise Regulations

The previous IS/MND defined the Stockton General Plan exterior and interior noise standards for residential land use, which are consistent with current adopted noise standards. L_{dn} noise levels up to 60 dB L_{dn} are considered normally acceptable for exterior maximum day and night L_{eq} noise levels in residential developments, while interior noise levels should be maintained at 45 dB L_{dn} .

or below. Current normally acceptable exterior and interior noise standards for nursing homes are identical to residential land use.

Section 16.60.040 of the Stockton Municipal Code establishes acceptable noise level limits for noise-sensitive land uses on noise-impacted sites, including infill sites. Under these standards, noise-sensitive land uses which are approved for development or expansion on noise-impacted infill sites shall only be required to mitigate the existing and projected noise levels from those sources so that the resulting noise levels within the interior of the noise-sensitive land uses do not exceed the indoor space standards in Table 3-7, Part II of Section 16.60.040. Table 3-6 shows these City noise standards.

TABLE 3-6
ALLOWABLE NOISE EXPOSURE OF NOISE-SENSITIVE LAND USES

Noise Level Descriptor	Outdoor Activity Areas	
	Day (7:00 a.m. to 10:00 p.m.)	Night (10:00 p.m. to 7:00 a.m.)
Hourly L_{eq} , dB	55	45
Maximum level (L_{max}), dB	75	65

Notes:

(1) The noise standard shall be applied at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards shall be applied on the receiving side of noise barriers or other property line noise mitigation measures.

(2) Each of the noise level standards specified shall be decreased by five (5) for impulse noise, simple tone noise, or noise consisting primarily of speech or music.

Source: Stockton Municipal Code Section 16.60.040.

Environmental Impacts and Mitigation Measures

a) Exposure to Noise Exceeding Local Standards.

The project is not expected to be a significant noise source. The project is residential in character, and it would generate noise at levels consistent with other multifamily residential development. As the project is a senior assisted living and memory care facility, the project would generate less traffic than other residential facilities (see Section 3.16, Transportation/Traffic). Traffic noise is typically the main source of noise associated with residential projects.

As noted above, a noise study conducted for the previous residential subdivision project indicated that the project site would not be affected by traffic noise from Interstate 5. Mitigation measures required as part of the Safeway store project have reduced the amount of noise that would reach the project site. However, the noise from the roof of the Safeway could disturb residents at the project site, especially those living on the second floor. Compliance with the City's interior noise level standards would reduce exposure of residents to this noise, thereby reducing noise impacts to a level that would be less than significant.

b) Exposure to Groundborne Noise.

Groundborne vibration is not a common environmental problem. It is typically associated with transportation facilities, although it is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Some common sources of groundborne vibration are trains, buses on rough roads, and construction activities such as blasting, pile-driving and operating heavy earth-moving equipment. The project would involve none of these potential noise sources, so it is anticipated that the project would not be exposed to groundborne vibrations nor would it generate substantial vibrations. The project would have no impact related to groundborne vibrations.

c) Permanent Increase in Ambient Noise.

The project would result in a permanent increase in ambient noise levels over existing conditions, as the site is currently vacant. As noted in a) above, the project is not expected to generate significant levels of noise due to the character of the development. Project impacts on permanent noise levels are considered less than significant.

d) Temporary or Periodic Increase in Ambient Noise.

Project construction would involve temporary increases in ambient noise levels, due to the use of construction equipment and vehicle traffic to and from the construction site. Although project construction noise would cease once construction work is completed, this is considered a potentially significant impact, as the project site is near existing residential development.

Stockton Municipal Code Section 16.60.030(A) prohibits the operation of construction equipment on private property such that the sound creates a noise disturbance across a residential property line during the hours of 10:00 p.m. to 7:00 a.m. This would limit the time noise generated by construction activities would reach residences. However, given the proximity of residences to the project site, mitigation described below shall be implemented that would further restrict hours of construction, along with requiring other construction noise reduction measures that would reduce impacts to a level that would be less than significant.

Level of Significance: Potentially significant

Mitigation Measures:

NOISE-1: Temporary noise impacts resulting from project construction shall be minimized by restricting hours of operation by noise-generating construction equipment to 7:00 a.m. to 7:00 p.m. Monday through Friday, and to 9:00 a.m. to 5:00 p.m. on Saturdays. No construction work shall occur on Sundays or national holidays without a permit from the City.

NOISE-2: All construction equipment used at the project site shall be fitted with mufflers in accordance with manufacturers' specifications. Mufflers shall be installed on the equipment at all times on the construction site.

Significance After Mitigation: Less than significant

e, f) Noise from Public Airports and Private Airstrips.

As discussed in Section 3.8, Hazards and Hazardous Materials, the project is not located near any public airports or private airstrips. The project would have no impact on this issue.

3.13 POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			√	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				√
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				√

NARRATIVE DISCUSSION

Environmental Setting

As of January 1, 2016, the population of Stockton was estimated at 315,592. Stockton had an estimated 100,146 housing units as of January 1, 2016. Of the total number of Stockton residents, approximately 10.6% are age 65 or older, compared with 12.1% of the total population of California (U.S. Census Bureau 2014).

As of January 1, 2016, there were an estimated 100,146 housing units in Stockton. Single-family detached units (typical houses) accounted for approximately 64.9% of total housing units in Stockton, with multifamily units of two or more per building accounting for 26.9% (California Department of Finance 2016).

Environmental Impacts and Mitigation Measures

a) Population Growth Inducement.

The project proposes the construction of up to 125 residential units, primarily for senior citizens requiring assisted living or care due to memory issues. This would require a General Plan amendment and rezoning of the project site from Low Density Residential to High Density Residential. While senior households are smaller in general, the number of units would be higher than what would be allowed under existing land use designations.

The project would be constructed on a vacant parcel in a developed area in Stockton, where residential development is encouraged by the Stockton General Plan. In addition, according to the Housing Element of the Stockton General Plan, approximately 26.1% of senior-owner households and 47.4% of senior-renter households have a housing cost burden of greater than 30% in 2000 (City of Stockton 2010). This is indicative of a need for more affordable housing oriented to seniors, many of whom live on fixed incomes. The project would provide housing for seniors, particularly those with memory care or other health issues that render them incapable of living independently. In addition, as described in Section 3.10, Land Use and Planning, the project would be consistent with other land uses in the vicinity, and the project would be consistent with Stockton Housing Element goals related to special needs housing and infill development.

The project site is already served by utilities and public services, and it is located in a developed area. As such, the project would not indirectly induce population growth. Overall, project impacts on population growth would be less than significant.

b, c) Displacement of Housing or People.

The project site is a vacant parcel, so the project would not involve the removal of housing nor the displacement of residents. The project would have no impact on this issue.

3.14 PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Fire protection?

b) Police protection?

c) Schools?

d) Parks?

e) Other public facilities?

		√	
	√		
			√
		√	
		√	

NARRATIVE DISCUSSION

Environmental Setting

The Stockton Fire Department provides fire protection services for the project site. The Fire Department has 12 stations throughout the greater Stockton metropolitan area. The closest station to the project site is Station 6, located at 1501 Picardy Drive approximately 1.35 miles to the east.

All public fire protection agencies in San Joaquin County operate under a master mutual aid agreement, under which other fire agencies may be called upon to provide assistance should the resources of one agency be exhausted (San Joaquin County 2009).

The Stockton Police Department provides law enforcement services for the project site. The main station is located at 22 East Market Street, approximately 4 miles northwest of the project site. It is the Police Department's policy to respond to all emergency calls within a three- to five-minute time period. The Police Department has no adopted service levels, such as a sworn officer to population ratio.

The project site is within the boundaries of the Stockton Unified School District. The nearest school to the project site is Commodore Stockton Skills School, approximately 0.35 miles to the north (see Section 3.8, Hazards and Hazardous Materials).

Parks and recreational services are provided by the City of Stockton. The nearest park is Louis Park, a 60.1-acre facility located on Monte Diablo Avenue near the mouth of Smith Canal, approximately 0.4 miles west of the project site. The project site is also served by the Cesar Chavez Main Library on Oak Street in downtown Stockton.

Environmental Impacts and Mitigation Measures

a) Fire Protection.

The project would generate a demand for fire protection services, but it can be served by the Stockton Fire Department without new or expanded fire protection facilities. As noted above, Station 6 is approximately 1.35 miles from the project site, so availability of service and response times would not be issues. While new facilities would not likely be required as a result of the project, future development would be required to pay Public Facility Fees to the City for future construction of Fire Department facilities that may be required elsewhere in The City.

The project is subject to the standard requirements of the City's adopted California Fire Code regarding placement of fire hydrants, adequacy of water supply to the site, and emergency access. It also would be subject to the City's adopted Building and Electrical Codes with their applicable provisions related to fire safety, including the installation of smoke detectors and sprinkler systems. Entryways would be constructed to City standards, which consider emergency vehicle accessibility. Compliance with City codes and standards would ensure that impacts on fire protection services would be less than significant.

b) Police Protection.

The project would generate a demand for police protection services, but it can be served by the Stockton Police Department without new or expanded police protection facilities. While new facilities would not likely be required as a result of the project, future development would be required to pay Public Facility Fees to the City for future construction of Police Department facilities that may be required.

Project construction would, through the location of construction materials and equipment on the unoccupied site, involve new crime opportunities during the construction period. This issue would be addressed by the mitigation measure below. With implementation of this mitigation measure, impacts on police protection services would be less than significant.

Level of Significance: Potentially significant

Mitigation Measures:

SERV-1: The ODS shall coordinate with the Stockton Police Department as required to establish adequate security and visibility of the construction site.

Significance After Mitigation: Less than significant

c) Schools.

The project would provide residential units primarily to senior households. As such, it is not expected to create an additional demand for school services. No new or expanded school facilities that could have environmental impacts would be required. The project would have no impact on this issue.

d, e) Parks and Other Public Facilities.

While residential development typically generates a demand for park and library services, the project proposes the development of a senior assisted living facility and a memory care facility. It is expected that most of the residents of these facilities would not place such a demand on parks and libraries that new or expanded park and library facilities or services would be required. Project impacts on parks or other public facilities are considered less than significant.

3.15 RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			√	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			√	

NARRATIVE DISCUSSION

Environmental Setting

Park and recreation facilities are provided by the City of Stockton Parks and Recreation Department. As mentioned in Section 3.14, Public Services, Louis Park is approximately 0.4 miles west of the project site. This community park is equipped with several facilities, among which are lighted softball fields, tennis and basketball courts, horseshoe pits, and a boat launch.

Environmental Impacts and Mitigation Measures

a, b) Recreational Facilities.

As mentioned in Section 3.14, Public Services, the project proposes the development of a senior assisted living facility and a memory care facility. It is expected that most of the residents of these facilities would not place such a demand on recreational facilities and services that new or expanded facilities or services would be required. Project impacts on recreational facilities are considered less than significant.

3.16 TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			√	
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				√
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				√
d) Substantially increase hazards to a design feature (e g., sharp curves or dangerous intersections) or incompatible uses (e g, farm equipment)?		√		
e) Result in inadequate emergency access?				√
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				√

NARRATIVE DISCUSSION

Environmental Setting

Local Transportation System

The project site is located at 2860 Via Milano Place, a gated cul-de-sac constructed for the residential subdivision project that was discontinued. Via Milano Place is located off the intersection of Fullerton Avenue and Canal Drive, streets that serve the local residential area. At its northern end, Fullerton Avenue connects with another residential street, Gardena Avenue, which in turn connects with Country Club Boulevard, an east-west City street that intersects I-5, Pershing Avenue and Pacific Avenue. West of I-5, Country Club Boulevard is a two-lane road classified as a collector street (City of Stockton 2016b). I-5, a major freeway on the West Coast, is located approximately 0.15 east of the project site and is accessible from Country Club Boulevard.

Public transit services in Stockton are provided by the San Joaquin Regional Transit District (SJRTD). No SJRTD bus routes run by the project site, but Route 61 runs along Country Club Boulevard to the north. Sidewalks have been constructed along Via Milano Place and the nearby residential streets. There are no designated bikeways adjacent to the project site.

Transportation Policies

The Transportation and Circulation Element of the Stockton General Plan sets forth policies and implementation measures related to transportation in the City. Policy TC-2.1 of the Circulation Element states that the City shall maintain LOS D or better on the City's street system, with limited exceptions that do not apply to this project.

The City of Stockton has issued Transportation Impact Analysis Guidelines for traffic impact studies. The Guidelines affirm D as the minimally acceptable LOS for City streets and intersections. They also state that impacts on road segments with an existing LOS of E or F (i.e., unacceptable LOS) would be considered significant if project traffic would increase traffic volumes by greater than five percent. Impacts at intersections with an unacceptable LOS would be considered significant if project traffic would increase average delay at the intersection by greater than 5 seconds.

The SJCOG adopted the latest version of its Regional Congestion Management Plan in 2012. The Regional Congestion Management Plan is designed to coordinate land use, air quality and transportation planning to reduce potential congestion from traffic generated by development (SJCOG 2012). The Plan has designated a roadway and intersection network on which traffic congestion would be monitored and programs to reduce congestion would be targeted.

Environmental Impacts and Mitigation Measures

a) Consistency with Applicable Plans, Ordinances and Policies.

The project proposes to construct a senior assisted living facility and a memory care facility. Such residential projects typically generate less traffic than multifamily developments, as residents of these facilities generally do not drive themselves. According to evening peak hour

rates from the Institute of Transportation Engineers, a congregate care facility generates 0.17 trips per dwelling unit, compared with 0.58 trips per dwelling unit for a low-rise apartment and 1.00 trips per dwelling unit for a single-family residence. Based on these rates, the project would generate approximately 20 trips during the evening peak hour, compared to 14 trips during the evening peak hour from the previously proposed residential subdivision.

The Tentative Map IS/MND evaluated the traffic impacts of the residential subdivision and concluded that the impacts were less than significant. Since the increase in the number of trips generated by the proposed project is not significantly higher than the trips generated by the proposed residential subdivision, the project is not expected to have a significant impact on roads in the vicinity. Project impacts on applicable plans, ordinances and policies related to traffic are considered less than significant.

b) Consistency with Congestion Management Program.

There are no roadways or intersections in the vicinity that are part of the network covered by the Regional Congestion Management Plan, other than I-5. As discussed in a) above, the project is not expected to generate traffic at a level that would have a significant impact on roads in the vicinity. The project would have no impact on this issue.

c) Air Traffic Patterns.

As discussed in Section 3.8, Hazards and Hazardous Materials, the project is not located near a public airport. While the project proposes residential development, it would be for residents who are unlikely to travel significantly by air. The project would have no impact on air traffic patterns.

d) Traffic Hazards.

The project would be constructed on a site set back from existing streets in the vicinity. None of the existing would be altered as a result of the project. As discussed in a) above, traffic from the project site would not be significant and would be compatible with traffic in the general area. However, the entryway would open onto the place where Fullerton Avenue meets Canal Drive. There are no traffic controls at this intersection, so the introduction of traffic from the project site could potentially create a safety hazard at this location. Mitigation described below would require the installation of a stop sign at the main entryway to the project site, for traffic leaving the project site. Implementation of this mitigation measure would reduce the likelihood of collisions, thereby reducing safety impacts to a level that would be less than significant

Level of Significance: Potentially significant

Mitigation Measures:

TRANS-1: The project applicant shall install a stop sign at the main entryway for traffic exiting the project site, along with roadway striping indicating where vehicles shall stop.

Significance After Mitigation: Less than significant

e) Emergency Access.

The project would have its main access to Via Milano Place and another access point adjacent to the commercial area to the north. The project site would have adequate access for emergency vehicles, and would have no impact on this issue.

f) Conflict with Non-vehicular Transportation Plans.

The project would not affect existing public transit routes in the area. SJRTD provides a “dial-a-ride” service that can serve the proposed facilities if residents or managers request such service. The project proposes to have sidewalks within the site, which would connect to existing off-site sidewalks. Since no bikeways are in the vicinity, the project would have no impact on bicycle transportation. The project would not conflict with non-vehicular transportation plans and would have no impact related to this issue.

3.17. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

	√		
	√		

NARRATIVE DISCUSSION

Environmental Setting

In 2015, the California Legislature enacted AB 52, which focuses on consultation with Native American tribes on land use issues potentially affecting the tribes. The intent of this consultation is to avoid or mitigate potential impacts on “tribal cultural resources,” which are defined as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe.” More specifically, Public Resources Code Section 21074 defines tribal cultural resources as:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are included or determined to be eligible for inclusion in the California Register of Historical Resources, or included in a local register of historical resources; or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 [i.e., eligible for inclusion in the California Register of Historical Resources].

Under AB 52, when a tribe requests consultation with a CEQA lead agency on projects within its traditionally and culturally affiliated geographical area, the lead agency must provide the tribe with notice of a proposed project within 14 days of a project application being deemed complete or when the lead agency decides to undertake the project if it is the agency's own project. The tribe has up to 30 days to respond to the notice and request consultation; if consultation is requested, then the local agency has up to 30 days to initiate consultation. The subject matter of the consultation may include the type of CEQA environmental review required, the significance of tribal cultural resources associated with a project site, and project alternatives or mitigation measures. Consultation shall be considered concluded when the parties agree to mitigate or avoid a significant effect on a tribal cultural resource, or when a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.

Environmental Impacts and Mitigation Measures

a, b) Tribal Cultural Resources.

As discussed in Section C(5), Cultural Resources, no resources specific to local tribes were identified on the project site, but the possibility of undiscovered resources, including tribal cultural resources, during project construction was acknowledged. Mitigation Measure CULT-1 would generally address potential project effects on cultural resources uncovered during project construction.

In accordance with AB 52, notice of the proposed project was provided to eight potentially interested Native American tribes. Of the eight tribes, input to the project was provided by the northern Valley Yokuts. Consultation was not requested, but the tribe requested that archaeological and Native American monitors be present during project construction in order to prevent impacts to tribal cultural resources or burials. This requirement is included in mitigation measures presented below. Implementation of these measures would reduce potential impacts on tribal cultural resources to a level that would be less than significant.

Level of Significance: Potentially significant

Mitigation Measures:

TCR-1: The ODS shall retain a qualified professional archaeologist and a local Native American Tribal Representative (NATR) to monitor ground disturbing activities that occur within the project site.

TCR-2: In the event that construction encounters evidence of human burial or scattered human remains, construction in the vicinity of the encounter shall be

immediately halted. The ODS shall immediately notify the County Coroner, the Stockton Community Development Department, and the NATR. Construction activity in the vicinity of the encounter shall not proceed until the qualified archaeologist/NATR can evaluate the nature and significance of the find. Appropriate federal and State agencies also shall be notified, in accordance with the provisions in the Archaeological Resources Protection Act (16 USC 469), Native American Graves Protection and Repatriation Act (25 U.S.C. 3001-30013), California Health and Safety Code section 7050.5, and California Public Resources Code section 5097.9 *et al.*

The ODS will be responsible for compliance with the requirements of CEQA as to human remains as defined in CEQA Guidelines Section 15064.5, with California Health and Safety Code Section 7050.5, and as directed by the County Coroner. If the human remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission, also identifying the NATR that has been working on the project. The NAHC will notify and appoint a Most Likely Descendant. The Most Likely Descendant will work with the archaeologist and the NATR to decide the proper treatment of the human remains and any associated funerary objects.

- TCR-3: In the event that any other tribal cultural resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist/NATR can examine the materials and make a determination of their significance pursuant to the criteria identified in the CEQA checklist above. If the resource is determined to be significant, the archaeologist shall make recommendations, in consultation with the NATR, as to mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. The ODS will be responsible for retaining the archaeologist and the NATR and implementing their recommendations of the archaeologist, including submittal of a written report to the Stockton Community Development Department and the NATR documenting the find and its treatment.
- TCR-4: Construction foremen and key members of trenching crews shall be instructed to be wary of the possibility of destruction of buried cultural resource materials. They shall be instructed to recognize signs of historic and prehistoric use and their responsibility to report any such finds, or suspected finds, immediately to the archaeologist and the NATR so damage to such resources may be prevented.

Significance After Mitigation: Less than significant

3.18 UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			√	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		√		
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		√		
d) Are sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			√	
e) Has the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			√	
f) Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			√	
g) Comply with federal, state and local statutes and regulations related to solid waste?			√	

NARRATIVE DISCUSSION

Environmental Setting

Wastewater treatment and collection services in the City of Stockton, including the project site, are provided by the City. Sewage treatment services are provided at the City's Regional Wastewater Control Facility (RWCF), located on Navy Drive in Stockton. The RWCF currently processes approximately 33 million gallons per day (mgd) of wastewater on average and has a treatment capacity of 55 mgd. An existing 8-inch diameter sewer line in Canal Drive extends to the site entrance.

As noted in Section 3.9, Hydrology and Water Quality, water service in the project vicinity is provided by Cal Water. Cal Water obtains approximately 78% of the water it provides to its Stockton service area from water purchases. The water is purchased from the Stockton East

Water District, which obtains its supply from the New Hogan Reservoir and the New Melones Reservoir. The remaining 22% comes from groundwater wells. Cal Water estimated that it had a water supply of 22,090 acre-feet per year for the Stockton district in 2015, which equaled the water demand from the district that year (Cal Water 2016). An existing 6-inch diameter water line is in place in Canal Drive.

Storm water drainage service in the area is provided via the Gardena Sump Plant, operated by RD 1614. The Gardena Sump Plant operates two 15-horsepower pumps, which discharge collected storm water via two 12-inch diameter lines into Smith Canal. An existing 24-inch diameter storm drainage line is located in Canal Drive.

The City has two franchise haulers that provide solid waste collection services. For the project site, Republic Services would provide collection service. There are three active sanitary landfills in San Joaquin County: the Forward Landfill on South Austin Road with available capacity to 2020, the North County Landfill on East Harney Lane with available capacity to 2048, and the Foothill Sanitary Landfill on North Waverly Road with available capacity to 2082 (CalRecycle 2016).

Environmental Impacts and Mitigation Measures

a, e) Wastewater Systems.

The project proposes the construction of up to 125 residential units on the project site. The City of Stockton 2035 Wastewater Master Plan assumes wastewater generation from high density residential land uses at a rate of 5,568 gallons per day per acre (City of Stockton 2008). Based on this rate, the residential portion of the project site would generate approximately 23,943 gallons of wastewater per day. The RWCF has sufficient existing capacity to accommodate wastewater generated by the project.

The project proposes to connect into the existing 8-inch sewer main in Canal Drive. The connection would have no impacts on the local environment. Mitigation described below which was attached to the previous residential subdivision project, would require the submittal of improvement plans that would be acceptable to the City of Stockton. Implementation of the mitigation measures would reduce project impacts to a level that would be less than significant.

Level of Significance: Potentially significant

Mitigation Measures:

- UTIL-1: The ODS shall submit detailed site improvement plans to the City that show all on-site and off-site utilities necessary to provide wastewater and water services to the project site. The plans shall be accompanied by engineering calculations showing that adequate capacity is available in existing and proposed lines to accommodate project demands. The plans shall be approved by the Municipal Utilities Department and the City Engineer prior to final site plan approval.
- UTIL-2: The ODS shall dedicate permanent public utility easements and construct all on-site and off-site wastewater and water facilities as designed and shown on the approved improvement plans. Any reimbursement costs for

oversizing shall be determined in accordance with the Stockton Municipal Code.

Significance After Mitigation: Less than significant

b, d) Water Systems.

The Cal Water 2015 Urban Water Management Plan stated the average per capita use per day of water in its Stockton service area was 183 gallons from 1996 to 2005. For the time period from 2003 to 2007, the average per capita water use per day was 177 gallons (Cal Water 2016). For the purposes of this analysis, the 183 gallon per capita figure will be used. Assuming an occupancy rate of 1.5, the total water demand at project buildout would be approximately 36.9 acre-feet per year. The Cal Water Urban Water Management Plan indicates that supplies would be available in the future to satisfy project demand.

The project proposes to connect to the existing water system in the area. The connection would connect into a 15-inch diameter onsite storm drainage line connected through the commercial center to the City storm drain line in Fontana Avenue. Implementation of Mitigation Measures UTIL-1 and UTIL-2 would reduce project impacts to a level that would be less than significant.

c) Stormwater Systems.

The project would require the construction of storm drainage facilities to collect anticipated runoff from the project site once it is developed. New on-site storm drainage facilities would have little environmental impact by themselves, as their impacts would be part of the overall impact of site development. The new facilities will be connected to the existing City storm drainage facilities in Fontana Avenue via an existing 15-inch storm drainage line on the site. This connection would not have significant environmental impacts, as the area is substantially developed or designated for urban uses. However, it is not known precisely where the connection to the existing line would be made or if there would sufficient capacity in existing storm drainage lines or the Gardena Sump Plant to accommodate the project stormwater. Mitigation described below, which was attached to the previous residential subdivision project, would require an analysis of storm drainage needs and facilities that would be approved by the City and by RD 1614. Implementation of the mitigation measure would reduce project impacts to a level that would be less than significant.

Level of Significance: Potentially significant

Mitigation Measures:

UTIL-3: The ODS shall conduct a watershed analysis and, if required, shall expand or participate in expansion of existing storm water collection services. Expansion plans shall be reviewed and approved by the City of Stockton Public Works Department and by Reclamation District No. 1614.

Significance After Mitigation: Less than significant

f, g) Solid Waste Services.

The project would generate a demand for solid waste services. As indicated above, existing landfills in the County would have sufficient capacity to accommodate the amount of solid waste

that would be generated by the project. The project would comply with applicable federal, state and local statutes and regulations related to solid waste. Project impacts on solid waste are considered less than significant.

3.19 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		√		
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			√	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		√		

NARRATIVE DISCUSSION

a) Findings on Biological and Cultural Resources.

The project's potential biological and cultural resource impacts were described in Sections 3.4 and 3.5, respectively. Potentially significant environmental effects were identified in these issue areas, but all of the potentially significant effects would be reduced to a level that would be less than significant level with mitigation measures that would be incorporated into the project.

b) Findings on Individually Limited but Cumulatively Considerable Impacts.

As described in this Initial Study, the potential environmental effects of the project would either be less than significant, or the project would have no impact at all, when compared to the baseline. Where the project involves potentially significant effects, these effects would be reduced to a less than significant level with proposed mitigation measures and compliance with required permits and applicable regulations.

The potential environmental effects identified in this Initial Study have been considered in conjunction with each other as to their potential to generate other potentially significant effects. The various potential environmental effects of the project would not combine to generate any potentially significant cumulative effects. There are no other known, similar projects with which the project might combine to produce adverse cumulative impacts.

c) Findings on Adverse Effects on Human Beings.

Potential adverse effects on human beings were discussed in Section 3.6, Geology and Soils (seismic hazards); Section 3.8, Hazards and Hazardous Materials; Section 3.9, Hydrology and Water Quality (flooding); and Section 3.16, Transportation/Traffic (traffic hazards). Potential adverse effects on human beings were identified in the Hydrology and Water Quality and Transportation/Traffic sections. Mitigation measures described in these sections would reduce impacts to a level that would be less than significant. The project would have no other impact related to adverse effects on human beings.

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4.1 DOCUMENT PREPARERS

This IS/MND was prepared by BaseCamp Environmental for use by and under the supervision of the City of Stockton Department of Community Development. The following persons were involved in preparation of the IS/MND:

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4.4 PERSONS CONSULTED

Giudice, Peter. Principal, The Chelsdan Company.

Gotelli, Tom. Property owner, Tuscany Cove.

Liaw, Jenny. Senior Planner, City of Stockton.

5.0 NOTES RELATED TO EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed: Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures: For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

APPENDIX A
AIR QUALITY MODELING RESULTS

Tuscany Cove Assisted Living - San Joaquin County, Annual

Tuscany Cove Assisted Living

San Joaquin County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Congregate Care (Assisted Living)	120.00	Dwelling Unit	7.50	120,000.00	381
Parking Lot	32.00	Space	0.29	12,800.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.7	Precipitation Freq (Days)	51
Climate Zone	2			Operational Year	2020
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MW hr)	641.35	CH4 Intensity (lb/MW hr)	0.029	N2O Intensity (lb/MW hr)	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use -

Construction Phase - Assumed construction period of one year.

Construction Off-road Equipment Mitigation -

Mobile Land Use Mitigation -

Area Mitigation - Per SJVAPCD rule.

Water Mitigation -

Waste Mitigation -

Tuscany Cove Assisted Living - San Joaquin County, Annual

Table Name	Column Name	Default Value	New Value
tblAreaMitigation	UseLowVOCPaintParkingCheck	False	True
tblAreaMitigation	UseLowVOCPaintParkingValue	150	50
tblAreaMitigation	UseLowVOCPaintResidentialExteriorValue	150	50
tblAreaMitigation	UseLowVOCPaintResidentialInteriorValue	150	50
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	40	0
tblConstructionPhase	NumDays	230.00	270.00
tblConstructionPhase	PhaseEndDate	3/30/2018	8/16/2019
tblConstructionPhase	PhaseEndDate	3/30/2018	6/21/2019
tblConstructionPhase	PhaseEndDate	3/30/2018	4/27/2018
tblConstructionPhase	PhaseEndDate	3/30/2018	6/8/2018
tblConstructionPhase	PhaseEndDate	3/30/2018	7/19/2019
tblConstructionPhase	PhaseEndDate	3/30/2018	5/11/2018
tblConstructionPhase	PhaseStartDate	3/31/2018	7/22/2019
tblConstructionPhase	PhaseStartDate	3/31/2018	6/11/2018
tblConstructionPhase	PhaseStartDate	3/31/2018	5/14/2018
tblConstructionPhase	PhaseStartDate	3/31/2018	6/24/2019
tblConstructionPhase	PhaseStartDate	3/31/2018	4/30/2018
tblProjectCharacteristics	OperationalYear	2018	2020
tblWoodstoves	NumberCatalytic	7.50	0.00
tblWoodstoves	NumberNoncatalytic	7.50	0.00

2.0 Emissions Summary

Tuscany Cove Assisted Living - San Joaquin County, Annual

2.1 Overall Construction**Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2018	0.3240	2.8160	2.0757	3.7500e-003	0.2197	0.1590	0.3787	0.1005	0.1487	0.2492	0.0000	336.4090	336.4090	0.0699	0.0000	338.1573
2019	1.3240	1.6183	1.4477	2.6800e-003	0.0542	0.0908	0.1450	0.0146	0.0853	0.0998	0.0000	237.9464	237.9464	0.0452	0.0000	239.0774
Maximum	1.3240	2.8160	2.0757	3.7500e-003	0.2197	0.1590	0.3787	0.1005	0.1487	0.2492	0.0000	336.4090	336.4090	0.0699	0.0000	338.1573

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2018	0.3240	2.8160	2.0757	3.7500e-003	0.1340	0.1590	0.2930	0.0546	0.1487	0.2034	0.0000	336.4087	336.4087	0.0699	0.0000	338.1570
2019	1.3240	1.6183	1.4477	2.6800e-003	0.0542	0.0908	0.1450	0.0146	0.0853	0.0998	0.0000	237.9462	237.9462	0.0452	0.0000	239.0772
Maximum	1.3240	2.8160	2.0757	3.7500e-003	0.1340	0.1590	0.2930	0.0546	0.1487	0.2034	0.0000	336.4087	336.4087	0.0699	0.0000	338.1570

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	31.30	0.00	16.37	39.85	0.00	13.13	0.00	0.00	0.00	0.00	0.00	0.00

Tuscany Cove Assisted Living - San Joaquin County, Annual

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	4-1-2018	6-30-2018	1.1523	1.1523
2	7-1-2018	9-30-2018	0.9525	0.9525
3	10-1-2018	12-31-2018	0.9557	0.9557
4	1-1-2019	3-31-2019	0.8432	0.8432
5	4-1-2019	6-30-2019	0.8080	0.8080
6	7-1-2019	9-30-2019	1.1835	1.1835
		Highest	1.1835	1.1835

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.6149	0.0552	0.9134	3.3000e-004		8.5500e-003	8.5500e-003		8.5500e-003	8.5500e-003	0.0000	53.4409	53.4409	2.4200e-003	9.5000e-004	53.7854
Energy	8.3300e-003	0.0712	0.0303	4.5000e-004		5.7600e-003	5.7600e-003		5.7600e-003	5.7600e-003	0.0000	244.9894	244.9894	8.9300e-003	3.0300e-003	246.1163
Mobile	0.1157	0.8051	1.3195	4.7500e-003	0.3425	5.0500e-003	0.3476	0.0919	4.7600e-003	0.0966	0.0000	437.6596	437.6596	0.0217	0.0000	438.2032
Waste						0.0000	0.0000		0.0000	0.0000	22.2275	0.0000	22.2275	1.3136	0.0000	55.0677
Water						0.0000	0.0000		0.0000	0.0000	2.4804	17.3260	19.8064	0.2556	6.1800e-003	28.0361
Total	0.7390	0.9316	2.2632	5.5300e-003	0.3425	0.0194	0.3619	0.0919	0.0191	0.1109	24.7080	753.4159	778.1238	1.6023	0.0102	821.2086

Tuscany Cove Assisted Living - San Joaquin County, Annual

2.2 Overall Operational**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.5344	0.0103	0.8943	5.0000e-005		4.9200e-003	4.9200e-003		4.9200e-003	4.9200e-003	0.0000	1.4560	1.4560	1.4200e-003	0.0000	1.4916
Energy	8.3300e-003	0.0712	0.0303	4.5000e-004		5.7600e-003	5.7600e-003		5.7600e-003	5.7600e-003	0.0000	244.9894	244.9894	8.9300e-003	3.0300e-003	246.1163
Mobile	0.1148	0.7964	1.2995	4.6700e-003	0.3357	4.9600e-003	0.3406	0.0900	4.6700e-003	0.0947	0.0000	429.7904	429.7904	0.0215	0.0000	430.3282
Waste						0.0000	0.0000		0.0000	0.0000	5.5569	0.0000	5.5569	0.3284	0.0000	13.7669
Water						0.0000	0.0000		0.0000	0.0000	1.9844	13.8608	15.8451	0.2044	4.9400e-003	22.4288
Total	0.6575	0.8780	2.2241	5.1700e-003	0.3357	0.0156	0.3513	0.0900	0.0154	0.1054	7.5412	690.0966	697.6378	0.5647	7.9700e-003	714.1318

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	11.02	5.75	1.73	6.51	2.00	19.21	2.92	1.99	19.51	5.00	69.48	8.40	10.34	64.76	21.56	13.04

3.0 Construction Detail**Construction Phase**

Tuscany Cove Assisted Living - San Joaquin County, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Architectural Coating	Architectural Coating	7/22/2019	8/16/2019	5	20	
2	Building Construction	Building Construction	6/11/2018	6/21/2019	5	270	
3	Grading	Grading	5/14/2018	6/8/2018	5	20	
4	Paving	Paving	6/24/2019	7/19/2019	5	20	
5	Site Preparation	Site Preparation	4/30/2018	5/11/2018	5	10	
6	Demolition	Demolition	4/1/2018	4/27/2018	5	20	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 10

Acres of Paving: 0.29

Residential Indoor: 243,000; Residential Outdoor: 81,000; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 768 (Architectural Coating – sqft)

OffRoad Equipment

Tuscany Cove Assisted Living - San Joaquin County, Annual

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Demolition	Excavators	3	8.00	158	0.38
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Excavators	1	8.00	158	0.38
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Paving	Pavers	2	8.00	130	0.42
Paving	Rollers	2	8.00	80	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Paving	Paving Equipment	2	8.00	132	0.36
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Building Construction	Welders	1	8.00	46	0.45

Trips and VMT

Tuscany Cove Assisted Living - San Joaquin County, Annual

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Architectural Coating	1	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	92.00	15.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Demolition	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

Clean Paved Roads

3.2 Architectural Coating - 2019

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.1290					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.6600e-003	0.0184	0.0184	3.0000e-005		1.2900e-003	1.2900e-003		1.2900e-003	1.2900e-003	0.0000	2.5533	2.5533	2.2000e-004	0.0000	2.5587
Total	1.1316	0.0184	0.0184	3.0000e-005		1.2900e-003	1.2900e-003		1.2900e-003	1.2900e-003	0.0000	2.5533	2.5533	2.2000e-004	0.0000	2.5587

APPENDIX B
CULTURAL RESOURCES REPORT

Jensen and Associates (2005)

Note: The enclosed report was prepared for a previous project known as the Canal Street Subdivision, which was approved by the City of Stockton in 2005. The site was subsequently graded and improved with new streets and utilities, but was never developed with planned residences.

INTRODUCTION

Project Background

This report details the results of an archaeological inventory survey for a proposed residential subdivision project involving a single parcel totaling approximately 3 acres of land located adjacent to the north side of the Smith Canal, a short distance south of Country Club Boulevard, and west of Interstate 5, within the City of Stockton, San Joaquin County, California. Proposed action involves subdivision for residential use, followed by construction of new residences, primary and secondary access roads, storm drain installation, placement of utilities, etc.

The proposed project would involve intensive physical disturbance to ground surface and sub-surface components and would therefore have the potential to impact any cultural resources that may be located within the Area of Potential Effect (APE). In this case, the APE would consist of the 3-acre land area itself. Evaluation of the project's potential effects to cultural resources must be undertaken in conformity with San Joaquin County rules and regulations, and in compliance with requirements of the California Environmental Quality Act of 1970, Public Resources Code, Section 21000, et seq. (CEQA), and The California CEQA Environmental Quality Act Guidelines, California Administrative Code, Section 15000 et seq. (Guidelines as amended).

Scope of Work

At the most general level, compliance with CEQA requires completion of projects in conformity with standards contained in Section 15064.5 of the CEQA Guidelines. Based on this and other relevant Sections of the Guidelines, the following specific tasks were considered an adequate and appropriate Scope of Work for the present project:

- Conduct a records search at the Central California Information Center of the California Historical Resources Information System at CSU-Stanislaus and consult with affected Native American representatives, the Native American Heritage Commission, and the Haggin Museum of Stockton. Collectively, the goals of the records search and consultation are to determine (a) the extent and distribution of previous archaeological surveys, (b) the locations of known archaeological sites and any previously recorded archaeological districts, and (c) the relationship between known sites and environmental variables. As well, the Records Search and consultation are designed to help ensure that during subsequent field survey work, all historic resources considered significant or potentially significant per CEQA are discovered, correctly identified, fully documented, and properly interpreted.
- Conduct a pedestrian field survey of the project area. Based on generally uniform terrain and archaeological sensitivity within the 3-acre project area, a complete coverage, intensive-level pedestrian survey was considered appropriate. The purpose of the pedestrian survey is to ensure that any previously recorded sites that may have been identified during the records search and consultation are re-located and significance evaluations updated on the basis of existing conditions vis-à-vis site integrity. For any

previously undocumented sites discovered, the field survey would involve formally recording these on State DPR-523 forms. For both previously identified and newly identified sites, the level of field work would be sufficient to recommend measures designed to avoid, minimize or mitigate potential adverse effects of the proposed undertaking to any sites determined significant or potentially significant.

- Upon completion of the records search and pedestrian survey, prepare an Archaeological Inventory Survey Report that identifies project effects and recommends appropriate mitigation measures for sites found significant or potentially significant under CEQA and which might be affected by the undertaking.

The remainder of the present document constitutes the Final Report for this project, which details the results of the records search and inventory survey and provides recommendations for treatment of sites that could be affected by the undertaking. All field survey procedures followed guidelines provided by the State Historic Preservation Office (Sacramento) and conform to accepted professional standards.

Location and Cultural Context

The proposed Canal Street Subdivision project is located adjacent to the north side of the Smith Canal, a short distance south of Country Club Boulevard, and west of Interstate 5, within the City of Stockton, San Joaquin County, California. The project will affect lands located within a portion of the C. M. Weber El Rancho Del Campo de los Franceses Land Grant, specifically involving an un-projected Section in Township 1 North, Range 6 East (MDM), as shown on the USGS Stockton West, California, 7.5' series quad (see attached ***Project Location Map***).

Much of this portion of the county has been subjected to historic ranching and farming, while the project area itself contains two residences, remnant orchard trees, and pasture. Natural water courses nearby include the Calaveras River approximately one mile to the north, and the San Joaquin River located approximately 1/2 mile to the south.

Overall, but notwithstanding the effects of prior impacts to the ground surface and subsurface components resulting from historic and contemporary agriculture and residential use, the project area appeared to be situated within lands ranging from low to moderate in sensitivity for cultural resources.

Ethnographically, the project area is located within territory claimed by the Penutian-speaking Northern Valley Yokuts (Wallace 1978: Figure 1). The Yokuts occupied a fairly extensive area, extending from the crest of the Coast "Diablo" Range easterly into the foothills of the Sierra Nevada, north to the American River, and south to the upper San Joaquin River.

The basic social unit for the Yokuts was the family, although the village may also be considered a social, political and economic unit. Villages were often located on elevated features (natural levees, knolls, ridges) adjoining streams, and were inhabited mainly in the winter as it was necessary to seasonally relocate, sometimes to hills and higher elevation zones, to establish temporary camps during food gathering seasons (i.e., spring, summer and fall). Villages typically consisted of a scattering of small structures, numbering from four or five to several dozen in larger villages, each house containing a single family of from three to seven

people. Larger villages, with from twelve to fifteen or more houses, might also contain an earth lodge.

As with most California Indian groups, economic life for the Yokuts revolved around hunting, fishing and the collecting of plant foods, with deer, acorns, and aquatic resources representing primary staples. The collection and processing of these various food resources was accomplished with the use of a wide variety of wooden, bone and stone artifacts. The Yokuts were very sophisticated in terms of their knowledge of the uses of local animals and plants, and of the availability of raw material sources which could be used in manufacturing an immense array of primary and secondary tools and implements. However, only fragmentary evidence of their material culture remains, due in part to perishability, and in part to the impacts to archaeological sites resulting from later (historic) land uses.

Antecedent cultures in the area span several thousands of years and document use and occupation centered along the margins of the San Joaquin Valley and along the major water courses in the area. Detailed archaeological sequences are reviewed in works by Moratto (1984) and others.

RECORDS SEARCH

Several sources of information were considered relevant to evaluating the types of archaeological sites and site distribution that might be encountered within the project area. The information evaluated prior to conducting pedestrian field survey includes soil types and geomorphological features present within the project area (discussed above), data maintained by the Central California Information Center at CSU-Stanislaus, consultation with the Native American Heritage Commission, Yokuts tribal representatives and the Haggin Museum, and review of available published and unpublished documents relevant to regional prehistory, ethnography, and early historic developments (reviewed above).

Central California Information Center (CSU-Stanislaus)

Prior to conducting the pedestrian field survey, the official San Joaquin County archaeological records maintained by the Central California Information Center were examined for any existing recorded prehistoric or historic sites (CCIC File # 5507-L, dated October 26, 2004). These records document the following existing conditions for the project area:

- None of the property has been subjected to pedestrian survey by a professional archaeologist. Several surveys have been conducted within the general project area, although these previous investigations do not appear to have extended into the present project area boundaries.
- No cultural resources have been formally recorded within or immediately adjacent to the subject property. Several sites have been identified within the general vicinity, although none of these will be affected by the Canal Street project, as presently proposed.

Other Sources

In addition to examining the official records of San Joaquin County as maintained by the Central California Information Center, the following were also consulted:

- The National Register of Historic Places (1986, Supplements to 12/03).
- The California Inventory of Historic Resources (State of California 1976).
- The California Historical Landmarks (State of California 1990).
- Repatriation, Inc.
- The Native American Heritage Commission.
- Haggin Museum, Stockton.
- Previous archaeological reports on lands in the vicinity of the project area, and other published and unpublished documents relevant to prehistory, ethnography, and early historic developments in the vicinity (summarized above).

PEDESTRIAN FIELD SURVEY

Survey Coverage: All of the project area was subjected to pedestrian survey, accomplished by walking back and forth across the property with transect spacing ranging between 10 and 15 meter intervals. In searching for cultural resources, the surveyor took into account the results of background research and was alert for any unusual contours, soil changes, distinctive vegetation patterns, exotic materials, artifacts, feature or feature remnants and other possible markers of cultural sites.

Field Work: Fieldwork was undertaken by Sean M. Jensen on October 29, 2004. No special problems were encountered during the pedestrian survey, and all survey objectives are considered to have been satisfactorily achieved.

PROJECT FINDINGS

As noted in previous discussions, disturbance to the ground surface has been substantial throughout the project area as a result of years of farming and residential use. The entire property appears to have been subjected to extensive grading and re-contouring in association with past pistachio orchard development, as well as construction of the Smith Canal levee system. In addition, relatively recent commercial construction on lands adjacent to the north side of the project area has resulted in deposition of fill within the northeast portion of the property. Finally, two residential structures are located within the subject property. Both represent single-family residences; one of these (westernmost) was constructed during the 1970's, while the second was originally constructed during the 1930's, although this latter structure has been substantially modified and presently contains in excess of 50% contemporary as opposed to historic qualities and attributes.

Nevertheless, because portions of the one residence were constructed more than 50 years ago, the following description is offered in determining whether or not this structure achieves the level of "unique archaeological resource" and thus might be significant per CEQA.

2804 Country Club Boulevard: This address references a single-family residence, actually constructed into the central portion of the Smith Canal levee. The residence is a split-

level, wood-sided structure, with the lower level consisting of non-original cinderblocks. Siding on the upper level consists of 8" ship-lap material, and floor joists for the upper level are 2" by 12" milled boards. Roof rafters are 2" by 6" while roofing material is non-original composition shingles. All of the windows have been replaced, primarily with aluminum sliders, while a carport has been added ("shed-roofed") to the north side of the structure. Finally, non-original decking and fabricated steel rails surround portions of the structure, and a septic tank is located approximately 60' north of the residence. While the basic upper-level portion of the structure appears to have been constructed around the late-1930s, virtually all of the building was subsequently remodeled and/or modified, and on multiple occasions according to the current owner/occupant. A square concrete pad is located northeast of the structure, likely representing a razed workshop, and a hand-stacked rock (mortared) pump house is located between the pad and the residence. Neither one of these features is remarkable in terms of design or execution, and both have undergone structural and material modifications.

Overall, the residence and associated features at 2804 Country Club Boulevard do not embody the distinctive characteristics of a type, period, or method of construction, nor does the residence reflect the work of a master, or possess high artistic value, or represent significant and distinguishable entities whose components may lack individual distinction. In this vein, the residence, pump house, concrete pad, and landscape modifications do not achieve the level of unique archaeological resource and are not significant per CEQA. With one-half or more of the existing structure (residence) and associated features dating to fully contemporary times, historic integrity has been lost to the point that this small "complex" is no longer considered a potential historic resource. No further consideration and no mitigative-level treatment are recommended for the structures at 2804 Country Club Boulevard in relation to potential impacts that will accompany build-out of the proposed Canal Street Residential Development project.

Prehistoric and Historic Resources

No prehistoric or historic-period cultural resources were identified during the pedestrian survey. The absence of cultural resources within the project area may be explained at least in part by the level of disturbance to which virtually all of the property has been subjected.

SUMMARY and RECOMMENDATION

The present report details the results of the archaeological inventory survey for proposed residential development of 3-acres located adjacent to the Smith Canal, within the City of Stockton, San Joaquin County, California. Components of the inventory survey include a complete records search and evaluation of studies undertaken and sites recorded within the project vicinity, and a complete-coverage, intensive-level pedestrian survey. The records at the Central California Information Center at CSU-Stanislaus documented that none of the project area had been previously surveyed, and that no sites or features had been recorded within the project area.

During the pedestrian field survey, no prehistoric or historic period sites or features were observed. Requests sent to local Yokuts representatives and the Haggin Museum failed to elicit any responses. The Native American Heritage Commission has indicated that no Sacred Land listings exist for the project area or adjacent lands.

Based on these findings, archaeological clearance is recommended for proposed further development of this property, although the following general provision remains appropriate:

The present evaluation and recommendations are based on the findings of an inventory-level surface survey only. There is always the possibility that potentially significant unidentified cultural materials could be encountered on or below the surface during the course of future development or construction activities, especially considering the proximity of French Camp Slough. In such a situation, archaeological consultation should be sought immediately.

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