

FINAL INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

FOR THE

ASPIRE PUBLIC SCHOOLS
LANGSTON HUGHES ACADEMY
SITE IMPROVEMENTS

2050 West Lane, Stockton, CA

Amendment to Use Permit: UP65-08

City of Stockton
Project File No: P17-0625

February 2019

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



FINAL INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

FOR THE

ASPIRE PUBLIC SCHOOLS
LANGSTON HUGHES ACADEMY
SITE IMPROVEMENTS
2050 West Lane, Stockton, CA

Amendment to Use Permit: UP65-08

City of Stockton
Project File No: P17-0625

February 2019

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

TABLE OF CONTENTS

1.0	INTRODUCTION	1-1
2.0	REVISED SUMMARY	2-1
3.0	COMMENTS ON THE ENVIRONMENTAL DOCUMENT AND LEAD AGENCY RESPONSES TO COMMENTS	3-1
4.0	ERRATA	4-1

APPENDICES

Appendix A Public Review Materials

Appendix B AB 52 Consultation Closing Letter

FIGURES

1	Regional Map	1-2
2	Vicinity Map	1-3
3	Aerial Photo Map	1-4
4.	Site Plan	1-5

1.0 INTRODUCTION TO FINAL IS/MND

The proposed project involves an amendment to City of Stockton Use Permit UP65-08 that governs site improvements and operations of the Langston Hughes Academy and Port City Academy located at 2050 West Lane in Stockton. The existing permit allows for a student count of up to 1,017 and specifies locations for vehicle access and queueing. The proposed amendments would increase the allowable student count to 1,217 to accommodate existing enrollment plus a Transitional Kindergarten class, and it would change two conditions related to traffic circulation and queuing that were placed on the existing Use Permit at the time of its approval. The project also proposes the installation of a modular classroom building that would add seven classrooms to accommodate the projected student enrollment. The revised project would also include a sound barrier and expanded parking areas.

The project is subject to the California Environmental Quality Act. The City of Stockton prepared an Initial Study and a proposed Mitigated Negative Declaration for the project (Draft IS/MND), which was circulated for public and agency review during a 20-day comment period extending from January 8, 2019, until January 28, 2019. The Draft IS/MND is available for review at the Stockton Department of Community Development at 345 N El Dorado Street, Stockton, CA 95202 or online at:

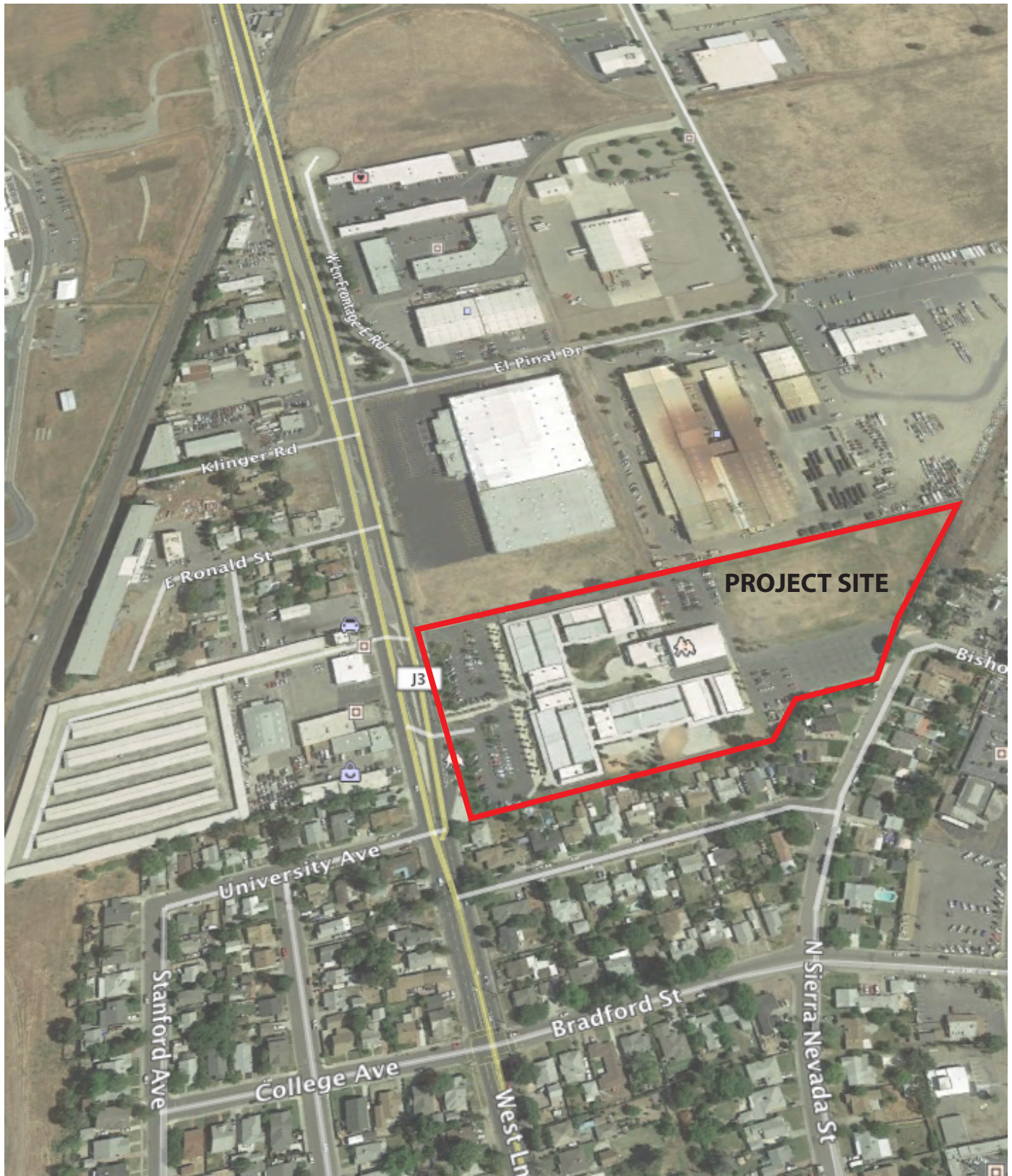
<http://www.stocktongov.com/government/departments/communityDevelop/cdPlanEnv.html>

This document is the Final Initial Study/Mitigated Negative Declaration (Final IS/MND) for the project. The Final IS/MND incorporates 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); the summary has been updated in underline/strikeout to reflect any changes made to the Draft IS/MND. A list of public or agency comments received during the public review period, 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 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 February 28, 2019.







SOURCE: Google Maps

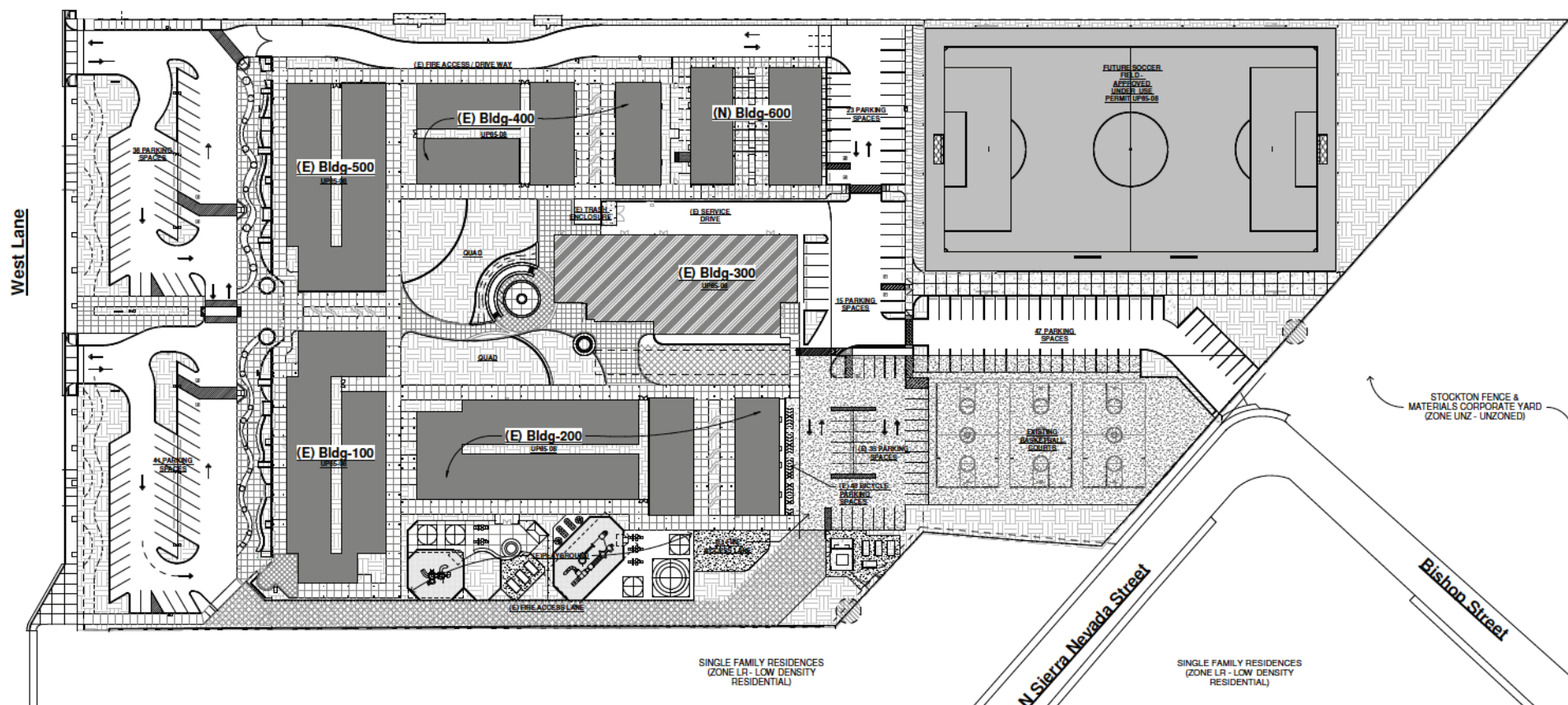


Figure 4
PROPOSED SITE PLAN

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 have been no changes to the potential environmental effects of the project since the publication of the Draft IS/MND. One mitigation measure related to Tribal Cultural Resources has been modified in response to agency comments on 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 2-1
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 Routes and Resources	LS	None required	-
c) Visual Character and Quality	LS	None required	-
d) Light and Glare	LS	None required	-
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 Plan Consistency and Violation of Air Quality Standards	LS	None required	-
c) Cumulative Emissions	LS	None required	-
d) Exposure of Sensitive Receptors	LS	None required	-
e) Odors	NI	None required	-
3.4 BIOLOGICAL RESOURCES			
a) Special-Status Species	LS	None required	-

TABLE 2-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
b) Riparian and Other Sensitive Habitats	NI	None required	-
c) Wetlands and Waters of the U.S.	NI	None required	-
d) Fish and Wildlife Movement	LS	None required	-
e) Local Biological Requirements	NI	None required	-
f) Conflict with Habitat Conservation Plans	LS	None required	-
3.5 CULTURAL RESOURCES			
a) Historical Resources	NI	None required	-
b) Archaeological Resources	PS	CULT-1. If any subsurface cultural or paleontological resources are encountered during project construction, all activities shall be halted at the site of the encounter until a qualified archaeologist or paleontologist, as appropriate, <u>or as appropriate, a representative from the traditionally and culturally affiliated Native American Tribe,</u> can examine these materials, determine their significance and, if significant, recommend mitigation measures that would reduce potential effects to a level that is less than significant. Such measures could include 1) preservation in place or 2) excavation, recovery and curation by qualified professionals. The project applicant shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report, consistent with the requirements of the CEQA Guidelines.	LS
c) Paleontological Resources and Unique Geologic Features	PS	Mitigation Measure CULT-1.	LS

TABLE 2-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
d) Human Burials	PS	CULT-2. Project construction shall comply with the provisions of CEQA Guidelines Section 15064.5(e) regarding the treatment of any human burials encountered, including halting all work in the vicinity of the find and notifying the County Coroner.	LS
3.6 GEOLOGY AND SOILS			
a-1) Fault Rupture Hazards	NI	None required	-
a-2) Seismic Ground Shaking	LS	None required	-
a-3) Other Seismic Hazards	LS	None required	-
a-4) Landslides	NI	None required	-
b) Soil Erosion	LS	None required	-
c) Geologic Instability	LS	None required	-
d) Expansive Soils	LS	None required	-
e) Adequacy of Soils for Wastewater 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) Hazardous Material Transport, Use and Storage	LS	None required	-
b, c) Release of Hazardous Materials	LS	None required	-

TABLE 2-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
d) Hazardous Materials Sites	PS	HAZ-1. In the event of a discovery of soil discoloration or unusual odors during construction of improvements, the contractor shall stop work and the project applicant shall contact a qualified professional to evaluate the materials encountered and make recommendations for their safe and lawful removal and disposal. Agencies with jurisdiction shall be contacted during this process.	LS
e, f) Airport and Airstrip Operations	NI	None required	-
g) Emergency Response and Evacuation	LS	None required	-
h) Wildland Fire Hazards	NI	None required	-
3.9 HYDROLOGY AND WATER QUALITY			
a, f) Surface Waters and Water Quality	LS	None required	-
b) Groundwater Supplies	NI	None required	-
c, d, e) Drainage Patterns and Runoff	NI	None required	-
g, h) Flooding Hazards	LS	None required	-
i) Dam and Levee Failure Hazards	LS	None required	-
j) Seiche, Tsunami and Mudflow Hazards	NI	None required	-
3.10 LAND USE AND PLANNING			
a) Division of Established Communities	NI	None required	-
b) Conflict with Applicable Plans, Policies and Regulations	NI	None required	-

TABLE 2-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
c) Conflict with Habitat Conservation Plans	LS	None required	-
3.11 MINERAL RESOURCES			
a, b) Loss of Mineral Resource Availability	NI	None required	
3.12 NOISE			
a) Exposure to Noise Exceeding Local Standards	PS	NOISE-1. A sound wall shall be installed along the south project property line to a height of 8 feet above finish grade of the proposed on-site circulation route. The approximate location and height of the barrier is shown on Figure 7 of the noise study by Saxelby Acoustics (2018). The sound wall may include a new wall or an appropriate sound wall extension or panel to reach the full required height. Appropriate sound walls would include concrete masonry or other barriers having a mass of 4 pounds per square foot and are free of gaps or penetrations which would allow sound to pass through or around the wall. An appropriate panel system includes the Sound Fighter LSE-1000 barrier which could be used as an extension to the existing wall. Any panel system placed in front of the wall shall have an overlap between the top of the existing wall and the bottom of the panel system which measures two and one-half to three times the distance between the existing wall and the proposed panel. The proposed sound wall design shall be reviewed by a qualified acoustic engineer prior to construction.	LS
b) Groundborne Vibrations	LS	None required	-
c) Permanent Increase in Ambient Noise	LS	None required	-

TABLE 2-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
d) Temporary or Periodic Increase in Ambient Noise	LS	None required	-
e, f) Exposure to Airport/Airstrip Noise	NI	None required	-
3.13 POPULATION AND HOUSING			
a) Population Growth Inducement	NI	None required	-
b, c) Displacement of Housing and People	NI	None required	-
3.14 PUBLIC SERVICES			
a) Fire Protection	LS	None required	-
b) Police Protection	LS	None required	-
c) Schools	LS	None required	-
d, e) Parks and Other Public Facilities	NI	None required	-
3.15 RECREATION			
a, b) Recreational Facilities	NI	None required	-
3.16 TRANSPORTATION			
a) Conflict with Transportation Plans, Ordinances and Policies	LS	None required	-
b) Conflict With Congestion Management Program	LS	None required	-
c) Air Traffic Patterns	NI	None required	-

TABLE 2-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
d) Traffic Hazards	PS	TRANS-1 Prior to final project approval, the project applicant shall prepare an Access Management Plan for review and approval by the City Engineer and the Community Development Director. The approved Access Management Plan shall be monitored for effectiveness of reducing queues that may occur on West Lane on annual basis.	LS
e) Emergency Access	LS	None required	-
f) Conflict with Non-vehicular Transportation Plans	NI	None required	-
3.17 TRIBAL CULTURAL RESOURCES			
a, b) Tribal Cultural Resources	PS	Mitigation Measures CULT-1 and CULT-2.	LS
3.18 UTILITIES AND SERVICE SYSTEMS			
a, e) Wastewater Systems	LS	None required	-
b, d) Water Systems and Supply	LS	None required	-
c) Stormwater Systems	LS	None required	-
f, g) Solid Waste Services	LS	None required	-
3.19 MANDATORY FINDINGS OF SIGNIFICANCE			
a) Findings on Biological and Cultural Resources	PS	Mitigation measure in Section 3.5 above.	LS
b) Findings on Individually Limited but Cumulatively Considerable Impacts	LS	None required	-
c) Findings on Adverse Effects on Human Beings	LS	None required	-

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

The City of Stockton received two comments from agencies or the public regarding the Draft (IS/MND) for the proposed project, as listed below.

1. San Joaquin Council of Governments (San Joaquin County Multi-Species Habitat Conservation & Open Space Plan)
2. Cherilyn Neider (United Auburn Indian Community)

These comments are shown on the following pages together with the City's responses to those comments.



SJCOG, 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: Allison Holmstedt, City of Stockton, Community Development Department

From: Laurel Boyd, SJCOG, Inc.

Date: January 16, 2019

-Local Jurisdiction Project Title: Notice of Intent to Adopt Mitigated Negative Declaration/Public Meeting for Aspire Langston Hughes Academy/Port City Academy Use Permit Amendment

Assessor Parcel Number(s): 117-360-17

Local Jurisdiction Project Number: UP 65-08

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. Allison:

SJCOG, Inc. has reviewed the Notice of Intent to Adopt Mitigated Negative Declaration/Public Meeting for Aspire Langston Hughes Academy/Port City Academy Use Permit Amendment. This project consists of a proposal to amend the Use Permit No. UP 65-08 to: a) Increase maximum enrollment from 1,017 to 1,217 students; b) modify vehicle circulation for drop-off and pick up time periods, including entrance and exit points; c) authorize installation of a modular building including seven classrooms; d) authorize installation of a sound barrier; and e) authorize expanded parking areas. The project site is located at 2050 West Lane (APN: 117-360-17).

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 Measures 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.

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.sjcoq.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

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

- 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.

**S J C O G , I n c .***San Joaquin County Multi-Species Habitat Conservation & Open Space Plan*

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

SJMSCP HOLD

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

FROM: Laurel Boyd, SJCOG, Inc.

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

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

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

Project Title: Notice of Intent to Adopt a Mitigated Negative Declaration/Public Meeting for the Aspire Langston Hughes Academy/Port City Academy Use Permit Amendment

Assessor Parcel #: 117-360-17

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

Local Jurisdiction Contact: Allison Holmstedt

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

RESPONSE TO LETTER NO. 1, SAN JOAQUIN COUNCIL OF GOVERNMENTS

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. However, SJMSCP participation will be a condition of approval of the proposed Conditional Use Permit, 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.

Dear Allison Holmstedt,

Thank you for your letter received on 9/17/2018 (Langston Hughes/Port City Academy Expansion). I am contacting you in order to request:

- Consultation for this project;
- All existing cultural resource assessments, as well as requests for, and the results of, any records searches that may have been conducted;
- GIS SHP files for the proposed project's APE.

There are Tribal Cultural Resources, which are also historic resources, within the vicinity of the project area, and we do have the following recommendations, which should be incorporated into any mitigation measures that are developed for the project:

- UAIC tribal representatives should be allowed to observe and participate in all cultural resource surveys, including initial pedestrian surveys for the project.
- If tribal cultural resources are identified within the project area, it is UAIC's policy that tribal monitors must be present for all ground disturbing activities.
- Subsurface testing and data recovery must not occur without first consulting with UAIC and receiving UAIC's written consent.
- Additional information about the nature and location of the Tribal Cultural Resources can be obtained via a Records Search Request of the UAIC Tribal Historical Resources Information System (THRIS). There is a fee associated with a THRIS record search. Please let us know if you are interested in this record search, and we will send over a copy of the program description.
- Finally, please be advised that UAIC's strong preference is to preserve tribal cultural resources in place and avoid them whenever possible.

Attached you will find mitigation measures recommended for the project.

Thank you for involving UAIC in the planning process at an early stage. We ask that you make this correspondence a part of the project record and we look forward to working with you to ensure that tribal cultural resources are protected. Marcos Guerrero, UAIC Cultural Resources Manager, will be UAIC's point of contact for this consultation. Please contact Mr. Guerrero by phone at (530) 883-2364 or email at mguerrero@auburnarcheria.com to begin the consultation process.

Sincerely,
Cherilyn

Cherilyn Neider
Tribal Historic Preservation
United Auburn Indian Community
530.883.2394

RE: AB 52 Consultation for the Langston Hughes/Port City Academy Expansion Project

 Cherilyn Neider <cneider@auburnrancheria.com>

o Allison Holmstedt

Thursday, January 24, 2019 at 2:09 PM

[Show Details](#)

 3_Mitigation_Measu...
31.9 KB

 Download All

 Preview All

Hi Allison,

I would like to follow up on my previous email. We are in receipt of a second letter from the City of Stockton, received 01/10/2019, notifying us of the intent to adopt a mitigated negative declaration for the Langston Hughes/Port City Academy Expansion Project. Can you please add the clarification requested for TCR1?

In addition to TCR1, we recommend that the attached measure/language addressing inadvertent discoveries is incorporated into the project documents.

Thank you,
Cherilyn

Cherilyn Neider

Tribal Historic Preservation
United Auburn Indian Community
530.883.2394

From: Cherilyn Neider

Sent: Friday, December 28, 2018 9:37 AM

To: 'Allison.Holmstedt@stocktonca.gov'

Subject: RE: AB 52 Consultation for the Langston Hughes/Port City Academy Expansion Project

Good morning Allison,

Thank you for your recent letter, received December 12, for the Langston Hughes/Port City Academy Expansion project. In the documents provided, TCR1 states:

The project applicant shall implement mitigation measures agreed to by the City and tribal representatives during required consultation under AB 52. These measures may include construction monitoring, worker awareness training and procedures to be followed in the event that cultural materials, and in particular human remains, are encountered during construction.

For clarification, will the applicant be implementing construction monitoring and worker awareness training? I have attached the measure formerly recommended from our office that addresses inadvertent discoveries. Our recommendation is that this process is detailed as TCR2.

Please don't hesitate to reach out if you would like to discuss the project further.

Many thanks,
Cherilyn

Inadvertent Discoveries Mitigation Measure

If potential tribal cultural resources (TCRs), archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered by Native American Representatives or Monitors from interested Native American Tribes, qualified cultural resources specialists or other Project personnel during construction activities, work will cease in the immediate vicinity of the find (based on the apparent distribution of cultural resources), whether or not a Native American Monitor from a traditionally and culturally affiliated Native American Tribe is present. A qualified cultural resources specialist and Native American Representatives and Monitors from traditionally and culturally affiliated Native American Tribes will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless requested by the Tribe.

Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. These recommendations will be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

If adverse impacts to tribal cultural resources, unique archeology, or other cultural resources occurs, then consultation with UAIC and other traditionally and culturally affiliated Native American Tribes regarding mitigation contained in the Public Resources Code sections 21084.3(a) and (b) and CEQA Guidelines section 15370 should occur, in order to coordinate for compensation for the impact by replacing or providing substitute resources or environments.

RESPONSE TO LETTER NO. 2, CHERILYN NEIDER, UNITED AUBURN INDIAN COMMUNITY

As discussed in Section 3.17 of the Public Review Draft IS/MND, the City of Stockton provided AB 52 notification to the United Auburn tribe. The tribe requested consultation during the 30-day review period, but after several City attempts to make contact with the tribe, the City formally closed the AB 52 consultation as documented in the letter shown in Appendix B.

The City has nonetheless considered the tribe's various requests in the tribe's comment on the IS/MND and has modified Mitigation Measure CULT-1 as shown in Section 4.0 Errata. In view of the disturbed and fully-developed nature of the project site, the relatively small area proposed for building and the negative results of foregoing cultural resource surveys, the City considers the site to be of minimal cultural resource sensitivity and does not believe that cultural resource monitoring or worker training would be of value.

4.0 ERRATA

This section contains corrections and additions to the Draft IS/MND of January 2019. These changes may include information added to the IS/MND in response to public and/or 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 January 2019 are made by the adoption of this Final IS/MND.

1. Cover dates and footers throughout the document are updated to February 2019.
2. Mitigation Measure CULT-1 shown in the Summary Table and in the text of Section 3.5 of the IS/MND is modified as follows:

CULT-1. If any subsurface cultural or paleontological resources are encountered during project construction, all activities shall be halted at the site of the encounter until a qualified archaeologist or paleontologist, as appropriate, or as appropriate, a representative from the traditionally and culturally affiliated Native American Tribe, can examine these materials, determine their significance and, if significant, recommend mitigation measures that would reduce potential effects to a level that is less than significant. Such measures could include 1) preservation in place or 2) excavation, recovery and curation by qualified professionals. The project applicant shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report, consistent with the requirements of the CEQA Guidelines.

APPENDIX A PUBLIC REVIEW MATERIALS

CITY OF STOCKTONNOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION / PUBLIC MEETING**ASPIRE LANGSTON HUGHES ACADEMY/PORT CITY ACADEMY USE PERMIT AMENDMENT**

NOTICE IS HEREBY GIVEN, in compliance with California Environmental Quality Act (CEQA) §15072, to responsible agencies, trustee agencies, interest groups and the general public that the City of Stockton proposes to adopt a Mitigated Negative Declaration for the Aspire Langston Hughes Academy Use Permit Amendment project. The Initial Study prepared for the project identifies potentially significant environmental effects under the topics of cultural resources, hazards/hazardous materials, noise, and transportation. However, all potentially significant environmental effects may be reduced below applicable thresholds of significance through mitigation measures. The Initial Study/Mitigated Negative Declaration (IS/MND) is available for review at the Permit Center, 345 N. El Dorado Street, Stockton, CA 95202 or <http://www.stocktonca.gov/environmental>.

PROJECT DESCRIPTION: The project proposes to amend Use Permit No. UP 65-08 to: (a) increase maximum enrollment from 1,017 to 1,217 students; (b) modify vehicle circulation for drop-off and pick-up time periods, including entrance and exit points; (c) authorize installation of a modular building including seven classrooms; (d) authorize installation of a sound barrier; and (e) authorize expanded parking areas.

NOTICE IS ALSO HEREBY GIVEN, in compliance with Stockton Municipal Code §16.88.030 (Public Hearing Notices) to the owner(s) of the property, the applicant, local agencies, and property owners within a 300-radius of the subject property of the public hearing regarding the request of Aspire Public Schools for: a) Approval of an IS/MND, and b) Amendment to Use Permit No. 65-08 as described in the Project Description above.


PROJECT LOCATION: The project is located at 2050 West Lane (APN 117-360-17).

CEQA DOCUMENT REVIEW PERIOD: Pursuant to CEQA Guidelines §15073 and 15105, the IS/MND public review period during which written comments will be accepted extends from January 8, 2019 through January 28, 2019.

PLANNING COMMISSION MEETING DATE/TIME: Thursday, February 28, 2019 at 5:30 PM.

MEETING LOCATION: City Council Chambers, City Hall, 425 N. El Dorado Street, Stockton, CA

FOR MORE INFORMATION: You may contact Allison Holmstedt, Assistant Planner at (209) 937-8267 or allison.holmstedt@stocktonca.gov.

 KEVIN COLIN, PLANNING MANAGER
FOR

DAVID KWONG, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT

APPENDIX B
AB 52 CONSULTATION CLOSING LETTER



COMMUNITY DEVELOPMENT DEPARTMENT

City Hall • 425 N. El Dorado Street • Stockton, CA 95202-1997 • 209 / 937-8444 • Fax 209 / 937-8893
www.stocktongov.com

December 6, 2018

Marcos Guerrero, UAIC Cultural Resources Manager
United Auburn Indian Community of the Auburn Rancheria
10720 Indian Hill Road
Auburn CA, 95603

Re: Langston Hughes/Port City Academy Expansion
2050 West Lane, Stockton Ca 95205 (APN 117-360-17)
File No. P17-0625

Mr. Guerrero,

This letter is in response to the United Auburn Indian Community (UAIC) of the Auburn Rancheria request for consultation (letter and email) received by the City of Stockton on October 5, 2018. The letter was received within the 30-day period to request consultation pursuant to Public Resources Code Section 21080.3.1(d). Accordingly, the City of Stockton initiated the consultation process by sending an email to you, the designated contact, on October 23, 2018.

Aspire Public Charter Schools (the applicant) is proposing to amend their Use Permit (UP065-08) to add seven (7) classroom buildings, reconfigure parking facilities to accommodate additional parking stalls, increase maximum number of students to 1,217, and adjust on-site circulation for drop-off and pick-up. A current copy of the site plan is included an attachment to this letter. For your review of this project, this letter also contains the following requested documents:

- Central California Information Center record search results
- Tribal Cultural Resources Section of the IS/MND Administrative Draft

The documents attached are the extent of the information the City has regarding tribal cultural resources at the project site.

Since initiating the consultation process on October 23, 2018, the City has attempted to reach you via email to schedule a consultation for this project on November 1, 2018 and November 28, 2018 to no response. Please respond to this letter and confirm the following:

1. Either the information provided by the City is sufficient for the UAIC review for tribal cultural resources at the project site or will the UAIC requires more information. If more information is required, please specify; or,

2. The UAIC no longer requests to schedule a consultation for this project.

I may be contacted at 209-937-8267 or allison.holmstedt@stocktonca.gov. If the City does not receive a response within **two (2) weeks** of the date of this letter, the City will assume the UAIC no longer desires to consult on the subject project.

Allison Holmstedt, Assistant Planner
Community Development Department
Planning and Engineering Services Division
Allison.Holmstedt@stocktonca.gov
(209)937-8267

Attachments

Attachment A – Project Site Plan

Attachment B – Central California Information Center Records Search

Attachment C – Tribal Cultural Resources Section of the IS/MND Administrative Draft

CEQA, FINDINGS AND
MITIGATION MONITORING/REPORTING PROGRAM

FOR THE

ASPIRE PUBLIC SCHOOLS
LANGSTON HUGHES ACADEMY
SITE IMPROVEMENTS

2050 West Lane,
Stockton, CA

Amendment to Use Permit: UP65-08

City of Stockton
Project File No: P17-0625

February 2019

Prepared for:

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



CEQA, FINDINGS AND
MITIGATION MONITORING/REPORTING PROGRAM

FOR THE

ASPIRE PUBLIC SHOOOLS
LANGSTON HUGHES ACADEMY
SITE IMPROVEMENTS

2050 West Lane
Stockton, CA

Amendment to Use Permit: UP65-08

City of Stockton
Project File No: P17-0625

February 2019

Prepared for:

CITY OF STOCKTON
Community Development Department
345 N. El Dorado Street
Stockton, CA 95202
209-937-8266

Prepared by:

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

TABLE OF CONTENTS

1.0	INTRODUCTION	1
2.0	MITIGATION MONITORING PROGRAM AND FINDINGS	3
3.0	MITIGATION REPORTING PROGRAM	12

1.0 INTRODUCTION

This document sets forth the findings of the City of Stockton Planning Commission and/or City Council (City) relating to the Aspire Public Schools Langston Hughes Academy Site Improvements Project (project). This document also describes the Mitigation Monitoring/Reporting Program (MMRP) for the project. The project site is located at 2050 West Lane in the City of Stockton, San Joaquin County, California. The primary source document for the project findings and MMRP is the Initial Study/Mitigated Negative Declaration for the Aspire Public Schools Langston Hughes Academy Site Improvements Project (UP 65-08) (the "IS/MND"). When referenced as such, the IS/MND includes both the Public Review Draft of the IS/MND (January 2019) and the Final IS/MND (February 2019) 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 proposes to amend Use Permit UP 65-08 that governs site improvements and operations of the existing Langston Hughes Academy and Port City Academy on the project site. The existing permit allows for a student count of 1,017 and specifies locations of vehicle access and queueing areas. The amendments to the Use Permit would revise the student count to 1,217 to accommodate existing enrollment plus a Transitional Kindergarten class, and it would change two conditions of the existing Conditional Use Permit related to traffic circulation and queuing. The project also proposes the installation of a modular classroom building that would add seven classrooms to accommodate the existing student enrollment. The project would also include construction of a sound barrier and expanded parking areas.

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 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 January of 2019. Two agency comments were received on the IS/MND, and each comment is responded to in Section 3.0 Comments of the Final IS/MND. 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 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 S/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.

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

PROJECT DATA	KEY
<p>INITIAL STUDY FILE NO.: P17-0625</p> <p>Property Owner(s): Aspire Public Schools. Address: 1001 22nd Avenue., Suite 100, Oakland, CA 94606</p> <p>Project Applicant: Aspire Public Schools. Address: 1001 22nd Avenue., Suite 100, Oakland, CA 94606</p> <p>Project Title: Aspire Langston Hughes Site Improvements</p> <p>The project proposes to amend existing Use Permit UP65-08 for the existing Langston Hughes and Port City Academies to modify the allowable on-site student count, to manage on-site circulation during student pick-up and drop-off times, and to modify entry and exit points on the campus. The project also proposes to install a new modular classroom building that would accommodate seven classrooms.</p>	<p>1. The impacts are shaded and followed by related mitigation measures, implementation and monitoring provisions, and findings.</p> <p>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).</p>

FINDINGS AND LEVEL OF SIGNIFICANCE AFTER MITIGATION

<p>Findings for significant and potentially significant impacts identified in the Final EIR or Negative Declaration/Initial Study are listed as follows:</p> <ol style="list-style-type: none"> 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 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 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. <p>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."</p>

LEAD AGENCY

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

Kevin Colin, Planning Manager
ADOPTED)

DATE (FINDINGS/MONITORING PROGRAM

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.			
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 Plan Consistency and Violation of Air Quality 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. 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. 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
b) Effects on Riparian and Other Sensitive Habitats. There are no significant or potentially significant impacts in this issue area.			
c) Effects on Wetlands and Waters of the U.S. 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) Effects on 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) Project Impacts on Historical Resources, Archaeological Resources. There are no significant or potentially significant impacts in this issue area.			
b) Project Impacts on Archaeological Resources. This is a potentially significant impact.			
CULT-1.If any subsurface cultural or paleontological resources are encountered during project construction, all activities shall be halted at the site of the encounter until a qualified archaeologist or paleontologist, as appropriate, or as appropriate, a representative from the traditionally and culturally affiliated Native American Tribe, can examine these materials, determine their significance and, if significant, recommend mitigation measures that would reduce potential effects to a level that is less than significant. Such measures could include 1) preservation in place or 2) excavation, recovery and curation by qualified professionals. The project applicant shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report, consistent with the requirements of the CEQA Guidelines.	The ODS will be responsible for retaining an archeologist, paleontologist, or a representative from the traditionally and culturally affiliated Native American Tribe, as required, for implementing recommendations of the qualified professionals and for reporting to the City.	The CDD will be responsible for monitoring project adherence to the archaeological, paleontological, or traditionally affiliated Native American Tribe recommendations.	1, NS Rationale: IS/MND Page 3-13
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.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
CULT-2. Project construction shall comply with the provisions of CEQA Guidelines Section 15064.5(e) regarding the treatment of any human burials encountered, including halting all work in the vicinity of the find and notifying the County Coroner.	The ODS will be responsible for retaining an historical implementing the requirements of the CEQA Guidelines, including required notifications, retaining professionals, consulting with affected interest groups or individuals and reporting to the City.	The CDD shall oversee ODS activities in the event of a find and take action as required to ensure that project construction conforms to the applicable requirements.	1, NS Rationale: IS/MND Page 3-14
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.			
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. There are no significant or potentially significant impacts in this issue area.			
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. There are no significant or potentially significant impacts in this issue area.			
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, b) Project GHG Emissions and Consistency with GHG Reduction Plans. There are no significant or potentially significant impacts in this issue area.			
3.8 HAZARDS AND HAZARDOUS MATERIALS			
a) Hazardous Material Transportation. 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
b, c) Release of Hazardous Materials. There are no significant or potentially significant impacts in this issue area.			
d) Hazardous Materials Sites. This is a potentially significant impact.			
HAZ-1. In the event of a discovery of soil discoloration or unusual odors during construction of improvements, the contractor shall stop work and the project applicant shall contact a qualified professional to evaluate the materials encountered and make recommendations for their safe and lawful removal and disposal. Agencies with jurisdiction shall be contacted during this process.	The ODS will be responsible for monitoring construction activities and for retaining a qualified professional if potentially contaminated materials are found, and for implementing recommendations of the qualified professionals, including reporting to the City.	The CDD will be responsible for monitoring project adherence to professional recommendations related to hazardous wastes or materials.	1, NS Rationale: IS/MND Pages 3-21, 3-22
e, f) Airport and Airstrip Operations. There are no significant or potentially significant impacts in this issue area.			
g) Emergency Response and Evacuations. There are no significant or potentially significant impacts in this issue area.			
h) Wildland Fire Hazards. There are no significant or potentially significant impacts in this issue area.			
3.9 HYDROLOGY AND WATER QUALITY			
a, f) Project Effects Surface Waters and Water Quality. There are no potentially significant or significant impacts in this issue area.			
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 Patterns and Runoff. There are no potentially significant or significant impacts in this issue area.			
g, h) Flooding Hazards. 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) Conflicts with Plans, Policies and Regulations. 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) Loss 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. This is a potentially significant impact.			
<p>NOISE-1. A sound wall shall be installed along the south project property line to a height of 8 feet above finish grade of the proposed on-site circulation route. The approximate location and height of the barrier is shown on Figure 7 of the noise study by Saxelby Acoustics (2018). The sound wall may include a new wall or an appropriate sound wall extension or panel to reach the full required height. Appropriate sound walls would include concrete masonry or other barriers having a mass of 4 pounds per square foot and are free of gaps or penetrations which would allow sound to pass through or around the wall. An appropriate panel system includes the Sound Fighter LSE-1000 barrier which could be used as an extension to the existing wall. Any panel system placed in front of the wall shall have an overlap between the top of the existing wall and the bottom of the panel system which measures two and one-half to three times the distance between the existing wall and the proposed panel. The proposed sound wall design shall be reviewed by a qualified acoustic engineer prior to construction.</p>	<p>The ODS will be responsible for design and construction of the required wall, including review of the proposed sound wall design by a qualified acoustic engineer prior to construction, and preparation of additional noise analysis as required.</p>	<p>The CDD will be responsible for overseeing wall design and for review and approval of required acoustical reports.</p>	<p>1, NS Rationale: IS/MND Pages 3-32, 3-33</p>

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/ LS AFTER MITIGATION
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.			
e, f) Project Exposure to Airport Operations Noise. 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. There are no significant or potentially significant impacts in this issue area.			
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) Conflict with Transportation Plans, Ordinances and Policies. There are no significant or potentially significant impacts in this issue area.			
b) Conflict with Congestion Management Program. 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) 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. Prior to final project approval, the project applicant shall prepare an Access Management Plan for review and approval by the City Engineer and the Community Development Director. The approved Access Management Plan shall be monitored for effectiveness of reducing queues that may occur on West Lane on annual basis.	The ODS will be responsible for implementing the Access Management Plan, for monitoring plan performance, adaptive management, and for reporting to the City.	The CDD will be responsible for review and approval of performance reports related to the Access Management Plan.	1, NS Rationale: IS/MND Pages 3-45
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) Effects on Tribal Cultural Resources. There are no significant or potentially significant impacts in this issue area.			
3.18 UTILITIES AND SERVICE SYSTEMS			
a,e) Effects on Wastewater Systems. There are no significant or potentially significant impacts in this issue area.			
b,d) Effects on Water Systems and Supply. There are no significant or potentially significant impacts in this issue area.			
c) Effects on Stormwater Systems. There are no significant or potentially significant impacts in this issue area.			
f,g) Effects on 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.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/ LS AFTER MITIGATION
----------------------------	---	---	-------------------------------------

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 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 facilities), determines that existing enforcement procedures relating to conditions of approval will provide adequate verification of compliance.