



MITIGATED NEGATIVE DECLARATION

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

☒ County Clerk, County of San Joaquin

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

PROJECT TITLE: Site Approval No. PA-1800305

PROJECT LOCATION: The project site is located on the north side of West Via Nicolo Road, 2,400 feet east of South Patterson Pass Road, Tracy, San Joaquin County. (APN/Address: 209-100-24/26106 South Patterson Pass Road, Tracy) (Supervisory District: 5)

PROJECT DESCRIPTION: A Site Approval application to establish a mulch contractor on a 37.9-acre parcel to include the construction of a 720 square foot modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins in the AG-160 (General Agriculture, 160-acre minimum) zone. The project will operate 7 a.m. to 6 p.m. five (5) days per week with ten (10) employees. Eleven (11) parking spaces are proposed for this project. The site will have an access easement across a property owned by the Union Pacific Railroad Company to access Via Nicolo Rd. The site will utilize a new on-site well, new septic system, and on-site storm retention pond. This parcel is not under a Williamson Act contract. (Use Type: Nursery Sales and Services – Landscaping Services)

The Property is zoned AG-160 (General Agriculture 160-acre minimum) and the General Plan designation is A/G (General Agriculture).

PROPONENT: Jetmulch, Inc. / Quartaroli & Associates, Inc.

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 under Active Planning Applications.

Date: August 23, 2019

Contact Person:

Frank Girardi Phone: (209) 468-8469 FAX: (209) 468-3163 Email: fgirardi@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: Quartaroli & Associates, Inc.

PROJECT TITLE/FILE NUMBER(S): PA-1800305

PROJECT DESCRIPTION: A Site Approval application to establish a mulch contractor facility on a 37.9-acre parcel to include the construction of a 720 square foot modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins in the AG-160 (General Agriculture, 160-acre minimum) zone. The project will operate 7 a.m to 6 p.m five (5) days per week with ten (10) employees. Eleven (11) parking spaces are proposed for this project. The site will have an access easement across a property owned by the Union Pacific Railroad Company to access West Via Nicolo Rd. The site will utilize a new on-site well, new septic system, and on-site storm retention pond. Use Type: Nursery Sales and Services - Landscaping Services)

The project site is located on the north side of West Via Nicolo Road, 2,400 feet east of South Patterson Pass Road, Tracy..

ASSESSOR PARCEL NO.: 209-100-24

ACRES: 37.9-acres

GENERAL PLAN: A/G (General Agriculture)

ZONING: AG-160 (General Agriculture 160-acre minimum;

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):

A 720 square foot modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins, and eleven (11) parking spaces.

SURROUNDING LAND USES:

NORTH: Agriculture with scattered residences/I-580/Industrial/ CA Aqueduct

SOUTH: Agriculture with scattered residences

EAST: Agriculture with scattered residences/I-580/Industrial/ CA Aqueduct

WEST: Agriculture with scattered residences

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 date); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (Enter report name, date, and consultant.). 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: Enter city name(s).

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.

Signature



Date

8/23/19

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.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>I. AESTHETICS.</u>					
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-c) The proposed project is for a mulch contractor business to include the construction of 720 modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins. The proposed project site is a relatively flat parcel. The surrounding land uses include agriculture and scatter residences, I-580, industrial, and California Aqueduct to the north and east; and agricultural with scattered residences to the south and west. The project will not obstruct the scenic route or view. The proposed structures and improvements will be required to meet the San Joaquin County Development Title requirements including setbacks away from property lines. This project will be conditioned with requirements for landscaping along the roadway frontage, signage requirements, and screening will be required for all outdoor storage areas. Therefore, the impact of the project on the existing visual character or the quality of the site and its surroundings will be less than significant.

d) The proposed project will be subject to the regulations outlined in the Development Title Section 9-1015.5(g) that pertain to lighting for commercial development. As a result, the effects of light and glare for daytime and nighttime view in the area are expected to be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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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) The subject property is not identified or designated as Prime or Unique Farmland or as Farmland of Statewide Importance on maps provided by the California Department of Conservation's Farmland Mapping and Monitoring Program. The subject property is designated as Farmland of Local Importance (L), which is further described as All farmable land within San Joaquin County not meeting the definitions of "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland." This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock or dairy facilities, aquaculture, poultry facilities, and dry grazing. It also includes soils previously designated by soil characteristics as "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland" that has since become idle. The Farmland of Local Importance (L) is not identified or designated as Prime or Unique Farmland or as Farmland of Statewide Importance. Therefore, the proposed project will not convert important farmland to non-agricultural use or forest land to non-forest use, conflict with agricultural or forestland zoning or a Williamson Act Contract, or result in loss of forest land.

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

a-d) The proposed project is for a mulch contractor operation to include the construction of a 720 square foot modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins. 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. The applicant will be required to meet the existing requirements for emissions and dust control as established by the SJVAPCD. The project was referred to the SJVAPCD for review. As a Condition of Approval, the project will be subject to the Districts rules and regulations. As a result, any impacts will be reduced to less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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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) The California Department of Fish and Wildlife Natural Diversity Database lists *Vulpes macrotis mutica* (San Joaquin Kit Fox); *Tropidocarpum capparideum* (caper-fruited tropidocarpum); *Blepharizonia plumosa* (Big Tarplant); *Agelaius tricolor* (tricolored black bird); *Athene cunicularia* (Burrowing owl); *Perognathus inornatus inornatus* (San Joaquin pocket mouse); *Phrynosoma coronatum frontale* (California horned lizard); *Rana aurora draytonii* (California red-legged frog); *Blepharizonia plumosa* (Big Tarplant); *Taxidea taxus* (American badger) as rare, endangered, or threatened species or habitat located on or near the site for the proposed project. Referrals have been sent to the San Joaquin Council of Governments (SJCOG), the agency responsible for verifying the correct implementation of the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP), which provides compensation for the conversion of Open Space to non-Open Space uses which affect the plant, fish and wildlife species covered by the Plan. Pursuant to the Final EIR/EIS for SJMSCP, dated November 15, 2000, and certified by SJCOG 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.

SJCOG responded in a letter dated May 31, 2019, that the project site is subject to the SJMSCP. The applicant has confirmed that he will participate in SJMSCP. With the applicant's participation, the proposed project is consistent with the SJMSCP and any impacts to biological resources resulting from the proposed project will be reduced to a level of less-than- significant.

b-c) The project site is not located in a riparian habitat as there is no river, stream or other waterway on the project site, nor is it within an identified protected wetland, therefore the project will have no impact on riparian habitat or wetlands.

d) The project's impact on resident or migratory wildlife corridors will be reduced to less than significant because the project applicant will participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan(SJMSCP).

Implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

e) The project's impact on protected biological resources will be reduced to less than significant because the project applicant will participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). 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 site is not expected to interfere with local policies protecting biological resources because the applicant will be required to comply with the County's policy regarding Native Oak Trees, Heritage Oak Trees, or Historical Trees. If any such trees exist on the property, the project will be conditioned to protect and/or provide for replacement of the trees. In this way, any impact to protected biological resources will be reduced to less than significant.

f) The project will not conflict with the provisions of an adopted Habitat Conservation Plan, natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because the project applicant will participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>V. CULTURAL RESOURCES.</u>					
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-b) The proposed project will have no impact on Cultural Resources as there are no resources on the project site that are listed or are eligible for listing on a local register, the California Register of Historic Places, or National Register of Historic Places.

c) In the event human remains are encountered during any portion of the 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). With compliance with existing laws and regulations, any disturbance to human remains will be reduced to less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>VI. ENERGY.</u>					
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 checked="" 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 checked="" 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 project ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and preventing any conflict with state or local plans for energy efficiency and renewable energy. This requirement will be enforced at time of issuance of building permits.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>VII. GEOLOGY AND SOILS.</u>					
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-e) The geology of San Joaquin County is composed of high organic alluvium, which is susceptible to earthquake movement. The project will have to comply with the California Building Code (CBC) which includes provisions for soils report for grading and foundations as well as design criteria for seismic loading and other geologic hazards based on fault and seismic hazard mapping. All recommendations from a soils report must be incorporated into construction plans. Therefore, impacts to seismic-related (or other) landslide hazards will be less than significant. This requirement will be enforced at time of issuance of building permits.

c-d) The proposed development will not affect geology or soils, since it will not change geotechnical standards or development patterns. The project site is relatively flat terrain and a soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the constructions plans. Therefore, the risk of being in an unstable unit can be reduced to less than significant. This requirement will be enforced at time of issuance of building permits.

	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) Emissions of GHGs 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 proposed 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 (CO2) and, to a lesser extent, other GHG pollutants, such as methane (CH4) and nitrous oxide (N2O) 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 CO2 equivalents (MTCO2e/yr).

As noted previously, the proposed 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*.¹¹ 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. As such, the analysis herein is limited to discussion of long-term operational GHG emissions.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>IX. HAZARDS AND HAZARDOUS MATERIALS.</u>					
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-c) The proposed project is for a mulch contractor business with a 720 modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins. The nearest school is 2.7 miles from the proposed project site. Hazardous materials such as engine motor oil, antifreeze coolant, propane, nitrogen gas, and diesel fuel may be used and stored on site. The San Joaquin County Environmental Health Department (EHD) requires the owner/operator to report to the California Environmental Reporting System (GERS) before any hazardous materials/waste can be stored or used onsite. The existing regulatory framework for the transport and use of any hazardous materials will ensure any impact is less than significant.

d) The project site is not included on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and, therefore, will have no impact on the safety of the public or the environment.

e) The project site is not located in an airport zone. The project site is located approximately 4.0 miles away from the Traffic Pattern Zone 7 (TPZ) of the comprehensive Airport Land Use Plan boundaries for the Tracy Municipal Airport. The project site is located approximately 5.0 miles north west of the nearest runway. As a result, impacts to people in the project area are expected to be less than significant.

f) The scope of the proposed project indicates that no additional emergency services will be required to provide for safe evacuation and adequate access to emergency equipment. As such, the project will not impair implementation of, or interfere with, County-adopted emergency response plans.

g) This project is for a mulch contractor business with a 720 modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins. A referral was sent to the South County Fire Authority on May 24, 2019. They responded in a letter dated June 20, 2019 that the project is conditionally approved subject to satisfying the requirements of the California Fire Code and the Tracy Municipal code which will result in less than a significant any impact to people or structures from wildland fires.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>X. HYDROLOGY AND WATER QUALITY.</u>					
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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:

a) The proposed project's impact on hydrology and water is expected to be less than significant. The project will be served by an onsite well and septic system. Construction of an individual domestic water well will be under permit and inspection by the Environmental Health Department. The sewage disposal system must comply with the onsite wastewater treatment systems standards of San Joaquin County. Therefore, the proposed project's impact on these resources will be less than significant.

b) The proposed project's impact on ground and surface water will be mitigated with the required Water Supply Facilities Impact Mitigation Fee. This fee will reduce any impact the project has on ground and surface water to less than significant.

c-e) The proposed project does not propose any substantial alteration to a drainage pattern, stream or river. All necessary drainage improvements onsite will be required as conditions of the construction of the project. The project will not result in substantial soil erosion because the site will be paved and landscaped.

The proposed project plans call for storm water to be retained in an on-site retention pond. The Department of Public Works requires that drainage facilities be provided in accordance with the San Joaquin County Development Standards and the Department will determine the feasibility of the proposed retention pond. The project falls within the definition of a Regulated Project as defined in either the County Post-Construction Standards Manual or the County Phase II National Pollutant Discharge Elimination System (NPDES) permit and must comply with the following conditions:

- 1) A registered professional engineer shall design a system or combination of systems to infiltrate, treat, and/or filter the 85th percentile storm drainage as defined in the County's 2009 "Storm Water Quality Control Criteria Plan" (SWQCCP) or in the "California Association of Stormwater Quality Agencies" (CASQA) publications and comply with the conditions of the County Phase II National Pollutant Discharge Elimination System (NPDES) permit. Standard "Best management Practices" for the type of development proposed shall be incorporated into the system design. Plans and/or calculations of the proposed system shall be submitted to the County for review and approval.
- 2) A "Storm Water Pollution Prevention Plan" (SWPPP) must be submitted to Public Works for review. The post construction chapter of the SWPPP must identify expected pollutants and how they will be prevented from entering the storm system. The chapter shall also contain a maintenance plan, a spill plan, and a training plan for all employees on proper use, handling and disposal of potential pollutants.
- 3) Permit Registration Documents (PRD's) shall be filed with the State Water Resources Control Board (SWRCB) to comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity". Coverage under the SWRCB General Construction Permit Order 2009-0009-DWQ shall be maintained throughout the duration of all phases of the project.
- 4) An annual report of operation and maintenance of any system shall be provided to the County as well as an annual system inspection fee.
- 5) A Maintenance Plan shall be submitted and the execution of a Maintenance Agreement with San Joaquin County shall be required for the owner/operator of stormwater controls prior to the release of the building permit.
- 6) Standard Best Management Practices, for the type of development proposed, shall be incorporated into the site storm drainage design.
- 7) A State Central Valley Flood Protection Board's Encroachment Permit shall be obtained for work done on French Camp Slough's channel and within 30 feet from the top of its banks.

With the oversight of the Department of Public Works, any impact the project will have on storm water runoff will be less than significant.

The proposed project site is not in a tsunami or seiche zone. The project site is located in the Flood Zone X, which is defined as areas determined to be outside the 0.2 % annual chance of the 500-year flood plain. Therefore, there is no risk of release of pollutants due to inundation.

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

Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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:

a) The construction and operation of the proposed project will not physically divide an established community. The proposed project is for a mulch contractor business with a 720 modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins. The project site is not located in an established community. Therefore, the project's impact on an established community would be less than significant.

b) The proposed project will not result in conflicts between existing and proposed on-site or off-site land uses because the proposed project, a mulch contracting business to include the construction of a 720 modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins, is consistent with all land use policies and regulations of the County Development Code and 2035 General Plan. The Nursery Sales and Services - Landscaping Services use type is a compatible use on agricultural zoned lands and may be conditionally permitted in the AG-160 (General Agriculture 160-acre minimum) zone subject to an approved Site Approval application.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The 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?
- 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"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-b) The project will not result in the loss of availability of a known mineral resource of a resource recovery site because the site does not contain minerals of significance or known mineral resources. 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 in Linden has been classified as MRZ-1. The General Plan 2035 Volume II, Chapter 10-Mineral Resources, Table 10-7, defines MRZ-1 as "Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence." Therefore, the project will have less than a significant impact on the availability of mineral resources or mineral resource recovery sites within the region.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The 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?
- b) Generation of excessive groundborne vibration or groundborne noise levels?
- 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"/>
<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"/>

Impact Discussion:

a-b) The nearest conforming single family residence is located approximately 3,800 feet northeast of the project site, on the north side of S. Via Nicolo Road. Development Title Section 9-1025.9 lists the Residential use type as a noise sensitive land use. Development Title Section Table 9-1025.9 Part II states that the maximum sound level for stationary noise sources during the daytime is 70 dB and 65dB for nighttime. This applies to outdoor activity areas of the receiving use, or applies at the lot line if no activity area is known. The proposed project would be subject to these Development Title standards. Therefore, noise impacts from the proposed project are expected to be less than significant.

c) The project does not include any operations that would result in excessive ground-borne vibrations or other noise levels therefore, the project will not have any impact on vibrations or other noise levels.

d) The project site is not located in an airport zone. The project site is located approximately 4.0 miles away from the Traffic Pattern Zone 7 (TPZ) of the comprehensive Airport Land Use Plan boundaries for the Tracy Municipal Airport. The project site is located approximately 5.0 miles north west of the nearest runway. As a result, impacts to people in the project area are expected to be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The 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)?
- 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"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-c) The project will not induce substantial population growth in the area either directly or indirectly as it does not create a significant number of new jobs. The proposed project would not displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere because the project site is currently undeveloped. Therefore, the project will have no impact on population and housing will be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The 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"/>
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Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Schools?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Parks?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Other public facilities?

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

a) The proposed project is for a mulch contractor business with a 720 modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins. The scope of the project does not suggest there will be a need for a substantial change to public services. Therefore, the project will have no impact on public services.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Impact Discussion:

a-b) This project will not 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, because the project will not generate any new residential units and the impacts to parks generated by the employees of this project will be minimal. This project does not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment, because the type of project proposed, a retail store, will not result in an increased demand for recreational facilities. Therefore, the project will have no impact on recreation facilities.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVII. TRANSPORTATION.

Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a) The proposed project will not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, etc., because the conditions of approval include conditions to mitigate any conflict. The proposed mulch contractor business is located on the north side of W. Via Nicolo Road, and will operate eleven hours per day, five days a week, with ten employees per shift. A referral was sent to the San Joaquin County Department of Public Works and California Department of Transportation (Caltrans) on May 24, 2019. The Department responded in a letter dated June 6, 2019 that the project will not degrade the level of service along adjacent roadways and/or intersections to an unacceptable level was required before the Department could support or deem complete the application.

b) n/a

c) The Department of Public Works includes in its conditions, the requirement that the W. Via Nicolo Road driveway design include that The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. 17 prior to issuance of the occupancy permit [including return radii to accommodate truck-trailer movements for trucks exiting the site so as not to encroach on opposing lanes of traffic]. (Development Title Section 9-1145.5) With these conditions from the Department of Public Works, any hazards from curves or intersections will be reduced to less than significant.

d) The proposed project has adequate access from W. Via Nicolo Road and will provide for adequate access for emergency equipment. The Department of Public Works, in its conditions, requires that the driveway approach be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. 13 [including return radii to accommodate truck-trailer movements for trucks exiting the site so as not to encroach on opposing lanes of traffic]. As such, the project's impact on emergency access is less than significant.

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

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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.

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Impact Discussion:

a) The proposed project is not within an area of any known tribal cultural resource with cultural value to a California Native American Tribe. A referral was sent on May 24, 2019 to Katherine Perez of the North Valley Yokuts Tribe; the California Valley Miwok Tribe, the California Tribal TANF Partnership, the United Auburn Indian Community, and the Native American Heritage Commission for review. No response has been received. 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. If, in the course of development, concentrations of prehistoric or historic-period materials are encountered, all work in the vicinity of the find shall halt until an archaeologist can evaluate the materials and make recommendations for further action. If human remains are encountered, all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the finds. If Human Burials are found to be of Native American origin, steps shall be taken pursuant to Section 15064.5(e) of Guidelines of the California Environmental Quality Act.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a) The project will utilize an onsite well and a private septic system as well as a retention pond for stormwater, therefore the project will not require new public facilities.

b) The project will utilize an individual domestic water well which will be constructed under permit and inspection by the San Joaquin County Environmental Health Department at the time of development.

c) The project will utilize an onsite sewage disposal system that will comply with the onsite wastewater treatment systems standards of San Joaquin County built under permit and inspection of the Environmental Health Department.

d) The proposed project is a mulch contractor business to include the construction a 720 modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins. The scope of the project does not suggest it will generate solid waste in excess of State or local standards.

e) The proposed project is a mulch contractor business to include the construction a 720 modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins. The scope of the project suggests it will comply with regulations related to solid waste.

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

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Substantially impair 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"/> |
| 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a-d) The proposed project is for a mulch contractor business with a 720 modular office, a 150 square foot storage shed, and a 60,000 square foot area with open material storage bins. Access is provided by a 60 foot wide county maintained road and a 30 foot wide paved entrance/exit access driveway. A county maintained road, verses a private road, will ensure that the road is maintained to provide suitable access. The project location is in the moderate fire hazard area pursuant to the California Department of Forestry (Cal Fire) map. The site is not located in the State Responsibility Area and is served by the South County Fire Authority. A referral was sent to the South County Fire Authority on May 24, 2019. They responded in a letter dated June 20, 2019 that the project is conditionally approved subject to satisfying the requirements of the California Fire Code and the Tracy Municipal code which will result in less than a significant any impact to people or structures from wildland fires.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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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)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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

a) The proposed project does not appear to have the potential to significantly degrade the overall quality of the region's environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. There are no identified historic or prehistoric resources identified on this site. No archaeological or paleontological resources have been identified in the project area.

b) The project is not expected to have cumulatively considerable impacts. Less than significant impacts to air quality, biological resources, traffic, and hydrology have been identified. Any impacts will be adequately addressed through conditions of approval.

c) The project does not have environmental effects which will cause substantial adverse effects on human beings.

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

SITE PLAN
 Application # **PA1800305**
 Received By ADZ On 5/1/19

