



**MITIGATED NEGATIVE DECLARATION**

TO:  Office of Planning & Research  
 P. O. Box 3044  
 Sacramento, California 95812-3044

FROM: San Joaquin County  
 Community Development Department  
 1810 East Hazelton Avenue  
 Stockton, California 95205

County Clerk, County of San Joaquin

**PROJECT TITLE:** Zone Reclassification No. PA-1800150 (ZR)

**PROJECT LOCATION:** The project site is located on the east side of West Mossdale Road, 900 feet south of the Interstate-5 on-ramp, Lathrop, San Joaquin County. (APN/Address: 239-030-08, -09, & -14/800 West Mossdale Road, Lathrop) (Supervisorial District: 5)

**PROJECT DESCRIPTION:** A Zone Reclassification application to reclassify the zoning designation of three (3) parcels totaling 381.51-acres. The project would reclassify 5.9-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), 3.5-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and 372.11-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The current General Plan designation of the three parcels is I/L (Limited Industrial), C/FS (Freeway Service Commercial), and A/UR (Agriculture-Urban Reserve) which was approved in 2016 as a landowner request adopted by the Board of Supervisors with the adoption of the 2035 General Plan. This Zone Reclassification application would bring the proposed project zoning consistent with the approved General Plan designations. The underlying project is to establish a construction equipment sales facility. (Use Type: Equipment Sales and Repair-Farm Machinery, Sales; Equipment Sales and Repair- Heavy Equipment, Sales). Additionally, there is an active quarry operation on the parcel that excavates sand. The project site is not under a Williamson Act Contract.

The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and C-FS (Freeway Service Commercial); and the General Plan designation is A/UR (Agriculture Urban Reserve), I/L (Limited Industrial), and C/FS (Freeway Service Commercial).

**PROPONENT:** Mossdale Associates LTD

This is a Notice of Intent to adopt a Mitigated Negative Declaration for this project as described. San Joaquin County has determined that through the Initial Study that contains proposed mitigation measures all potentially significant effects on the environment can be reduced to a less than significant level. The Negative Declaration and Initial Study can be viewed on the Community Development Department website at [www.sjgov.org/commdev](http://www.sjgov.org/commdev) under Active Planning Applications.

Date: August 30, 2019

Contact Person:

Giuseppe Sanfilippo Phone: (209) 468-0227 FAX: (209) 468-3163 Email: [gsanfilippo@sjgov.org](mailto:gsanfilippo@sjgov.org)

**INITIAL STUDY/NEGATIVE DECLARATION**

[Pursuant to Public Resources Code Section 21080(c) and California Code of Regulations, Title 14, Sections 15070-15071]

**LEAD AGENCY:** San Joaquin County Community Development Department

**PROJECT APPLICANT:** Brown/Mosssdale Associates

**PROJECT TITLE/FILE NUMBER(S):** PA-1800150 (ZR)

**PROJECT DESCRIPTION:** This project is a Zone Reclassification application to reclassify the zoning designation of (3) parcels totaling 381.51-acres. The project would reclassify 5.9-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), 3.5-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and 372.11-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The current General Plan designation of the three parcels is I/L (Limited Industrial), C/FS (Freeway Service Commercial), and A/UR (Agriculture-Urban Reserve) which was approved in 2016 as a landowner request adopted by the Board of Supervisors with the adoption of the 2035 General Plan. This Zone Reclassification application would bring the proposed project zoning consistent with the approved General Plan designations. The underlying project is to establish a construction equipment sales facility. (Use Type: Equipment Sales and Repair-Farm Machinery, Sales; Equipment Sales and Repair- Heavy Equipment, Sales). Additionally, there is an active quarry operation on the parcel that excavates sand. The project site is not under a Williamson Act Contract.

The project site is located on the east side of West Mossdale Road, 900 feet south of the Interstate-5 on-ramp, Lathrop

**ASSESSOR PARCEL NO.:** 239-030-08,-09,-14

**ACRES:** 381.51-acres

**GENERAL PLAN:** A/UR, I/L, C/FS

**ZONING:** AG-40,C-FS

**POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):**  
Three (3) parcels totaling 381.51-acres with zoning designations of I-W (Warehouse), AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum), and C-FS (Commercial-Freeway Services).

**SURROUNDING LAND USES:**

**NORTH:** City of Lathrop

**SOUTH:** Agricultural with scattered residences/Union Pacific Railroad Company

**EAST:** Agricultural with scattered residences/City of Manteca

**WEST:** Agricultural with scattered residences/City of Tracy

**REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:**

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc.

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources which should be specifically cited below include on-site visits by staff (note staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application. Copies of these reports can be found by contacting the Community Development Department.

**TRIBAL CULTURAL RESOURCES:**

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes,

for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.

No

**GENERAL CONSIDERATIONS:**

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?

Yes  No

Nature of concern(s): Enter concern(s).

2. Will the project require approval or permits by agencies other than the County?

Yes  No

Agency name(s): Enter agency name(s).

3. Is the project within the Sphere of Influence, or within two miles, of any city?

Yes  No

City: Lathrop, Manteca

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.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources        | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology / Soils             | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards & Hazardous Materials      |
| <input type="checkbox"/> Hydrology / Water Quality   | <input type="checkbox"/> Land Use / Planning                | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                       | <input type="checkbox"/> Population / Housing               | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                  | <input type="checkbox"/> Transportation                     | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire                           | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency) 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.

  
Giuseppe Sanfilippo  
Associate Planner

8/30/2019  
Date

## 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.

Issues:

|   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact                           | Analyzed In The Prior EIR |
|---|--------------------------------|--|------------------------------|-------------------------------------|---------------------------|
| <b><u>I. AESTHETICS.</u></b>  |                                |  |                              |                                     |                           |
| Except as provided in Public Resources Code Section 21099, would the project:   |                                |  |                              |                                     |                           |
| a) Have a substantial adverse effect on a scenic vista?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>  |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>  |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>  |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>  |

**Impact Discussion:**

a-d) This project is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). There is an existing quarry operation, and a farm machinery sales establishment on-site. The underlying project is to establish a construction equipment sales facility on the existing developed portion. The project site is not located along a scenic vista route, and the surrounding area is a mixture of agricultural and residential uses.

|                                      |   |                                    |              |                                 |
|--------------------------------------|---|------------------------------------|--------------|---------------------------------|
| Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact | Analyzed<br>In The<br>Prior EIR |
|--------------------------------------|---|------------------------------------|--------------|---------------------------------|

**II. AGRICULTURE AND FORESTRY RESOURCES.**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:

- |  |                          |                          |                                     |                          |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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 nonagricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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))? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

a-e) This project is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The existing farm machinery sales facility is located within a portion of the parcel already developed. The underlying project is to establish a construction equipment sales facility on the existing developed portion. The underlying project will not affect any existing agricultural uses. Therefore, the proposed application will have a less than significant impact on agriculture and forestry resources.

|                                      |   |                                    |              |                                 |
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| Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact | Analyzed<br>In The<br>Prior EIR |
|--------------------------------------|---|------------------------------------|--------------|---------------------------------|

III. AIR QUALITY.

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- |   |                          |                          |                                     |                          |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- d) This project is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). There is an existing quarry operation, and farm machinery sales establishment on-site. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the parcel totaling 2.0 acres. The San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. At the time of future development, the applicant will be required to meet the requirements for emissions and dust control as established by SJVAPCD. As a result, any impacts to air quality will be reduced to less-than-significant.

|                                      |   |                                    |              |                                 |
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|--------------------------------------|---|------------------------------------|--------------|---------------------------------|

**IV. BIOLOGICAL RESOURCES:**

Would the project:

- |  |                          |                          |                                     |                          |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- a) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. The Natural Diversity Database list the Swainson's hawk (*Buteo Swainsoni*), burrowing owl (*Athene cunicularia*), riparian brush rabbit (*Sylvilagus bachmani riparius*), tricolored blackbird (*Agelaius tricolor*), Wright's trichocoronis (*trichocoronis wrightii*), Delta button-celery (*Eryngium racemosum*), California Tiger Salamander (*Ambystoma californiese*), and the slough thistle (*Cirsium crassicaule*) as rare, endangered, or threatened species as potentially occurring in or near the site. Participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) would address any potential impacts to rare, endangered or threatened species, or habitat located on or near the site. Pursuant to the Final EIR/EIS for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by the San Joaquin Council of Governments on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less than significant. The project applicant has indicated they will participate in the plan and by participating in the plan this would reduce potential impacts on special-status plant and animal species to a less-than-significant level.

|                                      |   |                                    |              |                                 |
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|--------------------------------------|---|------------------------------------|--------------|---------------------------------|

V. CULTURAL RESOURCES.

Would the project:

- |  |                          |                          |                                     |                          |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?      | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- a – c) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. In the event human remains are encountered during any portion of the underlying project, California state law requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has determined manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation (California Health and Safety Code - Section 7050.5). At the time development, if Human burials are found to be of Native American origin, the developer shall follow the procedures pursuant to Title 14, Division 6, Chapter 3, Article 5, Section 15064.5(e) of the California State Code of Regulations.

|                                      |   |                                    |              |                                 |
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|--------------------------------------|---|------------------------------------|--------------|---------------------------------|

**VI. ENERGY.**

Would the project:

- |  |                          |                          |                                     |                          |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- a,b) The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. These standards are updated periodically by the California Energy Commission. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applicable to the proposed underlying project ensuring that any impacts to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be reduced to less than significant and help to prevent any conflict with state or local plans for energy efficiency and renewable energy.

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact | Analyzed In The Prior EIR |
|--|--------------------------------|--|------------------------------|-----------|---------------------------|
|--|--------------------------------|--|------------------------------|-----------|---------------------------|

**VII. GEOLOGY AND SOILS.**

Would the project:

- |  |                          |                          |                                     |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| iv) Landslides?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Be located on a geologic unit 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| d) Be located on expansive soil and create direct or indirect risks to life or property?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- (a-f) The Soil Survey of San Joaquin County classifies the soil on the parcel as *Columbia fine sandy loam, 0 to 2 percent slopes*; *Columbia fine sandy loam's, clayey substratum, 0 to 2 percent slopes*; *Egbert silty clay loam's, 0 to 2 percent slopes*; and *Merritt silty clay loam,, 0 to 2 percent slopes*.

*Columbia fine sandy loam's* permeability is moderately rapid and water capacity is moderate. This unit is suited to irrigated row and field crops. *Columbia fine sandy loam* has a storie index rating of 85 and a land capability of IIs irrigated and IVw nonirrigated.

*Columbia fine sandy loam's, clayey substratum's* permeability is moderately rapid in the upper part Colombia soil and slow in the clayey substratum. Available water capacity is moderate. This unit is suited to irrigated row and field crops. *Columbia fine sandy loam, clayey substratum* has a storie index rating of 48 and a land capability of IIw irrigated and IVw nonirrigated.

*Egbert silty clay loam's* permeability is moderately slow and water capacity is very high. This unit is suited to irrigated row and field crops. *Egbert silty clay loam* has a storie index rating of 58 and a land capability of IIw irrigated and IVw nonirrigated.

*Merritt silty clay loam's* permeability is moderately slow and water capacity is high. This unit is suited to irrigated row crops. *Merritt silty clay loam* has a storie index rating of 58 and a land capability of IIw irrigated and IVw nonirrigated.

The project site contains expansive soil. At the time of future development, the Building Division will require a soils report to be submitted with a Building Permit application. Therefore, the effects of expansive soil to the underlying project are expected to be less than significant.

This project is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The existing farm machinery sales facility is located within a portion of the parcel already developed. The underlying project is to establish a construction equipment sales facility on an existing developed portion. A referral has been sent to the San Joaquin Farm Bureau for review.

|                                |  |                              |           |                           |
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| Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact | Analyzed In The Prior EIR |
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**VIII. GREENHOUSE GAS EMISSIONS.**

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

|                          |                          |                                     |                          |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

|                          |                          |                                     |                          |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|

**Impact Discussion:**

a-b) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. Emissions of GHG's contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the underlying project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO<sub>2</sub>) and, to a lesser extent, other GHG pollutants, such as methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO<sub>2</sub> equivalents (MTCO<sub>2e</sub>/yr).

The underlying project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the *Guidance for Valley Land- use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency.*<sup>1</sup> The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002-2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy-efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change.

<sup>1</sup> San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17, 2009. San Joaquin Valley Air Pollution Control District. *District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. December 17, 2009.

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| Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact | Analyzed<br>In The<br>Prior EIR |
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**IX. HAZARDS AND HAZARDOUS MATERIALS.**

Would the project:

- |   |                          |                          |                                     |                          |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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 or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, 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?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- a-g) This project is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The existing farm machinery sales facility is located within a portion of the parcel already developed. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the parcel.

The project would not result in, create or induce hazards and associated risks to the public. Construction activities for the project typically involve the use of toxic or hazardous materials such as paint, fuels, and solvents. Construction activities would be subject to federal, state, and local laws and requirements designed to minimize and avoid potential health and safety risks associated with hazardous materials. No significant impacts are anticipated related to the transport, use, or storage of hazardous materials during construction activities are anticipated.

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact | Analyzed In The Prior EIR |
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**X. HYDROLOGY AND WATER QUALITY.**

Would the project:

|  |                          |                          |                                     |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) result in substantial erosion or siltation on- or off-site;   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or                             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) impede or redirect flood flows?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

**Impact Discussion:**

d,e) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the existing General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. The project site is located in the Flood Zone AE flood designations. A referral was sent to the Department of Public Works Flood Control Division for comments. At the time of future development, all new construction and the substantial improvement of any structure in the area of special flood hazard shall be elevated or flood-proofed in accordance to San Joaquin County Development Title Section 9-1605.12(a),(b), and (c). In addition, the project site may contain potential wetlands. A referral was sent to the Army Corps of Engineers for review.

The project area is located approximately 610 feet south of the Paradise Cut. Any future development will be subject to the Central Valley Regional Water Quality Control Board's rules and regulations.

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| Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact | Analyzed<br>In The<br>Prior EIR |
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**XI. LAND USE AND PLANNING.**

Would the project:

- |  |                          |                          |                                     |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Physically divide an established community?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

**Impact Discussion:**

- b) This project is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The existing farm machinery sales facility is located within a portion of the parcel already developed. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property.

The project site is located within the Secondary Zone of the Delta. Referrals have been sent to the Delta Protection Commission and the Delta Stewardship Council for review.

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| Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact | Analyzed<br>In The<br>Prior EIR |
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XII. MINERAL RESOURCES.

Would the project:

- |  |                          |                          |                                     |                          |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- a, b) San Joaquin County applies a mineral resource zone (MRZ) designation to land that meets the significant mineral deposits definition by the State Division of Mines and Geology. The project site is predominately in the MRZ-2 zone, with a small portion in the MRZ-1 zone. The project site contains a permitted Quarry Excavation that is vested through the California Department of Conservation, Division of Mine Reclamation (Mine Identification Number 91-39-0002). Minerals of significance are already being extracted from the project site as a result of the permitted Quarry Excavation. There is also a farm machinery sales establishment on site. The underlying project is to establish a construction equipment sales facility that will occupy a portion of three (3) parcels totaling 381.51-acres. The underlying project will have a less than significant impact on the availability of mineral resources for this site.

| Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact | Analyzed<br>In The<br>Prior EIR |
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**XIII. NOISE.**

Would the project result in:

- |   |                          |                          |                                     |                          |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) For a project within the vicinity of a private airstrip or 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- a-c) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. The project site is located within the 65 dB noise contour for Interstate 5. Pursuant to General Plan 2035 Background Report Table 15-8 (page 15-25), the 65 dB noise contour is 1,595 feet from the side of the road. The existing land uses are a Quarry Excavation, Farm Machinery Sales, and the proposed construction equipment sales facility are not considered noise sensitive land uses. As a result, noise impacts are expected to be less than significant.

|                                      |   |                                    |              |                                 |
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| Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact | Analyzed<br>In The<br>Prior EIR |
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XIV. POPULATION AND HOUSING.

Would the project:

- |   |                          |                          |                                     |                          |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Induce substantial unplanned 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- a-b) The proposed project is a Zone Reclassification and will not result in displacement of the population and affect the amount of proposed or existing housing in the vicinity. There is an existing quarry operation, and farm machinery sales establishment on site. The underlying project is to establish a construction equipment sales facility, which will serve the existing population in the area. Jobs and employment opportunities created from the project would most likely be absorbed by the employment needs of the existing residents of the area. Therefore, the underlying project's impact on population and housing will be less than significant.

|                                      |   |                                    |              |                                 |
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| Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact | Analyzed<br>In The<br>Prior EIR |
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XV. PUBLIC SERVICES.

a) 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:

Fire protection?

|                          |                          |                                     |                          |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|

Police protection?

|                          |                          |                                     |                          |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|

Schools?

|                          |                          |                                     |                          |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|

Parks?

|                          |                          |                                     |                          |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|

Other public facilities?

|                          |                          |                                     |                          |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|

|                          |                          |                                     |                          |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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**Impact Discussion:**

This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. The existing fire protection is provided by the Lathrop-Manteca Fire District, existing law enforcement protection is provided by the San Joaquin County Sheriff's Department, and the existing school services are provided by the Tracy Unified School District. There are no parks in the vicinity, and none are required to be provided. The underlying project is anticipated to have a less than significant impact to public services.

| Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact | Analyzed<br>In The<br>Prior EIR |
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XVI. RECREATION.

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?

|                          |                          |                          |                                     |                          |
|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

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?

|                          |                          |                          |                                     |                          |
|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Impact Discussion:**

N/A

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact | Analyzed In The Prior EIR |
|--|--------------------------------|--|------------------------------|-----------|---------------------------|
|--|--------------------------------|--|------------------------------|-----------|---------------------------|

**XVII. TRANSPORTATION.**

Would the project:

- |  |                          |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- a,c) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property already developed with an agricultural machinery sales establishment. The Department of Public Works has reviewed the proposal, and the addition of construction equipment sales is not anticipated to generate more than 50 vehicle trips in an hour. Projects that have a traffic volume that is less than 50 trips per hour have a less than significant impact on traffic.

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XVIII. TRIBAL CULTURAL RESOURCES.

a) 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:

i) 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

ii) 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

**Impact Discussion:**

a) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the existing approved 2035 General Plan designations. The underlying project is to establish a construction equipment sales. There is an existing quarry operation, and a farm machinery sales establishment on-site. As a condition of approval for the underlying project, the project shall retain a qualified archaeologist to conduct testing of the proposed construction area for potential cultural resources, including tribal cultural resources. The project applicant shall invite the Northern Valley Yokuts tribe, which has geographical and cultural connections to the project site, to appoint a representative to monitor the testing.

Also, prior to construction personnel shall receive brief "tailgate" training by a qualified archaeologist in the identification of paleontological resources, buried cultural resources, including human remains, and protocol for notification should such resources be discovered during construction work. A Yokuts tribal representative shall be invited to this training to provide information on potential tribal cultural resources.

If any subsurface historical, archaeological, or paleontological resources, including human burials and associated funerary objects, are encountered during construction, all construction activities within a 50-foot radius of the encounter shall be immediately halted until a qualified archaeologist and/or paleontologist can examine these materials, initially evaluate their significance and, if potentially significant, recommend measures on the disposition of the resource. The project applicant shall be immediately notified in the event of a discovery, and if burial resources or tribal cultural resources are discovered, the project applicant shall notify the appropriate Native American representatives. The contractor shall be responsible for retaining qualified professionals, implementing recommended mitigation measures and documenting mitigation efforts in written reports to the project applicant.

If project construction encounters evidence of human burial or scattered human remains, the contractor shall immediately notify the County Coroner and the project applicant, which shall in turn notify the Yokuts tribal representative. The project applicant shall notify other federal and State agencies as required. The project applicant will be responsible for compliance with the requirements of California Health and Safety Code Section 7050.5 and with any direction provided by the County Coroner. If the human remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), and the NAHC will notify and appoint a Most Likely Descendant (MLD).

The MLD will work with the archaeologist to decide the proper treatment of the human remains and any associated funerary objects in accordance with California Public Resources Code Sections 5097.98 and 5097.991. Avoidance is the preferred means of disposition of the burial resources.

If tribal cultural resources other than human remains and associated funerary objects are encountered, the project applicant shall be immediately notified of the find, and shall notify the Yokuts tribal representative. The qualified archaeologist and tribal representative shall examine the materials and determine their "uniqueness" or significance as tribal cultural resources and shall recommend mitigation measures needed to reduce potential cultural resource effects to a level that is less than

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**XIX. UTILITIES AND SERVICE SYSTEMS.**

Would the project:

- |   |                          |                          |                                     |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- a-c) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the underlying General Plan designations. The applicant has provided will-serve letters for the project site from the Oakwood Lake Water District for water and storm drainage service as a part of the application request. The 2035 General Plan, Table IS-2 states that individual commercial systems may be permitted in the (I-W) Warehouse Industrial zone. Therefore, the underlying project would have a less than significant impact on existing utilities and services.

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XX. WILDFIRE.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- |  |                          |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

a-d) No Impact

|                                      |   |                                    |              |                                 |
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**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

a) Does the project have the potential to substantially 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, substantially 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?

                                                                                      

**Impact Discussion:**

a-c) The proposed application does not have the potential to degrade the environment or eliminate a plant or animal community. The project would not result in significant cumulative impacts or cause substantial adverse effects on human beings, either directly or indirectly.

