

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: FC Tracy Holdings, LLC

PROJECT TITLE/FILE NUMBER(S): PA-1800266 (SA)

PROJECT DESCRIPTION: A Site Approval application to construct a corn packing facility in two (2) phases over ten (10) years. Phase One to include the construction of a 15,070 square foot administration building, a 210,670 square foot of production space, a 16,000 square foot packing materials building, a one hundred (100) square foot guard building, and a one hundred (100) square foot scale house. Phase Two to include a 30,540 square foot solar shade parking structure, and 17,000 square foot expansion to the Phase One 210,670 square foot production building.

The project site is located on the south side of Lehman Road, 50 feet south of Ahern Road, Tracy

ASSESSOR PARCEL NO.: 255-040-20

ACRES: 52.2-acres

GENERAL PLAN: A/G

ZONING: AG-40

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):
A 258,940 square foot agricultural processing facility and 30,540 square feet of solar panels.

SURROUNDING LAND USES:

NORTH: Agricultural with scattered residences/Banta Carbona Irrigation District facilities

SOUTH: Agricultural/Banta Carbona Canal

EAST: Agricultural/UPRR/ST RT 33 & ST RT 5/Truck Transfer Station

WEST: Agricultural with scattered residences/Banta Carbona Canal

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 (January 18, 2019); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (Traffic Impact Analysis for Sweet Corn Packing Facility dated October 30, 2019, Advanced Mobile Group. San Joaquin Valley Air Pollution Control District Air Impact Analysis (AIA) application approval letter dated September 18, 2019). 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).

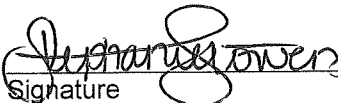
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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.

 FRANK GIRARD
Signature

11/1/19
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.

SAMPLE QUESTIONS

Issues:

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

The proposed project site is a vacant, relatively flat parcel. The site is surrounded by a mixture of uses including agricultural, an irrigation district office, and two (2) residences. The proposed structures and all improvements will be required to meet all building setbacks and Development Title requirements. The project is not located along a scenic route and will not obstruct any views. This project will be conditioned with requirements for landscaping along roadways bordering the project parcel, and screening will be required for all outdoor storage areas. As such, the impact from the project on the existing visual character or quality of its surroundings will be less than significant.

The outdoor lighting for the proposed project will be required to be designed to confine direct rays to the premises in accordance with the San Joaquin Development Title Section 9-1015.5(g).

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

Impact Discussion:

The proposed project site is not under Williamson Act contract, nor any of the adjacent properties. The use type for the project is Agricultural Processing-Preparation Services which may be conditionally permitted in the AG-40 (General Agriculture, 40-acre minimum) with an approved Site Approval application. The proposed project is an agricultural use and is compatible with surrounding properties currently being farmed. Therefore, the proposed application will have no impact on agriculture and forestry resources.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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

The primary source of air pollutants generated by the project would involve dusts from onsite traffic and farming. To mitigate this potential impact, the parking and circulation areas for the project will be surfaced with asphalt concrete to minimize the generation of dust. The corn processing operation will be required to meet the San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) permitting requirements for mobile and stationary sources in an effort to control and minimize air pollution. The project was referred to the SJVAPCD for review. In an Air Impact Analysis (AIA) approval response letter dated September 18, 2019, the SJVAPCD determined that the mitigated baseline emissions for construction and operation will be less two (2) tons NOx and PM10 per year, the project complies with the emission reduction requirements District Rule 9510, and is not subject to payment of off-site fees.

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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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IV. BIOLOGICAL RESOURCES:

Would the project:

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

Impact Discussion:

The project parcel relatively flat, undeveloped, and is used for agricultural use. 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. The San Joaquin Council of Governments (SJCOG) has reviewed the underlying project and determined that the project is subject to the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with CEQA. The applicant has committed to participation in the SJMSCP and therefore, with this mitigation there will be a less than significant effect on biological resources. The fee, as identified by SJCOG will be required prior to issuance of any building permit and prior to disturbance of any ground.

	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:

The project site has already been disturbed with agricultural activity. It does not appear that archaeological or cultural resources would be encountered during the proposed development for the project because the land has historically been farmed and no cultural resources have been encountered. Additionally, 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.

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).

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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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?
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

<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"/>

Impact Discussion:

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.

	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:

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 reports 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 the construction plans. Therefore, impacts to seismic-related (or other) landslide hazards will be less than significant.

The project will not result in substantial soil erosion or the loss of topsoil because the 24.93-acre project site will be paved and landscaped and the remaining 27.27-acres will be used for farming. No topsoil will be taken off-site. Therefore, impacts to soil erosion or loss of topsoil will be less than significant.

The project site is relatively flat terrain where landslides have not historically been an issue. A soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans. Therefore, any risks resulting from being located on an unstable unit will be reduced to less than significant.

The project will be served by an onsite septic tank or alternative waste water disposal system for the disposal of waste water. The Environmental Health Department will require a soil suitability/nitrate loading study indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to issuance of building permit(s). The sewage disposal system shall comply with the onsite wastewater treatment systems of San Joaquin County prior to approval. A percolation test that meets absorption rates of the manual of septic tank practice or E.P.A. Design Manual for onsite wastewater treatment and disposal system is required for each parcel. With these standards in place, only soils capable of adequately supporting the use of septic tanks will be approved for the septic system.

The San Joaquin County General Plan (2035) indicates that the county will protect significant archeological and historical resources by requiring an archeological report prepared by a qualified cultural resource specialist prior to the issuance of any discretionary permit or approval in areas determined to contain significant historic or prehistoric archeological artifacts that could be disturbed by project construction.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analized No Impact 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"/>
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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"/>
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Impact Discussion:

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	Analyzed No In The Impact 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"/>
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"/>
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"/>
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"/>
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"/>
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"/>
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"/>

Impact Discussion:

Hazardous materials such as engine motor oil, antifreeze coolant, propane, nitrogen gas, diesel fuel, and ammonia 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 (CERS) 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.

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.

The project site is not located in an airport zone. The project site is located approximately 2.0 miles away from the Traffic Pattern Zone 7 (TPZ) of the comprehensive Airport Land Use Plan boundaries for the New Jerusalem Airport. The project site is located approximately 2.0 miles northwest of the nearest runway. As a result, airport noise related impacts to people in the project area are expected to be less than significant.

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. The Tracy Fire Station #93 is located 1.9 miles away from the project site. The South Joaquin Fire Authority will require Fire Apparatus Access Roads as a Condition of Approval for the project. As such, the project will not impair implementation of, or interfere with, County-adopted emergency response plans. The project site is in close proximity to Interstate 5 for quick emergency response.

The project will have no impact on wildland fires as the project is located outside of a wildfire area.

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:

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. The applicant states that the process waste water and storm water will be discharged to an onsite basin and treated to be used for irrigation onsite. The project site contains fifty two (52) acres of orchard area this is irrigated. The irrigation of the process waste water is subject to Waste Discharge Requirement permits from the California Regional Water Quality Control Board. Therefore, the proposed project's impact on these resources will be less than significant. Compliance with these requirements ensure that the proposed project's impact on these resources will be less than significant.

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.

The proposed project does not propose any substantial alteration to a drainage pattern, stream or river. There will be no discharge or storm water into canals. 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 remainder of the site will remain in agriculture.

The proposed project plans call for storm water and process 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 water treated and used for irrigation purposes.

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:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 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:

The construction and operation of the proposed project will not physically divide an established community. The nearest community is the rural community of New Jerusalem located approximately 1.0 mile southeast of the project site. The truck traffic routes for the project will be routed to the Interstate 5 and bypass any communities. Therefore, truck traffic and activities associated with the project will have no impact on the rural community of New Jerusalem.

The proposed project 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 may be conditionally permitted in the AG-160 (General Agriculture 160-acre minimum) zone subject to an approved Use Permit 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? | <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:

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 is located in the MRZ-1 zone. The 2035 General Plan 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? | <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:

The nearest conforming single family residence is located approximately 150 feet north of the project site, on the north side of West Lehman 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. The project is for a seasonal agricultural operation with trucks that deliver raw harvested sweet corn to the facility. The sweet corn is then stored in cold storage for chilling prior to packaging and shipment. The storage and packaging of the sweet corn will be taking place inside buildings. The project also will include an administrative office. Noise levels are not expected to exceed the noise standard on surrounding properties. Therefore, noise impacts from the proposed project are expected to be less than significant.

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.

The project site is not located in an airport zone. The project site is located approximately 2.0 miles away from the Traffic Pattern Zone 7 (TPZ) of the comprehensive Airport Land Use Plan boundaries for the New Jerusalem Airport. The project site is located approximately 2.0 miles west of the nearest runway. As a result, employees in the project area are not expected to be impacted by airport activity.

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:

The Project will not induce substantial population growth in the area either directly or indirectly because the project is located in an agricultural zone and surrounding properties are zoned agricultural. 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 and used for farming purposes. 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

The San South San Joaquin Fire Authority states that the project will be subject to the California Fire Code (CFC) and that there will be no impact or need for additional public services.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XVI. RECREATION.</u>					
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:

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 project will not result in an increased demand for recreational 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:

- | | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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:

The seasonal corn packing facility is located on the south side of W. Lehman Road, and will operate twenty-four hours per day, five days a week, with 206 employees. A referral was sent to the San Joaquin County Department of Public Works and California Department of Transportation (Caltrans) on October 17, 2018.

A traffic impact analysis was prepared by Advanced Mobility Group dated October 30, 2019. The analysis concluded that the operation of the proposed corn packing facility would result in significant traffic impacts to the intersection of W. Ahern Rd. and State Route 33 California Highway and concluded that traffic controls be implemented. The Department of Public Works Conditions of Approval letter dated September 16, 2019 have incorporated these recommendations and are as follows:

1. Improvements shall be constructed in accordance with current Caltrans Improvement Standards and Specifications. Improvement plans shall be submitted to Caltrans and may be subject to plan check and field inspections fees and must be approved by Caltrans. All improvements must be completed and accepted prior to issuance of the Certificate of Occupancy. The improvements shall include the following:
 - a. Restripe State Route 33/Ahern Road as necessary to relocate the southeastern direction travel lane four feet to the northeast at the intersection of State Route 33/Ahern Road and the I-5 southbound ramps/Lehman Road.
 - b. Convert the intersection of State Route 33/Ahern Road and the I-5 southbound ramps/Lehman Road to an all-way stop controlled intersection.
 - c. Any improvement plans submitted to Caltrans shall have prior County review and approval.
2. Applicant shall relocate the stop bar at intersection of Lehman Road and Ahern Road to allow for the storage of (1) truck between the stop bar and railroad tracks.
3. Applicant shall pay \$300 for the installation of a MUTCD standard R8-8 "Do Not Stop On Tracks" sign on Lehman Road.

The entrance gate shall be set back 40 feet from the right-of-way. With these conditions from the Department of Public Works any hazards will be reduced to less than significant.

The proposed project has adequate access from West Lehman Road and will provide for adequate access for emergency equipment.

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

Impact Discussion:

The project site has already been disturbed with agricultural use. It does not appear that tribal cultural resources would be encountered during the proposed development for the project. Additionally, 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.

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).

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

The project will utilize an onsite well and a private septic system as well as a retention pond for stormwater. Additionally, process waste water will be stored in a retention pond and be discharged with storm water on site for irrigation purposes.

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

The scope of the project does not suggest it will generate solid waste in excess of State or local standards and will comply with regulations related to solid waste. Discharges of process waste water to land is subject to regulation in individual Waste Discharge Requirements from the California Regional Water Quality Control Board.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XX. WILDFIRE.</u>					
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:

The project will have no impact on wildland fires as the project is located outside of a wildfire hazard area.

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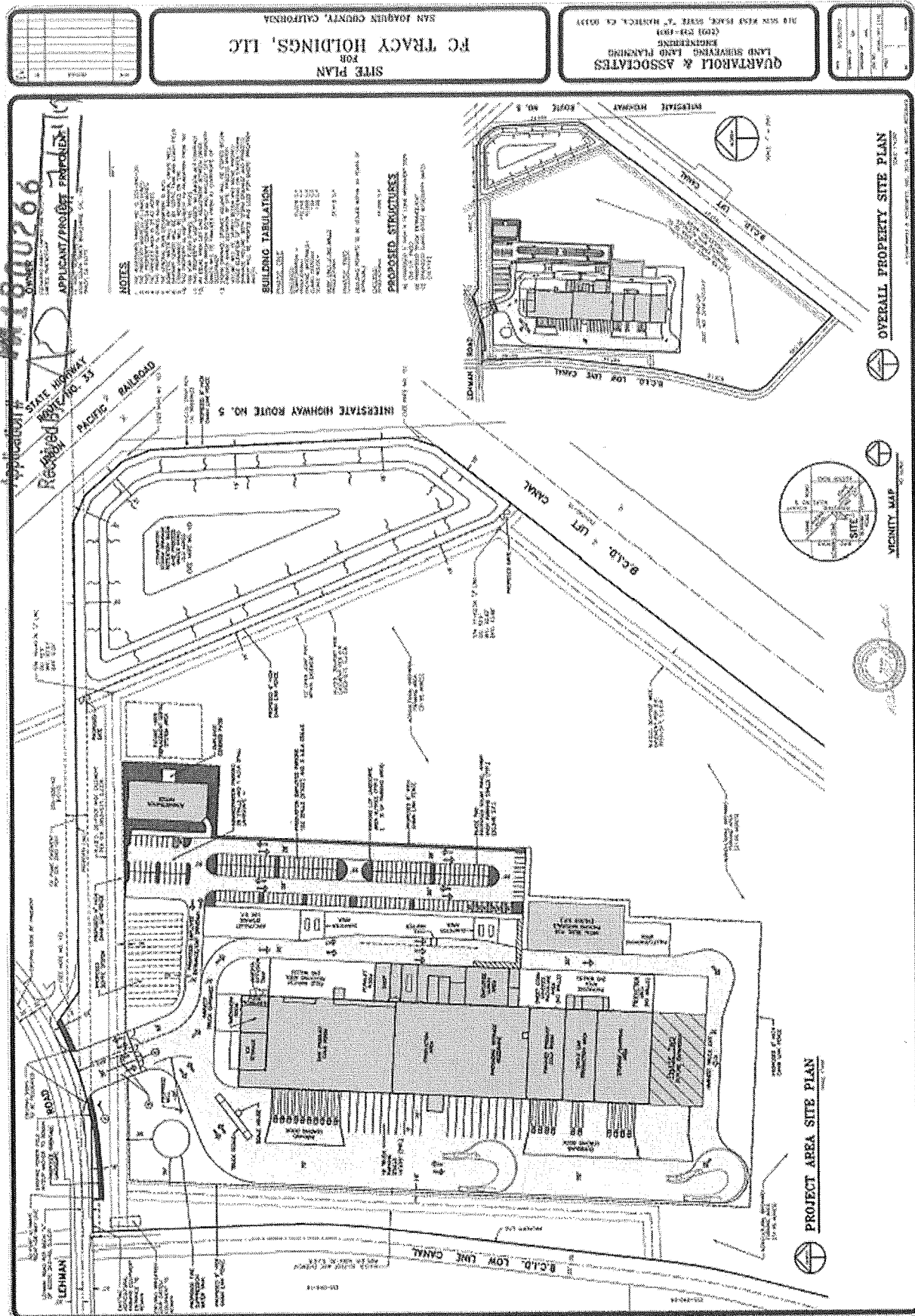
Impact Discussion:

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.

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.

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.





San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT

SEP 18 2019



RECEIVED

SEP 23 2019

Planning Department
County Of San Joaquin
1810 East Hazelton Avenue
Stockton, CA 95205

San Joaquin County
Community Development

Re: Air Impact Assessment (AIA) Application Approval
ISR Project Number: C-20190381
Land Use Agency: County of San Joaquin
Land Use Agency ID Number: Building Permit

To Whom It May Concern:

The San Joaquin Valley Air Pollution Control District (District) has approved the Air Impact Assessment (AIA) application for the FC Tracy Holdings project, located at 3890 W. Lehman Road in Tracy, California. The District has determined that the mitigated baseline emissions for construction and operation will be less than two tons NOx per year and two tons PM10 per year. Pursuant to District Rule 9510 Section 4.3, this project is exempt from the requirements of Section 6.0 (General Mitigation Requirements) and Section 7.0 (Off-site Emission Reduction Fee Calculations and Fee Schedules) of the rule. As such, the District has determined that this project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site fees.

Pursuant to District Rule 9510, Section 8.4, the District is providing you with the following information:

- A notification of AIA approval (this letter)
- A statement of tentative rule compliance (this letter)
- An approved Monitoring and Reporting Schedule
- A copy of the Air Impact Assessment Application

Certain emission mitigation measures proposed by the applicant may be subject to approval or enforcement by the County of San Joaquin. No provision of District Rule 9510 requires action on the part of the County of San Joaquin, however, please review the enclosed list of mitigation measures and notify the District if the proposed mitigation measures are inconsistent with your agency's requirements for this project. The District can provide the detailed emissions analysis upon request.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

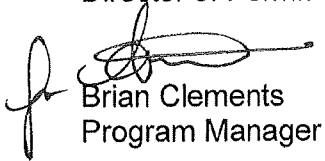
Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

Page 2

If you have any questions, please contact Mr. Eric S McLaughlin at (559) 230-5808.

Sincerely,

Arnaud Marjollet
Director of Permit Services

A handwritten signature in black ink, appearing to read "Brian Clements", is written over the printed name and title. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Brian Clements
Program Manager

AM: EM

Enclosures

Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

9/18/19

1:12 pm

Project Name:	FC TRACY HOLDINGS
Applicant Name:	DELLABARCA DESIGN AND BUILD, INC
Project Location:	3890 W. LEHMAN ROAD STATE HIGHWAY 33 APN(s): 255-040-20
Project Description:	LAND USE: Light Industrial - 159200 Square Feet - Warehouse Light Industrial - 159200 Square Feet - Warehouse Light Industrial - 159200 Square Feet - Warehouse Light Industrial - 159200 Square Feet - Warehouse ACREAGE: 52.2
ISR Project ID Number:	C-20190381
Applicant ID Number:	C-303176
Permitting Public Agency:	COUNTY OF SAN JOAQUIN
Public Agency Permit No.	BUILDING PERMIT

Existing Emission Reduction Measures

Enforcing Agency	Measure	Quantification	Notes
There are no Existing Measures for this project.			

Non-District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Source Of Requirements
There are no Non-District Enforced Measures for this project.			

District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction Clean Fleet	For each project phase, maintain records of total hours of operation for all construction equipment, greater than 50 horsepower, operated on site. Within 30-days of completing construction of each project phase, submit to the District a summary report of total hours of operation, by equipment type, equipment model year and horsepower.	(Compliance Dept. Review)	Within 30-days of completing construction for each phase

Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

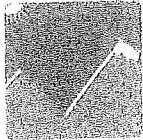
9/18/19

1:12 pm

(District Enforced Emission Reduction Measures Continued)

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction and Operation - Exempt from Off-site Fee	For each project phase, within 30-days of issuance of the first certificate of occupancy, if applicable, submit to the District a summary report of the construction start, and end dates, and the date of issuance of the first certificate of occupancy. Otherwise, submit to the District a summary report of the construction start and end dates within 30-days of the end of each phase of construction.	(Compliance Dept. Review)	Ongoing
SJVAPCD	Construction and Operation - Recordkeeping	For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.	(Compliance Dept. Review)	Ongoing
SJVAPCD	Construction and Operational Dates	For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.	(Compliance Dept. Review)	Ongoing

Number of District Enforced Measures: 4



San Joaquin Valley Air Pollution Control District



Indirect Source Review (ISR) - Air Impact Assessment (AIA) Residential/Non-Residential/Mixed-Use Application Form

A. Applicant Information

Applicant/Business Name: Dellabarca Design and Build, Inc			
Mailing Address: 3901 Brickit Ct		City: Ceres	State: CA
Contact: TJ VanderVeen		Zip: 95307	
Is the Applicant a licensed state contractor? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, please provide State License number: 799737		Title: Project Engineer	
Phone: 209 480 4484	Fax: 209 543 9679	Email: tj@dellabarca.net	

B. Agent Information (if applicable): If an agent is completing this application, a separate application is required for the Applicant to sign the Agent's application for the Agent's application to be valid.

Agent/Business Name:		City: Ceres	State:	Zip:
Contact:		Title:		
Phone:	Fax:	Email:		

C. Project Information

Project Name: FC Tracy Holdings		Tract Number(s) (if known):	
Project Location	Street: 3890 W. Lehman Road	City: Tracy	Zip: 95377
Cross Streets: State Highway 33		County: San Joaquin	
Permitting Agency: San Joaquin County		Planner:	
Mailing Address:		City:	State:
Permit Type and Number (if known):		Zip:	
Subject to Project-Level Discretionary Approval? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Building Permit		Last Project-Level Discretionary Approval Date: _____	
		Last Project-Level Ministerial Approval Date: 1/6/10	

D. Project Description

Please briefly describe the project (e.g.: 300 multi family residential units apartments and 35,000 square feet of commercial uses):
Construct approx. 132,000 sf refrigerated building for corn processing. 11,200 sf administration offices. 160,000sf storage building.

Please check the box next to each applicable land use below:

- | | | | |
|---|--------------------------------------|---|--|
| <input type="checkbox"/> Commercial / Retail | <input type="checkbox"/> Educational | <input type="checkbox"/> Office | <input type="checkbox"/> Warehouse |
| <input type="checkbox"/> Residential | <input type="checkbox"/> Government | <input checked="" type="checkbox"/> Industrial | <input type="checkbox"/> Distribution Center |
| <input type="checkbox"/> Recreational (e.g. park) | <input type="checkbox"/> Medical | <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Other: _____ |

Select land use setting below:

- ☐ Urban ☒ Rural

E. Notice of Violation

Is this application being submitted as a result of receiving a Notice of Violation (NOV) from the District?

- ☒ No ☐ Yes, NOV # _____

F. Voluntary Emission Reduction Agreement

Is this project part of a larger project for which there is a Voluntary Emission Reduction Agreement (VERA) with the District?

- ☒ No ☐ Yes, VERA # _____

G. Optional Section

Do you want to receive information about the Healthy Air Living Business Partners Program? ☐ Yes ☒ No

FOR APCD USE ONLY

Filing Fee	Check	Date Stamp: Finance	Date Stamp: Permit RECEIVED
Received: _____	#: _____		AUG 19 2019
Date Paid: _____	Project		Permits Services
Applicant #: <u>303174</u>	# <u>20190381</u>		SIVARCO

H. Parcel and Land Owner Information

	APN (000-000-00 Format)	Gross Acres	Land Owner
1.	255-040-20	52.2	FC Tracy Holdings
2.			
3.			
4.			

Additional sheets for listing APN numbers can be found on the District website at www.valleynair.org

I. Project Development and Operation

Will the project require demolition of existing structures?	<input type="checkbox"/> Yes, complete I-1	<input checked="" type="checkbox"/> No, complete I-2
---	--	--

I-1. Demolition

Total square feet of building(s) footprint to be demolished: None	Number of Building Stories:
Demolition Start Date (Month/Year):	Number of Days for Demolition:

I-2. Timing

Expected number of work days per week during construction?	Will the project be developed in multiple phases?
<input checked="" type="checkbox"/> 5 days <input type="checkbox"/> 6 days <input type="checkbox"/> 7 days	<input type="checkbox"/> Yes, complete I-3 <input checked="" type="checkbox"/> No, complete I-4

I-3. Phased Site Development and Building Construction

To obtain more information about the application process, please contact the District's Planning Department. Additional information can be found on the District's website at www.valleynair.org

1	Start of Construction (Month/Year):	Gross Acres:
	End of Construction (Month/Year):	Net Acres (area devoted to buildings/structures):
	First Date of Occupation (Month/Year):	Paved Parking Area (# of Spaces):
	Building Square Footage:	Number of Dwelling Units:
2	Start of Construction (Month/Year):	Gross Acres:
	End of Construction (Month/Year):	Net Acres (area devoted to buildings/structures):
	First Date of Occupation (Month/Year):	Paved Parking Area (# of Spaces):
	Building Square Footage:	Number of Dwelling Units:
3	Start of Construction (Month/Year):	Gross Acres:
	End of Construction (Month/Year):	Net Acres (area devoted to buildings/structures):
	First Date of Occupation (Month/Year):	Paved Parking Area (# of Spaces):
	Building Square Footage:	Number of Dwelling Units:
4	Start of Construction (Month/Year):	Gross Acres:
	End of Construction (Month/Year):	Net Acres (area devoted to buildings/structures):
	First Date of Occupation (Month/Year):	Paved Parking Area (# of Spaces):
	Building Square Footage:	Number of Dwelling Units:

Additional sheets for planning information can be found on the District's website at www.valleynair.org

I-4. Single Phase Developme

Start of Construction (Month/Year): August 2019 Sept 2019^{EM}	Gross Acres: 26
End of Construction (Month/Year): February 2021	Net Acres (area devoted to buildings/structures): 3.9
First Date of Occupation (Month/Year): February 2021	Paved Parking Area (# of Spaces): 178 155 (6 Acres)
Building Square Footage: 159,200 sf	Number of Dwelling Units: 0

J. On-Site Air Pollution Reductions (Mitigation Measures)

Listed below are categories of possible mitigation measures that will reduce a project's impact on air quality. If a category is applicable to the project, check "Yes", and please complete the corresponding page to identify specific mitigation measures within that category. If a category is not applicable to the project, check "No".

1. Construction Clean Fleet (making a commitment to using a construction fleet that will achieve the emission reductions required by District Rule 9510)
☒ Yes, please complete mitigation measure 1
☐ No
2. Land Use/Location (e.g. increased density, improve walkability design, increase transit, etc.)
☐ Yes, please complete applicable mitigation measures 2a through 2f
☒ No
3. Neighborhood/Site Enhancements (e.g. improve pedestrian network, traffic calming measures, NEV network, etc.)
☐ Yes, please complete applicable mitigation measures 3a through 3c
☒ No
4. Parking Policy/Pricing (e.g. parking cost, on-street market pricing, limit parking supply, etc.)
☐ Yes, please complete applicable mitigation measure 4a through 4e
☒ No
5. Commute Trip Reduction Programs (e.g. workplace parking charge, employee vanpool/shuttle, ride sharing program, etc.)
☐ Yes, please complete applicable mitigation measures 5a through 5f
☒ No
6. Building Design (e.g. woodstoves or fireplaces)
☐ Yes, please complete mitigation measure 6
☒ No
7. Building Energy (e.g. exceed title 24, electrical maintenance equipment)
☐ Yes, please complete applicable mitigation measures 7a through 7b
☒ No
8. Solar Panels (e.g. incorporate solar panels in the project)
☐ Yes, please complete applicable mitigation measure 8
☒ No
9. Electric Vehicle (EV) Charger (e.g. incorporate EV charger(s) in the project)
☐ Yes, please complete applicable mitigation measure 9
☒ No

K. Review Period

You may request a five (5) day period to review a draft of the District's analysis of your project before it is finalized. However, if you choose this option, it will delay the project's finalization by five (5) business days.

☐ I request to review a draft of the District's analysis.

L. Fee Deferral Schedule

If the project's on-site air pollution reductions (mitigation measure) insufficiently reduced air pollution as outlined in Rule 9510, an off-site fee is assessed based on the excess air pollution. The money collected from this fee will be used by the District to reduce air pollution emissions 'off-site' on behalf of the project.

An Applicant may request a deferral of all or part of the 'off-site' fees up to, but not to exceed, the start date of construction. The start of construction is any of the following, whichever occurs first: start of grading, start of demolition, or any other site development activities not mentioned above.

☒ I request a Fee Deferral Schedule, and have enclosed the Fee Deferral Schedule Application.

The Fee Deferral Schedule Application, can be found on the District's website at: www.valleyair.org.

M. Change of Project Developer

The Applicant assumes all responsibility for ISR compliance for this project. If the project developer changes, the Applicant must notify the Buyer, and both Buyer and Applicant must file a 'Change of Project Developer' form with the District. If there is a change of project developer, and a 'Change of Project Developer' form is not filed with the District, the Applicant will remain liable for ISR compliance.

The Change of Project Developer form can be found on the District's website at: www.valleyair.org.

N. Attachments

Required:

- ☒ Tract Map or Project Design Map
- ☒ Vicinity Map
- ☒ Application Filing Fee
\$841.00 for mixed use and non-residential projects OR
\$562.00 for residential projects only

If applicable:

- ☐ Letter from Applicant granting Agent authorization
- ☐ Fee Deferral Schedule Application
- ☐ Monitoring & Reporting Schedule
- ☐ Supporting documentation for selected Mitigation Measures

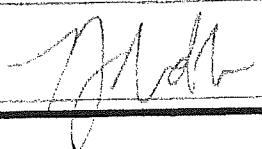
O. Certification Statement

I certify that I have reviewed and completed the entire application and hereby attest that the information relayed within is true and correct to the best of my knowledge. I commit to implementation of those on-site mitigation measures that I have selected above. I am responsible for notifying the District if I will be unable to implement these mitigation measures. If a committed mitigation measure is not implemented, the project may be re-assessed for air quality impacts.

(An authorized Agent may sign the form in lieu of the Applicant if an authorization letter signed by the Applicant is provided).

Name (printed): TJ VanderVeen

Title: Project Engineer

Signature: 

Date: 8/19/2019

