PHASE 2 MCHENRY SEWER LINE PROJECT

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

SEPTEMBER 8, 2022

PREPARED BY:

IEC

an Ardurra Company

INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

PUBLIC REVIEW DRAFT

FOR THE

PHASE 2 MCHENRY SEWER LINE PROJECT

ESCALON, SAN JOAQIUN COUNTY, CALIFORNIA

Prepared for:

CITY OF ESCALON

2060 McHenry Avenue

Escalon, CA 95320

209-691-7430

SEPTEMBER 8, 2022

Prepared by:

IEC, an Ardurra Company

14721 Danielson Street

Poway, CA 92064

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City of Escalon Planning Department
2060 McHenry Ave
Escalon, CA. 95320

NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION AND NOTICE OF PUBLIC MEETING

Notice is hereby given that the City of Escalon, as lead agency, has prepared an Initial Study (IS) of environmental effects and intends to adopt a Mitigated Negative Declaration (MND) and Mitigation Monitoring/Reporting Plan (MMRP) for the Phase 2 McHenry Sewer Line Project. The following documents analyze the potential environmental effects associated with the proposed Project in accordance with the California Environmental Quality Act (CEQA).

Project Title: Phase 2 McHenry Sewer Line Project

Lead Agency: City of Escalon
2060 McHenry Avenue
Escalon, CA 95320

Contact Person: Dominique Romo, City Planner
City of Escalon
2060 McHenry Avenue
Escalon, CA 95320
dromo@cityofescalon.org

County Clerk: This Notice of Intent is posted at the San Joaquin County Clerk's Office (shown below)

San Joaquin Office of the Recorder- County Clerk
44 North San Joaquin Street
Second Floor, Suite 260
Stockton, CA 95202

Project Location: Within City of Escalon which is located in San Joaquin County. The Project Site is near the Intersection of Meyers Avenue and McHenry Avenue. Specifically, Latitude 37.768504, Longitude -120.996276. See Figures 1 and 2.

Project Description: The purpose of this Project is to increase the City of Escalon's sewer effluent pipeline capacity of the main sewer conveyance pipeline. This pipeline is the single conveyance pipeline that is proposed to be installed below existing ground surface between the City of Escalon southern City Limits and the Escalon Wastewater Treatment Plant, located 2 miles south of the City Limits. No impacts on historically significant resources are indicated in the CEQA Initial Study prepared for the Project. The Project will be installed within existing and proposed easements using open trench and bore and jack methods of construction. Except for removal of approximately 49 orchard trees that have been overplanted within the public right-of-way, no permanent above ground changes are proposed with the Project. The Project is not subject to a tree preservation ordinance. The City initiated outreach with the Native American Tribes Most Likely Descendent affiliated with the Project location pursuant to AB 52 on June 7, 2022. A response was received on June 20th, from the Northern Valley Yokuts Tribe and Nototomne Cultural Preservation requesting consultation under AB 52. Consultation ended on June 25th, 2022.

Conclusion: The IS/MND analyzes the potential environmental effects of the Project in the environmental issue areas specified in the State CEQA Guidelines. Based on this analysis, the Public Review Draft IS/MND finds that the Project will not involve any significant environmental effects, provided that the mitigation measures described in the IS/MND are implemented. The Project proponent has agreed to the mitigation measures, and these measures are included in a MMRP to be adopted by the City of Escalon in conjunction with the certification of the IS/MND and approval of plans and specifications for the Project. There are no sites identified under Section 65962.5 of the Government Code located on or near the Project site.

Copies of the IS/MND are available for public review at the City of Escalon Planning Department at the address shown above, and on the City's website:

http://cityofescalon.org/government/departments/development_services/planning

Review Period: The City will accept public and agency comments on the IS/MND during a 30-day review period that will begin on September 9th, 2022, and end on October 10th, 2022. Comments may be submitted by mail or e-mail to the City

Public Meetings: At the conclusion of the 30-day public review period, the document will be submitted to the City of Escalon Planning Commission for review and adoption. The Planning Commission will hold a public hearing in the Council Chambers, City Hall, 2060 McHenry Ave, Escalon, California, on October 17th, 2022, to consider adoption of the IS/MND and MMRP, and approval of the Project.

Negative Declarations

1. General Project Information

Project Title:	Phase 2 McHenry Sewer Line Project
Lead Agency Name and Address:	City of Escalon 2060 McHenry Avenue Escalon, CA 95320
Contact Person and Phone Number:	Dominique Romo, City Planner 209-691-7400
Project Location:	Intersection of Meyers Avenue and McHenry Avenue, 37.768504, -120.996276
Project Sponsor Name and Address:	City of Escalon 2060 McHenry Avenue Escalon, CA 95320
General Plan Designation:	Existing Sewer Easement
Zoning:	Agriculture A/G
Project Description:	The City of Escalon proposes to install approximately 4,500 linear feet of 24" PVC sewer main using bore and jack construction, under a South San Joaquin Irrigation District Main Irrigation Canal and open trench under the existing Meyer Avenue asphalt roadway and County easement. The Meyers Avenue roadway shall be removed, and a new Meyers Avenue asphalt roadway shall be constructed in the original road location. Removal of approximately 49 almond trees located in the existing San Joaquin County easement is required.
Surrounding Land Uses and Setting:	The surrounding land uses are agricultural fields that are planted into almond and walnut trees. The orchards surround all sides of the Project.
Have California American tribes traditionally and culturally affiliated with the Project Area requested consultation pursuant to Public Resources Code?	State law and County of San Joaquin Guidelines identify Native American consultation as an important aspect of the cultural resource evaluation. To identify potential Native American resources, a Sacred Lands File (SLF) Search was conducted at the California Native American Heritage Commission (NAHC). A current Sacred Lands File Search response from NAHC was received on April 26th, 2022 (See Appendix A). The results of the Sacred Lands Search were negative in that no resources have been previously identified in the immediate area of the Project Site. Scoping letters submitted to the Native American contacts provided by NAHC are provided in Appendix A). Northern Valley Yokuts Tribe and Nototomne Cultural Preservation received a letter from the City of Escalon dated June 7, 2022, formally notifying the Tribe of the proposed Phase 2 McHenry Sewer Line Project. The Northern Valley Yokuts Tribe and Nototomne Cultural Preservation requested consultation under AB 52 on June 20th, 2022. In response to the Tribe, the City provided the Tribe with a copy of the Cultural Resources Assessment prepared for the Project (See Appendix A). Detailed reports of the responses will be discussed further in Section XVIII- Tribal Cultural Resources. The consultation with the Tribe concluded on June 25th, 2022.
Other Public Agencies Whose Approval is Required:	• Union Pacific Railroad • South San Juaquin Irrigation District • County of San Joaquin

LIST OF ACRONYMS AND ABBREVIATIONS USED IN THIS DOCUMENT

AB	Assembly Bill
APN	Assessor's Parcel Number
ARB	California Air Resources Board
BMP	Best Management Practice
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
Cal Fire	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CNDDB	California Natural Diversity Data Base
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO_2e	carbon dioxide equivalent
dB	decibel
DTSC	California Department of Toxic Substances Control
EIR	Environmental Impact Report
EPA	U. S. Environmental Protection Agency
ESA	Endangered Species Act (federal)
FEMA	Federal Emergency Management Agency
GAMAQI	Guide for Assessing and Mitigating Air Quality Impacts
GHG	greenhouse gas
gpm	gallons per minute
IS/MND	Initial Study/Mitigated Negative Declaration
Ldn	Day-Night Average Sound Level
LID	Low Impact Development
LOS	Level of Service
mgd	million gallons per day
MS4	Municipal Separate Storm Sewer System
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
OPR	Governor's Office of Planning and Research
PM_{10}	particulate matter 10 micrometers or less in diameter
$PM_{2.5}$	particulate matter 2.5 micrometers or less in diameter
ROG	reactive organic gases
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill

SJCOG	San Joaquin Council of Governments
SJMSCP	San Joaquin County Multi-Species Open Space and Habitat Conservation Plan
SJVAPCD	San Joaquin Valley Air Pollution Control District
SR	State Route
SSJID	South San Joaquin Irrigation District
SWMP	Storm Water Management Program
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board TAC toxic air contaminant
USFWS	U.S. Fish and Wildlife
Service VMT	vehicle miles traveled

1. Introduction

1.1. Project Summary

The Project is the proposed installation of approximately 4,500 feet of 24" PVC sewer pipeline within existing street right-of-way and easements. The proposed Project will extend the City of Escalon sewer system to the existing Escalon Treatment Plant to the south, near McHenry Avenue immediately north of the Stanislaus River. The Project is intended to provide sewer services consistent with the City's approved Sewer Master Plan and General Plan. This Project is the second phase of the McHenry Sewer extension from Escalon Treatment Plant to McHenry Pump Station. The first phase of the McHenry Sewer was installed as an emergency project after the lower portion of the pipeline failed.

The Project will relocate and upsize a portion of the City's sewer main currently located in McHenry Avenue paved right-of-way within City Limits of Escalon. The Project is a planned improvement that was evaluated in the approved General Plan and Sewer Master Plan for the City of Escalon. The need for the Project is based on future population growth projections in the City of Escalon as well as the anticipated changes in land use from the full buildout of the approved General Plan for the City. The McHenry Sewer Main will be bored and jacked, under a South San Joaquin Irrigation District Main Irrigation Canal and be installed via open trench construction under the existing Meyer Avenue asphalt roadway and County of San Joaquin Easement. The Meyers Avenue roadway surface is to be removed, and a new Meyers Avenue asphalt roadway will be constructed consistent with the City of Escalon's engineering standards for street design in the original road location. Project implementation will require removal of approximately 49 almond trees located in the existing San Joaquin County Right-Of-Way.

1.2. Purpose of Initial Study

The Initial Study evaluates the level of significance of anticipated temporary and permanent physical changes in the environment from Project implementation pursuant to the California Environmental Quality Act (Statute and Guidelines). This document is intended to fully disclose the anticipated level of significance of environmental impacts that can be reasonably expected from implementation of the Project both without and with recommended mitigation. Levels of significance of environmental impacts are evaluated within Section 3.0 of this document pursuant to the thresholds of significance in Appendix G of the CEQA Guidelines (California code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387). The purpose of this environmental document is to identify and provide an opportunity for public comment on anticipated levels of significance of temporary and permanent impacts that can be reasonably expected during construction and long-term operation of the Project.

The need for the Project was identified in the City's General Plan and Sewer Master Plan and will accommodate future population growth that is anticipated in the City as well as modified land use patterns that will result from implementation of the City of Escalon's approved General Plan. Therefore, potentially significant impacts and mitigation identified in this document are primarily for construction of the Project. Planning for the Project has considered potentially significant environmental impacts from construction and incorporates methods of construction and Project design to avoid or reduce anticipated Project impacts to the greatest extent feasible. The Project is not expected to have long-term or cumulative impacts from operation beyond what has been identified in the General Plan and Sewer Master Plan. The Initial Study includes Project-specific mitigation measures, which are recommended to reduce potentially significant Project impacts occurring during construction to less than significant levels pursuant to CEQA.

This Initial Study will be used to inform the City of Escalon, along with other decision makers and affected parties, of the potential environmental effects caused from Project construction with the implementation of mitigation measures.

Environmental Concerns

Environmental Concerns include potentially significant impacts during construction on air quality emissions (PM 2.5 and NOX), migratory birds, paleontological resources, and tribal cultural resources.

1.3. Project Background

The purpose of the Project is to implement the goals of the Sewer Master Plan set forth by the City of Escalon. The goal of the Sewer Master Plan is to "[extend] sewer to currently unsewered areas within the City limits and to areas within the City's future growth boundaries", while also implementing a wastewater treatment improvement plan that will "incrementally [increase] treatment and disposal capacity of the domestic wastewater treatment and disposal facilities" (City of Escalon Sewer Master Plan 2007). The Project will provide an extension leading to a wastewater treatment facility to carry out the desired goals of the planned improvements for Escalon's sewer system, outlined within the Sewer Master Plan.

1.4. Environmental Evaluation Checklist Terminology

The Initial Study is based on the Environmental Checklist Form within Section 15063 (d) (3) of the State CEQA Guidelines (CEQA 2022). The responses to questions about the proposed Project, found in Section 3.1, indicate less than significant environmental impacts with mitigation are anticipated from Project implementation. The Form in Section 2 is used to evaluate impacts and includes an explanation for each answer within Section 3.0. The following terminology is used to describe the level of significance of Project-related impacts.

Area of Potential Effects: The footprint of development (both horizontal and vertical) where direct impacts from the Project will occur and the Local Vicinity where indirect impacts from a project could occur.

Impact: A physical change in the environment on a sensitive or regulated resource.

Less Than Significant Impact: Level of changes in the environment from a project when there is potential for an impact based on the location of resources or the location or nature of the project; however, the extent of the change is not expected to exceed thresholds of significance identified in the Appendix G Checklist and other agency standards.

Less Than Significant Impact with Mitigation: The level of changes in the environment with the implementation of a project, which includes application of mitigation measures or avoidance measures and regulations, intended to reduce changes in the environment from a project when a project has the potential to significantly change the environment, and impacts are reduced to below thresholds of significance of Appendix G and other agency standards.

Local Vicinity: The area and parcels surrounding a Project Site where direct or indirect impacts from Project implementation may occur.

Mitigation: Feasible measures that could be applied to project design and construction to minimize significant adverse impacts, which are tailored to specific circumstances of a particular project and place. Mitigation places requirements on a project beyond standard applicable ordinances and are intended to tailor a project and project activities to a particular location.

No Impact: Level of changes in the environment from a project when there are either no related resources that could be affected by a project or there are no project-related changes that could result in a change in the environment.

Potentially Significant Impacts: The level of substantive changes that will result from project implementation resulting in significant changes to the environment, and expected with a project, after avoidance and mitigation measures have been applied, exceeding thresholds of significance.

Project: An activity undertaken by an agency or private entity which requires discretionary approval leading either to a direct physical change in the environment or a reasonably foreseeable indirect change in the environment.

Threshold of Significance: A guideline or standard established for public health, safety, welfare, protection of natural resources or stewardship of the environment

Significant: Substantial or potentially substantial adverse change to any of the physical conditions within the area affected by the project.

1.5. Summary of Environmental Effects and Mitigation Measures

1.5.1. Summary of Potentially Significant Impacts on Air Quality

During Project construction Air Quality will be temporarily affected due to activities like excavation increasing fugitive dust into the air. Compliance with San Joaquin Valley Air Pollution Control District's Regulation VII (Fugitive Dust PM 10 Prohibitions) will implement standard conditions (SC) during Project construction. The following standard conditions include the following:

SC-AQ01: Throughout construction of new development resulting from the proposed General Plan's adoption, the Project contractor will comply with the SJVAPCD's optional control measures as outlined below:

- **a)** Require construction equipment used at the site to be equipped with catalysts/particulate traps to reduce particulate and NOx emissions. These catalysts/traps require the use of ultra-low sulfur diesel fuel (15 ppm). At the time bids are made, contractors shall show that the construction equipment used is equipped with particulate filters and/or catalysts or prove why it is infeasible.
- **b)** Use alternative fuels construction equipment.
- **c)** Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via portable generator set).
- **d)** Install wind breaks on windward sides of construction areas.
- **e)** Curtail construction during periods of high ambient pollutant concentrations. This may include ceasing construction activity during peak-hour vehicular traffic on adjacent roadways, and "Spare the Air Days" declared by the District.

SC-AQ02: Prior to issuance of permits and start of construction the City Engineer shall verify that plans and specifications include notes requiring contractor compliance with Rule 8061 and air pollution control measures in Table 8081-1 for fugitive dust emissions controls north and west of the Project at the closest existing residences:

A. Handling of Bulk Materials:

A1 When handling bulk materials, apply water or suitable chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity or;
A2 Construct and maintain wind barriers sufficient to limit VDE to 20% opacity and with less than 50% porosity. If utilizing fences or wind barriers, control measure A1 shall also be implemented.

B. Storage of Bulk Materials:

B1 When storing bulk materials, comply with the conditions for a stabilized surface as defined in Rule 8011; or

B2 Cover bulk materials stored outdoors with tarps, plastic, or other suitable material and anchor in such a manner that prevents the cover from being removed by wind action; or

B3 Construct and maintain fences or wind barriers sufficient to limit VDE to 20% opacity and with less than 50% porosity. If utilizing fences or wind barriers, apply water or suitable chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity or;

B4 Utilize a 3-sided structure with a height at least equal to the height of the storage pile and with less than 50% porosity.

C. On-Site Transporting of Bulk Materials:

C1 Limit vehicular speed while traveling on the work site sufficient to limit VDE to 20% opacity; or

C2 Load all haul trucks such that the freeboard is not less than six (6) inches when material is transported across any paved public access road; or

C3 Apply water to the top of the load sufficient to limit VDE to 20% opacity; or

C4 Cover haul trucks with a tarp or other suitable cover.

D. Off-Site Transporting of Bulk Materials:

D1 Clean the interior of the cargo compartment or cover the cargo compartment before the empty truck leaves the site; and
D2 Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides, and/or tailgate; and
D3 Load all haul trucks such that the freeboard is not less than six (6) inches when material is transported on any paved public access road and apply water to the top of the load sufficient to limit VDE to 20% opacity; or cover haul trucks with a tarp or other suitable closure.

E. Outdoor Transport of Bulk Materials with A Chute or Conveyor:

E1 Fully enclose the chute or conveyor; or
E2 Operate water spray equipment that sufficiently wets materials to limit VDE to 20% opacity; or
E3 Wash separated or screened materials to remove conveyed materials having an aerodynamic diameter of 10 microns or less sufficient to limit VDE to 20% opacity.

F. limit Visible Daily Emissions (VDE) to 20% opacity and comply with the requirements of a stabilized unpaved road as specified in Rule 8011. If

vehicle activity remains exclusively within an unpaved vehicle/equipment traffic area, section 5.3 may be implemented to limit VDE to 20% opacity and comply with the requirements of a stabilized unpaved road by the application and/or reapplication/maintenance of at least one of the following control measures, or shall implement an approved Fugitive PM10 Management Plan per SJVAPCD standards:

F1 Watering
F2 Uniform layer of washed gravel;
F3 Chemical/organic dust stabilizers/suppressants in accordance with the manufacturer's specifications;
F4 Road mix;
F5 Paving;
F6 Any other method(s) that can be demonstrated to the satisfaction of the APCO that effectively limits VDE to 20% opacity and meets the conditions of a stabilized unpaved road.
F7 The Contractor and City shall restrict access and periodically stabilize disturbed surface area whenever a site becomes inactive at the end of the workday to comply with the conditions for a stabilized unpaved road as defined in Rule 8011.

SC-AQ03: Prior to Project approval the City Engineer shall confirm that the plans and specifications for the Project include a note requiring regular cleaning of track-out areas throughout each workday and at the end of each workday to clean dirt deposited on any public highway or street.

1.5.2. Summary of Potentially Significant Impacts on Biological Resources

Upon a field survey conducted by U.S. Fish and Wildlife Service Department of Information for Planning and Consultation (IPaC) found on their database, the Project Site is prone to the presence of three (3) migratory bird species and seven (7) endangered species. The three migratory bird species include the Nuttail's Woodpecker (Picoides nuttallii), Oak Timouse (Baelophus inornatus), and Yellow-billed magpie (Pica nuttallii). According to the field survey, the Project Site scored a probability score of 10 for these species being present at the site. Endangered species were not seen during site visits or field surveys. However, due to the high presence of migratory birds at the Project Site, construction should be conducted outside of nesting season. Breeding season for these birds tends to occur from March to July, therefore the following standard conditions shall be implemented.

SC-BIO-01: If construction and any tree removals is to between March and July, prior to start of construction, the City of Escalon shall hire a qualified biologist to conduct a pre-construction bird nesting survey for migratory birds, within 300 feet of the Project footprint and 500 feet of the Project for raptors, to determine presence/absence of nesting birds. A report shall be submitted to the City and kept at the job site documenting the results of the survey. If nests are found, the biologist shall include the report recommendations for an adequate buffer between construction activities and the active nests that will prevent disruption of the nests until the young have fledged the nests.

1.5.3. Summary of Potentially Significant Impacts on Cultural Resources

Project construction requires excavation at depth to allow for open trench construction for the installation of the sewer pipeline extension Project. Construction will extend into native soil which has the potential to unearth archeological resources pursuant to Public Resources Code 15064.5. For this reason, mitigation measures MM CUL01 and CUL02 will be implemented during Project construction. Additionally, since the Project proposes to extend below depths previously unearthed, it is possible that the discovery of human remains could be found at the Project Site. As a result, mitigation measures CUL03 and CUL04 will be utilized to reduce potentially significant impact to a less than significant level.

MM CUL01: Prior to the start of construction, the City Planning Department will separately verify that the Project contractor has retained a qualified archeologist to provide tailgate training to Contractor staff regarding the protocol and handling of cultural resources in the event that previously unknown cultural resources are discovered during construction.

MM CUL02: Prior to the initiation of ground-disturbing activities, field personnel should undergo worker environmental awareness training and be alerted to the possibility of buried prehistoric or historic cultural deposits. If any subsurface cultural resources are encountered during Project, construction activities within 50 feet of the encounter shall be halted until a qualified archeologist can examine these materials, determine their significance, and if significant, recommend mitigation measures that would reduce potential effects to a level that is less than significant. Should buried cultural resources be discovered during construction, the Project contractor shall immediately halt all work within 50 feet of the find until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation measures. Recommended measures could include, but are not limited to,

a) preservation in place, or
b) excavation, recovery and curation by qualified professionals.

MM CUL03: Should human skeletal remains be encountered; State law requires immediate notification of the County Coroner by the Contractor. Should the County Coroner determine that such remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains.

MM CUL04: If human remains are encountered during construction, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination on the origin and disposition of the find pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

1.5.4. Summary of Potentially Significant Impacts on Paleontological Resources

The Project Site is underlain with alluvial fan deposits (Qf) dating back to the Pleistocene-Holocene age (approximately 2,580,000 to 11,700 years old). Pleistocene alluvial is considered highly paleontologically sensitive and fossils have been previously reported from Modesto Formation. Any fossils discovered due to the Project are scientifically significant. Therefore, the implementation of mitigation measure PALEO01 will help to reduce the significance of the environmental impact to less than significant.

PALEO01: Prior to the start of Project construction, the City of Escalon shall hire a qualified paleontologist for the Project. The City's paleontologist shall prepare and implement a Paleontological Resource Mitigation Program to monitor, salvage and curate any recovered fossils which will be funded by the City.

1.5.5. Summary of Potentially Significant Impacts on Noise

Since Project construction has the potential to produce substantial short-term noise, standard conditions will be implemented in order to minimize noise from exceeding recommended levels. The following standard conditions consist of the following:

SC-NOI01: Construction shall be limited to the hours between 7:00 a.m. and 9:00 p.m. on weekdays, and between 8:00 a.m. and 9:00 p.m. on Saturday and Sunday in order to reduce the impacts to a less than significant level.

SC- NOI:5.11.2:

1. The City shall review new public and private development proposals to determine conformance with the policies of this Noise Element.
2. Where the development of a Project may result in land uses being exposed to existing or projected future noise levels exceeding the levels specified by the policies of the Noise Element, the City shall require an acoustical analysis early in the review process so that noise mitigation may be included in the Project design. For development not subject to environmental review, the requirements for an acoustical analysis shall be implemented prior to the issuance of a building permit.
3. The City shall develop and employ procedures to ensure that noise mitigation measures required pursuant to an acoustical analysis are implemented in the development review and building permit processes.
4. The City shall develop and employ procedures to monitor compliance with the policies of the Noise Element after completion of Projects where noise mitigation measures have been required.

2. Project Description

The purpose of this Project is to increase the City of Escalon's sewer effluent pipeline capacity of the main sewer conveyance pipeline between Escalon Treatment Plant, south of City Limits and McHenry Pump Station north of the intersection of McHenry Avenue and Meyers Avenue. The Project is a Type I Linear Utility Plan associated with the State Water Board Waste Discharge Permit issued to the City of Escalon (WDID#5S39C394713). This pipeline is the single conveyance pipeline between the City of Escalon and the Escalon Wastewater Treatment Plant, located 2 miles south of the City Limits. The proposed Project will install approximately 4,500 feet of 24" PVC sewer line along McHenry Avenue and traverses to the west along Meyer Avenue, travelling south down an existing and abandoned Union Pacific railroad line (track, wooden ties, & ballast rock) that runs parallel to the proposed pipeline throughout this segment and across Greenleaf Road and the Main Irrigation Canal.

The installation of the pipeline along Meyer Avenue, starting at the McHenry Avenue and Meyer Avenue intersection and ending at the terminus of the Meyer Avenue roadway, will involve the open trench installation of a single 24'-inch PVC gravity pipeline under the existing Meyer Avenue roadway. Project implementation will involve trenching approximately 9 feet to 11 feet below existing ground surface and requires a trench width of approximately 15 feet across. The Meyers Avenue roadway shall be re-built as a paved 18-foot-wide roadway with 9-foot wide of shoulder and drainage swales on each side of the pavement. The roadway and pipeline construction shall be contained in the San Joaquin County easement.

The segment of the Project starting from the terminus of Meyer Avenue and ending at San Joaquin District Main Canal, an old roadway for an all-weather road, requires trenching approximately 11-feet to 21-feet in depth and approximately 18-feet in width. A 15-foot all-weather road shall be constructed by using the recycled asphalt grindings produced by the demolition of the existing Meyer Avenue pavement. The roadway and pipeline construction shall be contained in the San Joaquin County easement. Within this segment of the sewer line extension, jack and bore will be required for pipeline installation under the existing South San Joaquin District (SSJID) Main Canal and under Greenleaf Road, which is parallel and adjacent to the canal. The proposed pipeline will connect to an existing 14-inch concrete sewer pipe that runs parallel to the proposed pipe at approximately the same depth. Additional utilities parallel to the existing sewer pipe include a 20-inch concrete industrial water force main located approximately 36-inches below the existing ground surface.

Project Construction

The Project shall be completed in a single phase and construction is anticipated to be approximately four months in duration. Within the proposed staging and construction areas, no structures are listed as historically significant. During Project construction, the demolition and construction footprint will comprise approximately 142,920 square feet (119,880 square feet along Meyer Avenue and 23,040 square feet along the all-weather roadway). Along Meyer Avenue, outside of the right-of-way, are established almond orchards. No trees will be removed in this area of construction. Along the all-weather roadway, almond orchards surround the Project Site and have been over-planted within the San Joaquin County easement, resulting in the required removal of approximately 49 almond trees. These trees will be flagged for removal by the surveyor with the contractor and property owners present.

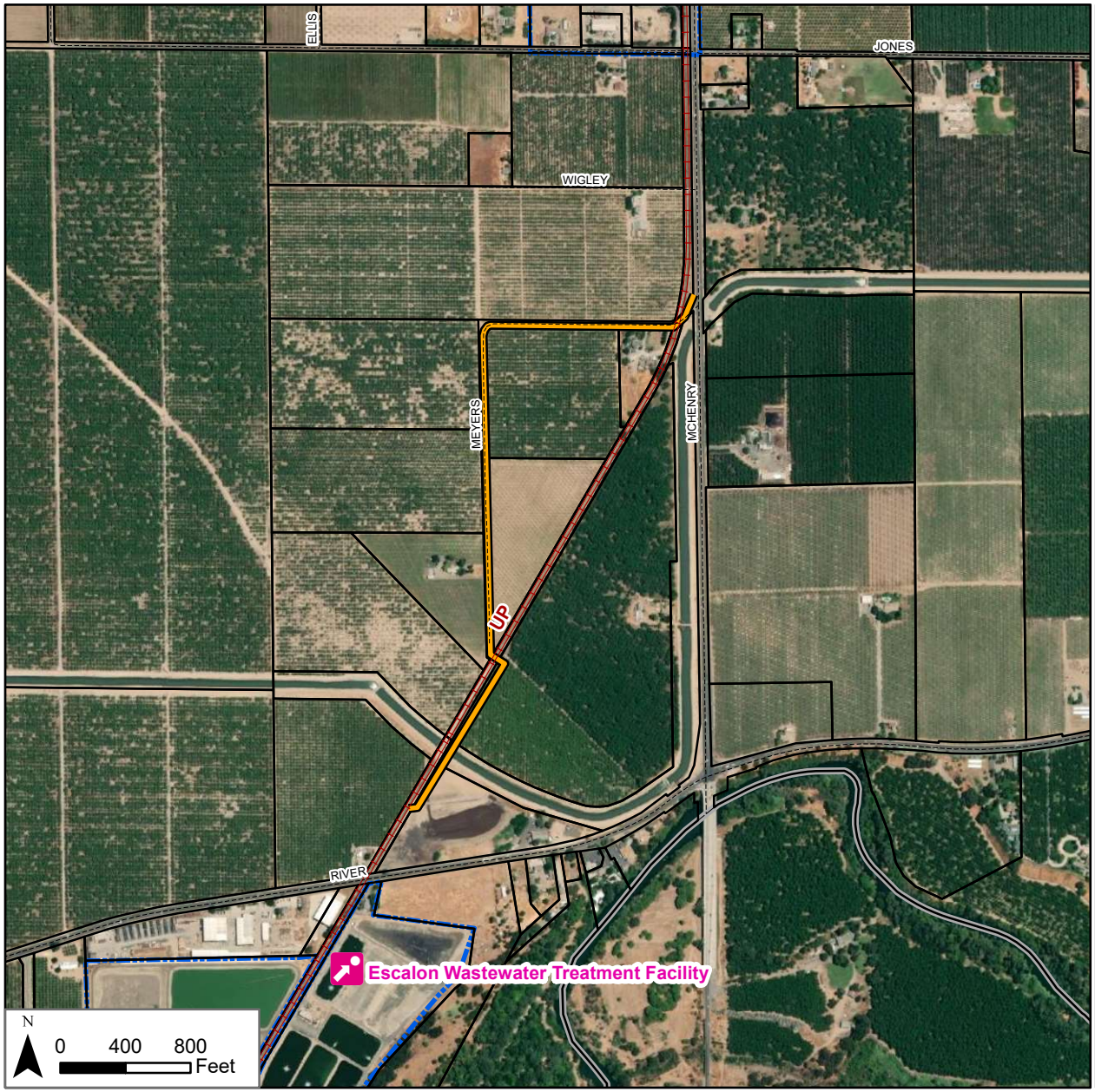
2.1. Project Location

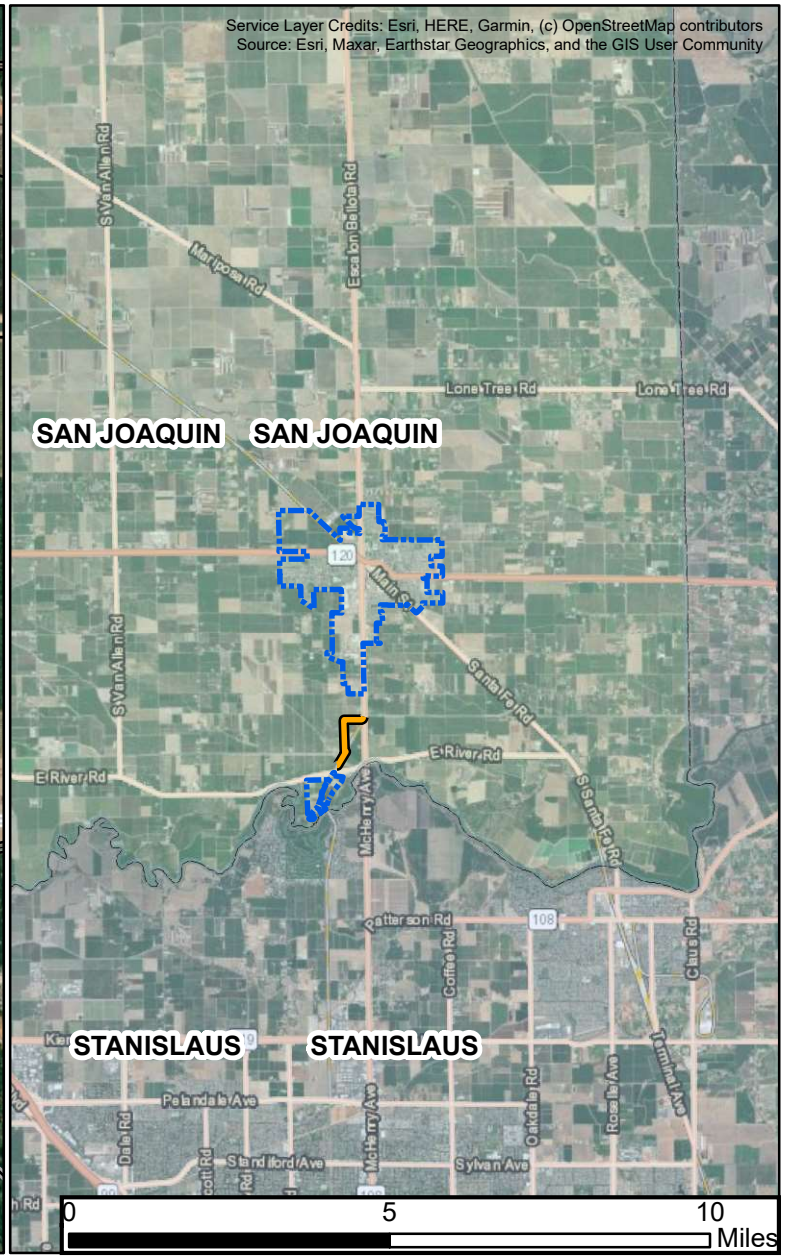
The Project will commence in two locations between Meyer Avenue and McHenry Avenue intersection to the end of Meyer Avenue roadway (GPS 37.768734, -120.996035 to 37.762912, -121.000369), well as between Meyer Avenue roadway and South San Joaquin Irrigation District Main Canal (GPS: 37.763740, -121.000452 to 37.760896, -121.001491). Surrounding location of the proposed Project and immediately adjacent are agricultural lands, containing almond orchards. South of the all-weather roadway is the Escalon Sportsman Club, approximately 600 feet from the Project Site.

2.2. Permits and Approvals

The following permits and approvals that are required for the proposed Project include the following:

- **Union Pacific Railroad** – The encroachment has already been approved.
- **South San Joaquin Irrigation District** – The encroachment has already been approved.
- **County of San Joaquin** –Responsible for improvements upon plan check and inspections throughout Project construction.





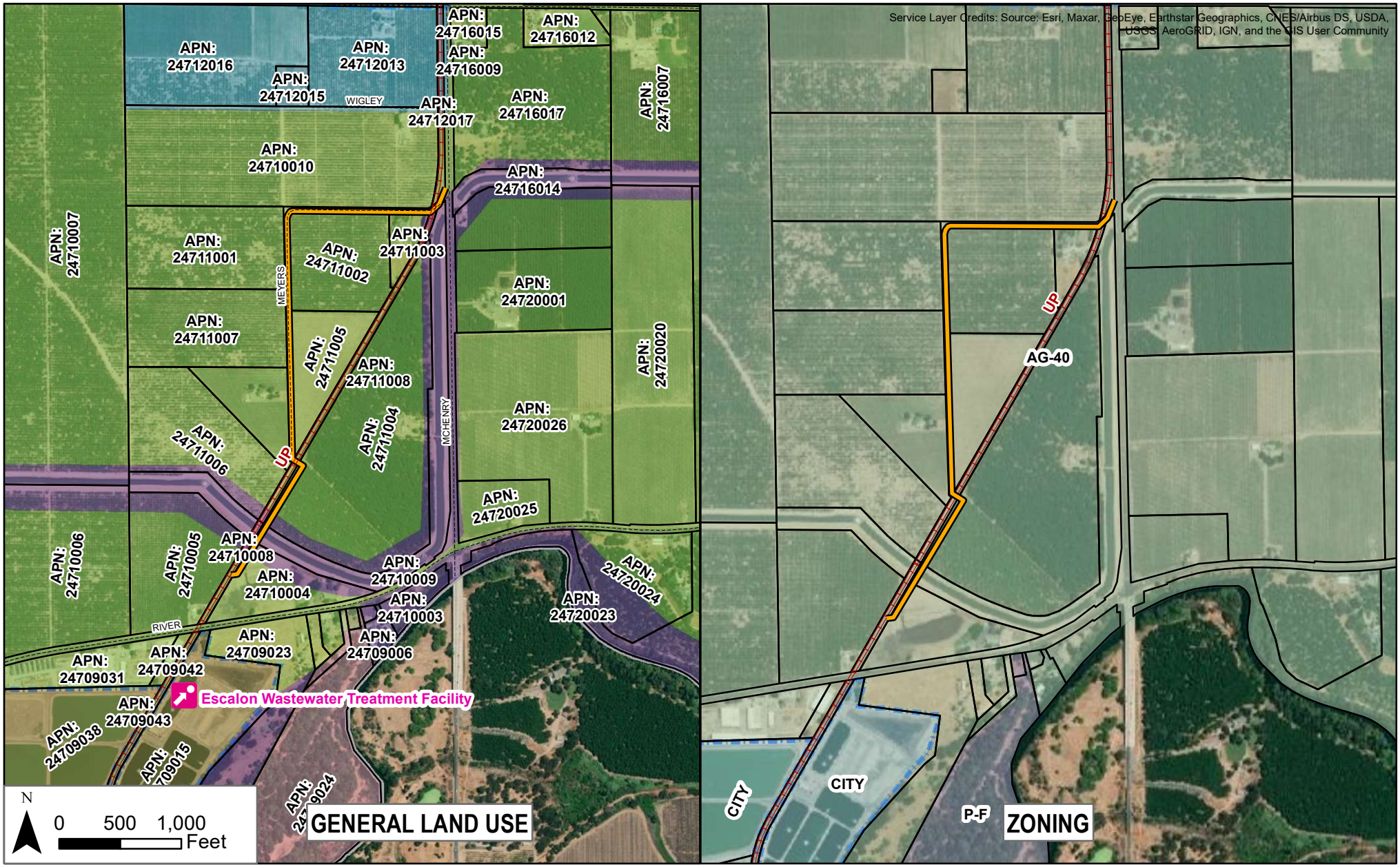
Legend

- PointsOfInterest
- Railroads
- Project Location
- Escalon City Limits

ARDURRA

Phase 2 McHenry Sewer Line

Figure 1. Regional Map - Vicinity Map



Legend

- Points Of Interest
- Railroads
- Project Location
- Escalon City Limits

General Plan

- A/G
- A/UR
- CITY
- OS/PR
- OS/RC
- P/F

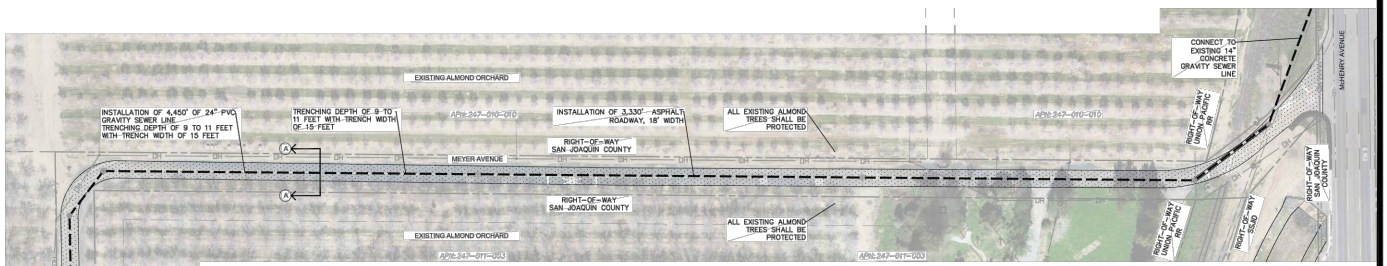
Zoning

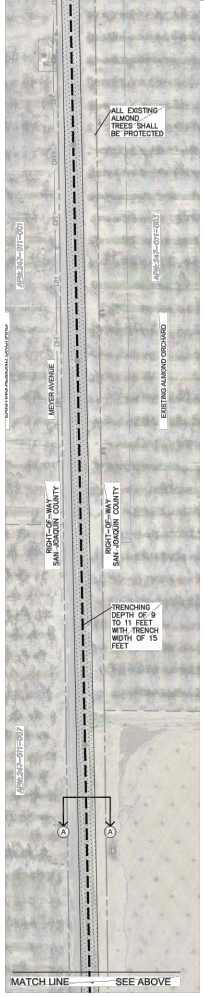
- AG-40
- CITY
- P-F

ARDURRA

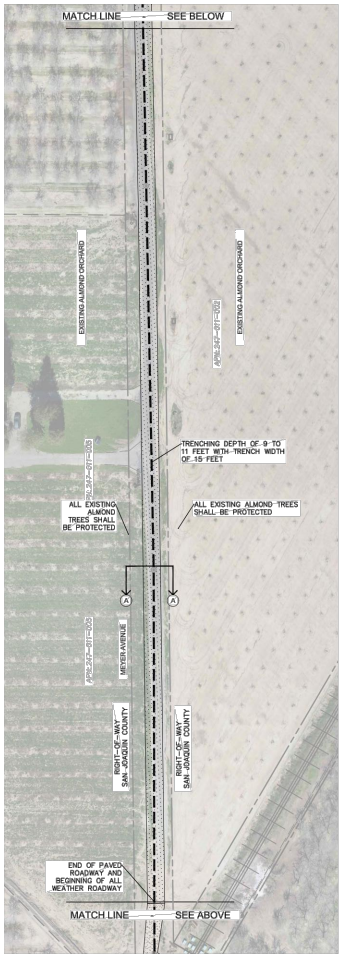
Phase 2 McHenry Sewer Line

Figure 2. Zoning and General Land Use Map

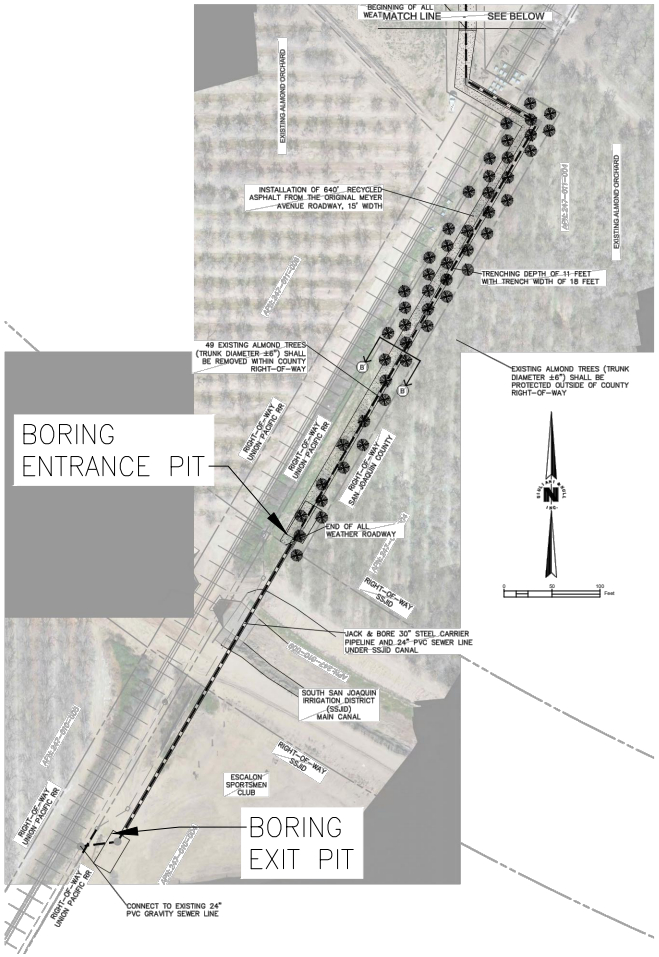




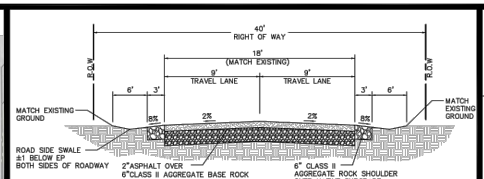
STATION: 32+30 TO 55+33



STATION: 23+20 TO 32+30



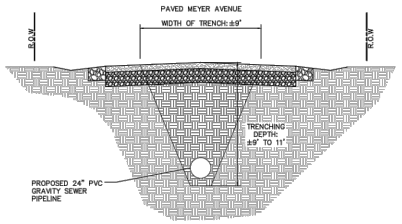
STATION: 12+75 TO 23+20



*ROADWAY CROSS SECTION AND STRUCTURAL SECTION PER SAN JOAQUIN COUNTY STANDARD DETAILS R-3 & R-18

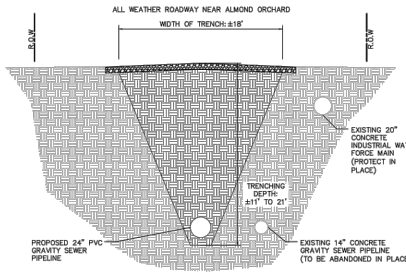
MEYER AVENUE (RURAL ROAD) ROAD SECTION BETWEEN McHENRY AVENUE TO END OF ROADWAY 3,330 FEET OF ROADWAY

NOT TO SCALE



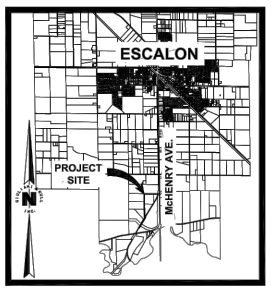
MEYER AVENUE BETWEEN A McHENRY AVENUE TO END OF ROADWAY 3,330 FEET OF ROADWAY

NOT TO SCALE



B END OF ROADWAY TO SSJID CANAL 640 FEET OF ROADWAY

NOT TO SCALE



VICINITY MAP

NO SCALE

DIGALERT 1-800-227-2600 CALL 2 FULL WORKING DAYS IN ADVANCE

REVISIONS | REV # | DESCRIPTION | DATE | APPROVED

Giuliani & Kull, Inc.
Engineers • Planners • Surveyors
440 S. Yosemite Avenue, Suite A, Oakdale, CA 95361
(209) 847-8726 Fax (209) 847-7323
Auburn • San Jose • Oakdale

PROFESSIONAL ENGINEER — No. C76539 — Exp. 12/31/22 — CIVIL — STATE OF CALIFORNIA

SITE PLAN

PHASE 2 McHENRY SEWER LINE
CITY OF ESCALON
SAN JOAQUIN COUNTY, CALIFORNIA

SCALE	1"=40'
DRAWN BY	NWP
DESIGNED BY	NWP
CHECKED BY	WFK
DATE	4/4/2022

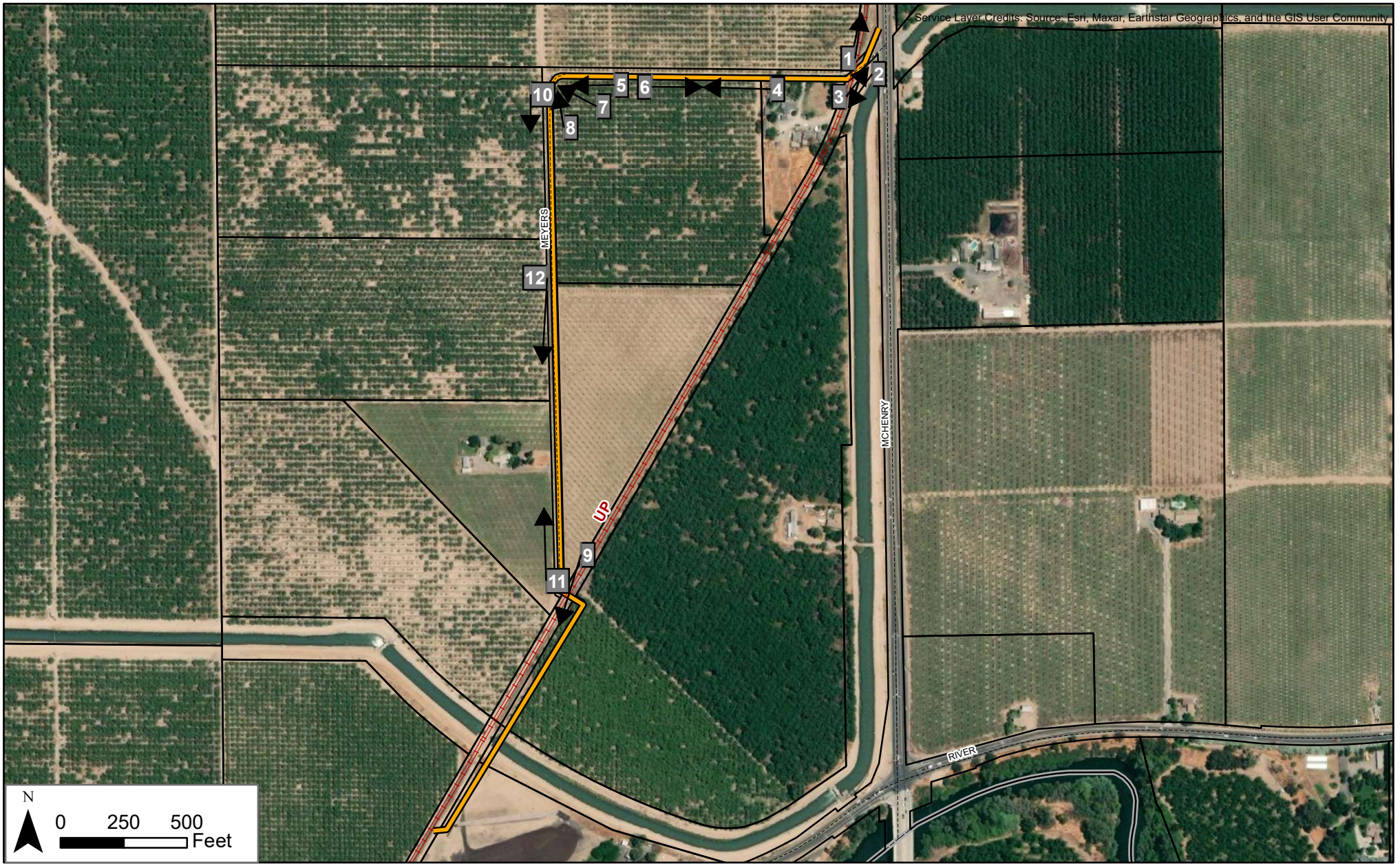
SHEET **EX-1** OF 1

JOB NO. 20150

ARDURRA

Phase 2 McHenry Sewer Line

Figure 3. Site Plan



Legend

Railroads

Project Location

ARDURRA

Phase 2 McHenry Sewer Line

Figure 4. Photo Map

P1

P2

P3

P4

P5

P6

ARDURRA

Anza Road 1550 Pipeline Extension Project

Figure 5A. Site Photos

P7

P8

P9

P10

P11

P12

ARDURRA

Anza Road 1550 Pipeline Extension Project

Figure 5B. Site Photos

3. Environmental Checklist Form

3.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

3.2 DETERMINATION

On the basis of this initial evaluation:

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

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

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

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

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

Click here to enter text.

Signature *Date*

4.0 INITIAL STUDY

4.1 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 would 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.

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 Analyses 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

5.0 ISSUES AND SUPPORTING INFORMATION SOURCES

5.1 AESTHETICS

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the Project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) In nonurbanized 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 publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a) Have a substantial adverse effect on a scenic vista?

Less than Significant Impact. Scenic vistas are defined in the County's General Plan, as open public views from regional roadways I-5 and I-580 as well as views associated with the Stanislaus River, views at city gateways, and views from rural roads toward agriculture, water features, and open space. East River Road is designated as a Scenic Route in the County's General Plan and views along this route are considered scenic vistas. I-5 and I-580 are not visually connected with the Project location due to distance and the existing land use patterns between these transportation routes and the Project. Therefore, changes associated with the Project are not anticipated to be highly discernable from these regional routes due to gently sloping topography as well as distance and land use between these routes and the Project. I-5 is located approximately 2.5 miles west of the Project site and I-580 is located 3.21 miles southwest of the Project site. The Project will not result in either temporary or permanent visual changes at a scale that would be highly noticeable from these highways either temporarily during construction or permanently. The Project is surrounded by orchards, agricultural lands, and rangelands, with local views of portions of the South San Joaquin Irrigation District Canal system from the northerly terminus of the Project, near the McHenry Avenue/Meyers Avenue intersection, and from the southerly terminus of the Project, approximately 570 feet north of East River Road. The Project is adjacent to the west of the Union Pacific Railroad tracks and will cross underneath South San Joaquin Main Canal (Main Canal) resulting in no impacts on the Main Canal. The Project traverses in a northeast-southwest direction underneath the Main Canal. The southerly terminus of the Project crosses underneath Greenleaf Road.

The Stanislaus River is south of the Project and is considered an important visual resource. The intersection of McHenry Avenue and Jones Road, approximately 1,500 linear feet north of the Project site, is a Scenic Gateway planned for development in the City of Escalon 2035 General Plan; however, most of the Project alignment is along Meyers Avenue, southwest of this location, and there is no visual corridor between Meyers Avenue and this Scenic Gateway. It is anticipated that existing orchards and land use north of the Project will obscure views between this gateway and the Project making temporary and permanent changes with the Project less than significant. Therefore, due to proximity, topography and existing land use, the Project location is not visible from the McHenry Avenue/Jones Road Gateway intersection and there are less than significant Project impacts anticipated. No

construction will occur near the Stanislaus River, which is a scenic resource identified in the County's General Plan located approximately 1,300 feet southeast of the Project at the closest point. There are no view corridors between the Project and the Stanislaus River and general views between the Project and the river are substantively obscured by existing land use and distance. Although glimpses of portions of the top canopies of trees and larger vegetation in the riparian corridor of the Stanislaus River are visible in the local vicinity, the Project is approximately 1,300 feet northwest of the riparian corridor, at the closest point, and there are no view corridors between Stanislaus River and the Project. Therefore, visual changes associated with Project implementation are not anticipated be highly noticeable in views associated with the Stanislaus River during or after construction due to topography, location, and distance.

Since the Project is a sewer Project, which will be built below grade mostly within the existing paved street right-of-way of Meyers Road, permanent aesthetic impacts would be localized and limited to the locations of pipeline installation and where the permanent removal of approximately 49 orchard trees may be visible, along the west side of the Union Pacific Railroad tracks in the vicinity north of Greenleaf Road and the Main Canal and south the southerly paved terminus of Meyers Avenue. Temporary impacts in this regard may include temporary staging of equipment and materials. The proposed area of tree removal is approximately 60 feet wide by 530 feet long and would widen the existing view corridor looking into the orchards, northeast from a portion of East River Road along the Union Pacific Railroad tracks where the railroad easement crosses East River Road. The Project will remove approximately two or three rows of trees and is not anticipated to result in a significant change to the existing views of the orchards because numerous rows and hundreds of trees will remain. The Project will be installed underground, and the Project location within the paved roadway will be restored to original conditions after construction is complete; the surface of Meyers Road will be returned to its original condition. The County's easement will remain clear in a manner consistent with agency standards.

East River Road is located approximately 550 feet south of the southerly terminus of the Project and is identified as a Scenic Route in the County's General Plan on Figure 4.2-1. The County's General Plan also identifies general scenic resources associated with open public views from other rural roads such as Meyers Road and Greenleaf Road as important features of this area. Associated views of water features, open space and natural landscape, river corridors, agricultural lands and rangelands, and parklands from rural roads are considered scenic resources. Project construction will be temporarily visible along Meyers Road and from a view corridor at the Union Pacific Railroad tracks where it intersects with Greenleaf Road (at the South San Joaquin Irrigation District Main Canal), and at East River Road looking northeast toward the Project. Implementation of the Project via bore and jack construction underneath the Main Canal and open trench construction adjacent to the Union Pacific Railroad tracks, will result in temporarily changed localized views that may be visible from Greenleaf Road and from East River Road looking northeast via the visual corridor created by the railroad right-of-way at East River Road. This is a temporary impact of the Project.

Jack and bore construction will result in temporarily disturbed areas for entry and receiving "pits", approximately 20 by 40 feet north and south of the Main Canal. Upon completion of construction, these areas will be backfilled, and the surface returned to conditions that are consistent with the County's standards for public right-of-way. The remaining length of the Project along Meyers Avenue will be implemented with open trench construction within the County's right-of-way/easements. Removal of approximately 49 orchard trees south of Meyers Avenue, is necessary because these trees have been overplanted within County right-of-way adjacent to the railroad tracks by the landowner of the adjacent property. The tree removals are not expected to significantly affect existing views along McHenry Avenue due to the flat terrain as well as the number of remaining trees and density of the remaining tree canopies, which reduce visibility to the Project location from surrounding public vantage points including McHenry Avenue. Since most of the orchard trees will remain, the Project is not expected to have significant visual impacts along Meyers Avenue or East River Road. The Project will be built below ground surface and the surface will be backfilled and restored to be consistent with the County's right-of-way standards. The number of remaining trees within the orchard will provide visual continuity within the area.

For the reasons above, Project impacts on scenic vistas are considered less than significant

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less Than Significant Impact. See Response 5.1, a). Significant damage will not be done to scenic resources; there are no rock outcroppings historically significant structures within the Project footprint. While the Project is located near some scenic resources, such as rural roads, East River Road, and the planned Scenic Resource gateway of McHenry Avenue and Jones Road, no planned construction will directly affect these locations. Expected Proposed tree removals of 49 almond trees, are required due to over-planting within the existing County right-of-way by the neighboring Almond Orchard, between the end of Meyer Avenue roadway and South San Joaquin Irrigation District Main Canal and will bring the easement back into compliance with engineering design criteria. These removals are not expected to be highly discernible from nearby scenic vantage points. Trees outside the Right-of-Way will be protected by having a surveyor mark the trees with the contractor and adjacent property owners present. The City of Escalon has no tree Ordinance while the County has a Tree Ordinance for the Native Oak Trees, Heritage Oak Trees, and Historical Trees. None of those trees have been identified at the Project site as such with just the removal of the almond trees less than significant impact is expected. During the construction process some temporary effects may be seen on East River Road but no adverse effects post-construction are expected.

c) In nonurbanized 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 publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impact. See Responses 5.1, a) and b). Anticipated temporary impacts from construction of the Project are considered less than significant. Upon completion of construction, materials and equipment will be removed and the trenches will be backfilled and covered over. Permanent changes due to the removal of 49 almonds trees located between the end of Meyer Avenue and on the all-weather roadway (Greenleaf Road) to the South San Joaquin Irrigation District canal are considered a less than significant permanent impact because the surrounding orchards will remain sufficiently dense with many rows of trees remaining. The Project location would remain mostly concealed from open public views along the nearest roadways.

For the reasons above Project impacts are considered less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Construction will include equipment and vehicles with reflective surfaces resulting in a new temporary source of light and glare. These impacts will be intermittent along the Project alignment and will cease once the Project is complete. Due to the location of the Project being surrounded by almond orchards little to no impact is seen on to the scenic resource of the neighboring orchards, McHenry Gateway, East River Road, and Stanislaus River.

5.2 AGRICULTURE AND FORESTRY RESOURCES

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. According to historic aerials of the Project Site, the earliest recorded aerial was shot in 1957, when the Project Site was in use for Agricultural purposes (See https://www.historicaerials.com/viewer). Since then, the land in the surrounding areas of the Project Site have remained as agricultural. Farming within the City of Escalon is an essential part of the economy with farmland makes up a majority of the land use within the City's Sphere of Influence. As a result, the City's regulations within the Growth Management Ordinance provides protection to farmlands not typically found in other communities.

The Department of Conservation Farmland Mapping and Monitoring Program's California Important Farmland Finder Website (See https://maps.conservation.ca.gov/DLRP/CIFF/) indicates the Project is located adjacent to Prime Farmlands. The Project will be implemented within the County Right-of-Way on public streets and is proposed to improve a City sewer line within the City's approved Sphere-of-Influence. Project implementation will allow the City of Escalon to meet sanitary sewer requirements anticipated from buildout of the approved General Plan. The Project will not directly convert Prime Farmland, Farmland of Local Significance, Unique Farmland, or Farmland of Statewide Importance, because it will be implemented within existing right-of-way and public easements. The Project is not considered growth inducing and will not result in indirect impacts on Farmland because it is a planned

extension of sanitary sewer service supporting the buildout of the approved General Plan. Therefore, the Project will not result in Farmland conversion beyond what has already been analyzed in the General Plan EIR. In addition, the Project pursuant implements goals and policies of the General Plan from the County and City level in regard to preservation of farmland and natural resources. The policies and goals that the Project is consistent with are outlined below in Table 1: Project Consistency with County and City General Plan Policies and Goals.

Table 1: Project Consistency with County and City General Plan Policies and Goals

County General Plan (Land Use Element)	City General Plan (Open Space, Conservation, and Recreation Element)	Project Consistency
	Policy 3.1.8 Maximize farmland, open space, and wildlife habitat preservation on lands outside of the City by establishing a greenbelt including all lands not designated for future annexation on the General Plan Land Use Diagram. The City shall use natural or manmade features to transition from urban to non-urban uses.	The Project does not propose to detract from the farmland that is currently present around the Project Site. Farmland of all designations will remain intact upon Project implementation. Therefore, the Project is consistent with the desired policy outcome and has no impact on the General Plan Land Use Diagram.
Policy LU-1.7: Farmland Preservation. The County shall consider information from the State Farmland Mapping and Monitoring Program when designating future growth areas in order to preserve prime farmland and limit the premature conversion of agricultural lands. (RDR) (Source: New Policy)		See Response II, a). As mentioned above, the Farmland Mapping and Monitoring Program recognizes Prime Farmland is located near the Project Site, however, buildout of the sewer line will not convert this land use designation and the Project buildout will remain on a City's designated right-of-way. Therefore, no impact will occur.
	Policy 3.3.3: The City will preserve and protect agricultural use on lands in and surrounding the Escalon planning area for open space purposes and for the managed production of resources.	See Response II, a). The agricultural lands will be preserved and protected during Project implementation. The surrounding lands outside of the Project Site and staging areas do not anticipate being impacted by Project construction. Therefore, no impacts will occur, and the Project is consistent with Policy 3.3.3.

As a result of Project consistency with the policies and goals with County and City General Plans and preservation of Prime Farmland, the Project is not anticipated to impact agricultural resources directly or indirectly due to Project implementation.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The Project is located in the Public Right-of-Way adjacent to land zoned under the Williamson Act. The Project proposes to stay within the bounds of the Public Right-of-Way; therefore, implementation will not result in direct impacts on the adjacent orchard and there will be no change in zoning at the Project Site or adjacent to the Project location. The Project will implement an approved traffic control plan during construction and is not expected to result or in temporary or permanent changes that will conflict with the adjacent agricultural land or zones labeled for agricultural use during or post construction. This Project lies within the County Right-of-Way on public streets, within the City's Sphere of Influence as indicated within the approved General Plan. The Project is intended to improve a City sewer line that would facilitate buildout of the approved General Plan; therefore, growth inducing impacts are not anticipated.

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))?

No Impact. The Project will not result in any temporary, permanent direct or indirect change in areas labeled as Forest land in the General Plan of both the County and City, no zone has been labeled as forest land within the City or County and as such no impact is foreseen due to the location of the Project.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The Project is not located near or resulting in any change in areas labeled as Forest land in the County and City General Plans and as such no impact is foreseen. See Response 5.2-C.

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?

No Impact. Project is located on City Public Rural Residential Road and will not intrude past the County Right-of-Way no land use changes are anticipated due to the implementation of this Project. No impact on approved zoning or General Plan land use is foreseen. The Project is part of the planned buildout of the approved General Plan of the City of Escalon and will not facilitate changes in the existing environment or conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.

5.3 AIR QUALITY

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district 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?	☐	☒	☐	☐
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?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant with Mitigation Incorporated. The Project Site is within the San Joaquin Valley Air Pollution Control District (SJVAPCD) jurisdiction, which extends over eight counties within California's Central Valley region (approximately 250 miles long). SJVAPCD regulates air pollution by monitoring criteria air pollutant levels within its jurisdiction and setting regulations leading to compliance with the state and federal air quality regulations. Existing air quality conditions within the District are determined by natural factors such as topography, meteorology, and climate, in addition to the number of emissions released by existing air pollutant sources. Sources of air pollutants within the Project Area are generally from vehicular emissions and agricultural activities. SJVAPCD is responsible for implementing State and Federal regulations and programs for air quality and operates a total of 24 air quality monitoring sites in collaboration with California Air Resources Board (CARB). Ten criteria pollutants are monitored within the SJVAPCD to document levels of compliance with standards for State and Federal Clean Air Acts (See Table 2: Federal and State Pollutant Standards).

The closest monitoring site in relation to the Project Site is Modesto-14th Street and Manteca monitoring site. Modesto-14th Street monitoring site is approximately 9.5 miles south from the Project Site, located in the heart of downtown Modesto, California (37.6421 N, -120.9942 W). This monitoring site tracks meteorology and "representative concentrations of Ozone (O3), Particulate Matter less than 2.5 microns (PM2.5), and Particulate Matter less than 10 microns (PM10) in local and upwind urban areas", in addition "Carbon Monoxide (CO) and PM2.5 atmospheric evolution and meteorology is monitored at this station (SJVAPCD Air Monitoring Report 2021). The Manteca Monitoring Site is in Manteca, California (37.793392 N, -121.247874 W), approximately 17 miles west from the Project Site. The Manteca station has been at its current location since January 2006 and "monitors transport of Ozone, NO2, PM2.5, and PM10 from upwind and nearby urban areas". (SJVAPCD Air Monitoring Report 2021).

SJVAPCD reports attainment status for the various air pollutants they monitor as shown in Table 3: San Joaquin Valley Air Basin Attainment Status. The pollutants that are in attainment within the SJAVAPCD include Particulate Matter less than 10 microns (PM10), Carbon Monoxide (CO), Nitrogen Dioxide (NO_3), and Sulfur Dioxide (SO_2). The primary source of CO is from automobiles; and the CO threshold of significance is 100,000 vehicles per day. Project-generated traffic will not exceed this threshold of significance. The Project will not generate long-term traffic.

The size of the Project will not require large numbers of equipment and vehicles for implementation. For these reasons, no significant short-term or long-term air quality impact are anticipated to local air quality with the implementation and on-going use of the proposed Project. Regional air quality impacts are considered less than significant because Project emissions do not exceed the significance threshold identified in Table 2 and Table 3 or contribute to pollution to areas that are in non-attainment status.

Table 2: Federal and State Pollutant Standards

Air Pollutant	Concentration/ Averaging Time		Most Relevant Effect
	California Standards	Federal Primary Standards	
Ozone (O3)	0.09 ppm/1-hour 0.07 ppm/8-hour	0.070 ppm/8-hour	(a) Decline in pulmonary function and localized lung edema in humans and animals; (b) Risk to public health implied by alterations in pulmonary morphology and host defense in animals; (c) Increased mortality risk; (d) Risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (e) Vegetation damage; and (f) Property damage.
Carbon Monoxide (CO)	20.0 ppm/1-hour 9.0 ppm/8-hour	35.0 ppm/1-hour 9.0 ppm/8-hour	(a) Aggravation of angina pectoris and other aspects of coronary heart disease; (b) Decreased exercise tolerance in persons with peripheral vascular disease and lung disease; (c) Impairment of central nervous system functions; and (d) Possible increased risk to fetuses.
Nitrogen Dioxide (NO2)	0.18 ppm/1-hour 0.03 ppm/annual	100 ppb/1-hour 0.053 ppm/annual	(a) Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; (b) Risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; and (c) Contribution to atmospheric discoloration.
Sulfur Dioxide (SO_2)	0.25 ppm/1-hour 0.04 ppm/24-hour	75 ppb/1-hour 0.14 ppm/annual	(a) Bronchoconstriction accompanied by symptoms which may include wheezing, shortness of breath and chest tightness, during exercise or physical activity in persons with asthma.
Suspended Particulate Matter (PM10)	50 µg/m^3/24-hour 20 µg/m^3/annual	150 µg/m^3/24-hour	(a) Exacerbation of symptoms in sensitive patients with respiratory or cardiovascular disease; (b) Declines in pulmonary function growth in children; (c) Increased risk of premature death from heart or lung diseases in elderly.
Suspended Particulate Matter (PM2.5)	12 µg/m^3 / annual	35 µg/m^3/24-hour 12 µg/m^3/annual	
Sulfates	25 µg/m^3/24-hour	No Federal Standards	(a) Decrease in ventilatory function; (b) Aggravation of asthmatic symptoms; (c) Aggravation of cardio-pulmonary disease; (d) Vegetation damage; (e) Degradation of visibility; (f) property damage.
Lead	1.5 µg/m^3/30-day	0.15 µg/m^3/3-monthrolling	(a) Learning disabilities; (b) Impairment of blood formation and nerve conduction.
Visibility Reducing	Extinction coefficient of 0.23 per		Visibility impairment on days when relative humidity is less than 70 percent.

Particles	kilometer-visibility of 10 miles ormore due to particles when humidity is lessthan 70 percent.	No Federal Standards	

Source : https://ww2.arb.ca.gov/sites/default/files/2020-07/aaqs2.pdf

Table 3: San Joaquin Valley Air Basin Attainment Status

Criteria Pollutant	Designation/ Classification	
	Federal Primary Standards	State Standards
Ozone- One hour	No Federal Standard	Nonattainment/ Sever
Ozone- Eight Hour	Nonattainment/ Extreme	Nonattainment
PM10	Attainment	Nonattainment
PM2.5	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Attainment/ Unclassified	Attainment/ Unclassified
Nitrogen Dioxide (NO_3)	Attainment/ Unclassified	Attainment
Sulfur Dioxide (SO2)	Attainment/ Unclassified	Attainment
Lead	No Designation/ Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment

Source: SJVAPCD 2020.

Emissions during construction are primarily odorless. Potential odor emissions from the Project would be short-term, intermittent, and likely due to diesel exhaust and emissions from roadway paving, which are not anticipated to result in significant impacts from odors during construction. The Project location is surrounded by Orchards and there are no sensitive receptors in the immediate area. There will be no long-term odors generated from the Project. The Project does not propose any land use or activities that would result in a permanent significant operational-source of odors.

Local air quality may be temporarily impacted during construction of the Project from the dust created from excavation. Project will comply with standards and PM-10 regulations set by the SJVPCD's *Guide for Assessing and Mitigating Air Quality Impacts*, as stated in both City and County General Plans. As a result, compliance with SJVAPCC Regulation VIII (Fugitive Dust PM10 Prohibitions) control measures for construction and Mitigation Measure MM-AQ: 5.3.1 will reduce impacts to less than significant. Therefore, mitigation measure MM-AQ01 will be applied during construction of the Project as follows:

MM-AQ01: The Contractor, City Engineer and Inspectors shall verify that the SJVAPCD's control measure is implemented as outlined below or equivalent to reduce fugitive dust emissions throughout all phases of construction:

f) Require construction equipment used at the site to be equipped with catalysts/particulate traps to reduce particulate and NOx emissions. These catalysts/traps require the use of ultra-low sulfur diesel fuel (15 ppm). At the time bids are made, contractors shall show that the construction equipment used is equipped with particulate filters and/or catalysts or prove why it is infeasible.

g) Use alternative fuels construction equipment.

h) Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via portable generator set).

i) Install wind breaks on windward sides of construction areas.

j) Curtail construction during periods of high ambient pollutant concentrations. This may include ceasing construction activity during peak-hour vehicular traffic on adjacent roadways, and "Spare the Air Days" declared by the District.

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?

Less than Significant with Mitigation Incorporated. See Response 5.3, a). The Project is located within an area that is nonattainment for Ozone and PM 2.5. The Project has the potential to contribute to a net increase in criteria pollutants (Nitrogen Oxides, Volatile Organic Compounds, and fugitive dust). Due to the size of the Project, construction emissions are not anticipated to be considerable and would therefore not result in a cumulatively considerable net increase in Ozone or PM 2.5. Project implementation does not involve permanent emissions and no substantive change in existing or long-term future emissions from the Project beyond what has already been considered and certified in the General Plan EIR are anticipated. During construction the Project will involve earthwork and emissions from equipment and application of paving, adhesives and coatings. Implementation of Standard Condition SC AQ01 will include watering in areas where earthwork is proposed to reduce fugitive dust and will reduce Project contribution to PM 2.5 to less than significant levels. Likewise, SC AQ01 requires use of low-sulfur diesel fuel and equipment that will have low NOX emissions. To reduce VOC during construction it is recommended that low-VOC content materials be used during all phases of construction.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant with Mitigation Incorporated. See Response 5.3, a) and b). Air Quality may be impacted during construction of the Project from the dust from excavation and from equipment emissions. The Project is not expected to result in emissions of substantial air pollutant concentrations affecting sensitive receptors. Due to the size of the Project, emissions are not expected to exceed the SJVAPCD thresholds of significance with incorporation of mitigation measures. There are no sensitive receptors such as schools or hospitals adjacent to the Project. The nearest school is El Portal Middle School located approximately 1.75 miles north from the Project site and the nearest hospital/medical clinic is Oak Valley Hospital located approximately 1 mile north of the Project site. The general wind direction through the City of Escalon is from the northwest. Therefore, emissions from the Project could affect locations to the south and southwest and no impacts on the closest school and hospital are expected. There are two (2) residential homes adjacent to Meyers Avenue, approximately 560 feet northwest of the southerly terminus of the Project. There is also one (1) residence approximately 500 feet to the northeast of this location with access from southbound McHenry Avenue. It is possible that Project construction north of these locations would result in some temporary and intermittent emissions being perceptible at these three residences. Project compliance with SC AQ01 and SC AQ2 will implement fugitive dust emissions reductions that the SJVAPCD has determined to be effective in reducing particulate matter to less than significant levels, as documented in their *Guide for Assessing and Mitigating Air Quality Impacts*, which is referenced in both City and County General Plans. In addition, the Project will comply with SC AQ3 regarding cleaning track out areas where unpaved roadways lead to paved roadways. Cleaning of track out areas will be done on a regular basis throughout the workday and at the end of each workday.

The Project Vicinity has been in use as agriculture, almond orchards farms, since approximately 1957 and there is a possibility that pesticides and arsenic can be found in surface soils which may become airborne during excavation and earthwork for the Project and could exceed levels of significance for environmental health. Construction of the Project is subject to implementation of Cal OSHA standards for worker safety and implementation of engineering controls such as watering, limiting daily duration of exposure and the use of respiratory protective equipment as necessary reduce impacts to less than significant levels on the construction crew. In addition, implementation of SJVAPCD Rule 8081 related to fugitive dust emissions from agricultural sources and Rule 8061 pertaining to dirt and paved roadways should be implemented during construction to reduce impacts on the closest residences. These measures require implementation and recordkeeping on fugitive dust emissions controls, testing and temporary barriers between active construction and the closest sensitive receptors and will result in less than significant impacts on emissions downwind in the Project vicinity. For these reasons, Project implementation would not expose sensitive receptors to substantial pollutant concentrations.

SC AQ02: Prior to issuance of permits and start of construction the City Engineer shall verify that plans and specifications include notes requiring contractor compliance with Rule 8061 and air pollution control measures in Table 8081-1 for fugitive dust emissions controls north and west of the Project at the closest existing residences:

A. Handling of Bulk Materials:

A1 When handling bulk materials, apply water or suitable chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity or;

A2 Construct and maintain wind barriers sufficient to limit VDE to 20% opacity and with less than 50% porosity. If utilizing fences or wind barriers, control measure A1 shall also be implemented.

B. Storage of Bulk Materials:

B1 When storing bulk materials, comply with the conditions for a stabilized surface as defined in Rule 8011; or

B2 Cover bulk materials stored outdoors with tarps, plastic, or other suitable material and anchor in such a manner that prevents the cover from being removed by wind action; or

B3 Construct and maintain fences or wind barriers sufficient to limit VDE to 20% opacity and with less than 50% porosity. If utilizing fences or wind barriers, apply water or suitable chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity or;

B4 Utilize a 3-sided structure with a height at least equal to the height of the storage pile and with less than 50% porosity.

C. On-Site Transporting of Bulk Materials:

C1 Limit vehicular speed while traveling on the work site sufficient to limit VDE to 20% opacity; or

C2 Load all haul trucks such that the freeboard is not less than six (6) inches when material is transported across any paved public access road; or

C3 Apply water to the top of the load sufficient to limit VDE to 20% opacity; or

C4 Cover haul trucks with a tarp or other suitable cover.

D. Off-Site Transporting of Bulk Materials:

D1 Clean the interior of the cargo compartment or cover the cargo compartment before the empty truck leaves the site; and

D2 Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides, and/or tailgate; and

D3 Load all haul trucks such that the freeboard is not less than six (6) inches when material is transported on any paved public access road and apply water to the top of the load sufficient to limit VDE to 20% opacity; or cover haul trucks with a tarp or other suitable closure.

E. Outdoor Transport of Bulk Materials with A Chute or Conveyor:

E1 Fully enclose the chute or conveyor; or

E2 Operate water spray equipment that sufficiently wets materials to limit VDE to 20% opacity; or

E3 Wash separated or screened materials to remove conveyed materials having an aerodynamic diameter of 10 microns or less sufficient to limit VDE to 20% opacity.

F. limit Visible Daily Emissions (VDE) to 20% opacity and comply with the requirements of a stabilized unpaved road as specified in Rule 8011. If

vehicle activity remains exclusively within an unpaved vehicle/equipment traffic area, section 5.3 may be implemented to limit VDE to 20% opacity and comply with the requirements of a stabilized unpaved road by the application and/or reapplication/maintenance of at least one of the following control measures, or shall implement an approved Fugitive PM10 Management Plan per SJVAPCD standards:

F1 Watering

F2 Uniform layer of washed gravel;

F3 Chemical/organic dust stabilizers/suppressants in accordance with the manufacturer's specifications;

F4 Road mix;

F5 Paving;

F6 Any other method(s) that can be demonstrated to the satisfaction of the APCO that effectively limits VDE to 20% opacity and meets the conditions of a stabilized unpaved road.

F7 The Contractor and City shall restrict access and periodically stabilize disturbed surface area whenever a site becomes inactive at the end of the workday to comply with the conditions for a stabilized unpaved road as defined in Rule 8011.

SC AQ03: Prior to Project approval the City Engineer shall confirm that the plans and specifications for the Project include a note requiring regular cleaning of track-out areas throughout each workday and at the end of each workday to clean dirt deposited on any public highway or street.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than Significant Impact. The Project will construct a new gravity sewer line and manhole in an area that is primarily surrounded by orchards. Adhesives and other chemicals may be used during construction, which may result in exposure to odors during construction with the closest receptors being the construction crew. This is not expected to impact a substantial number of people because Cal-OSHA standards will be implemented for the crew and the existing orchards provide a buffer for other sensitive receptors in the Local Vicinity. The nearest residences are 500 feet or more away from the Project and are separated from the Project by numerous orchard trees. Furthermore, the Project will implement mitigation measures to reduce emissions. Post construction, the Manhole may release odors depending on sewer contents. Odor control devices and maintenance are typically implemented in municipal sewers as regular maintenance and shall be incorporated into this Project to reduce potential odors by the City as needed. In addition, due to the Project location within proximity of three existing residences, it is not expected to impact a substantial amount of people.

5.4 BIOLOGICAL RESOURCES

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☒	☐	☐
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 U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

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?

Less Than Significant with Mitigation Incorporated. The San Joaquin County Multi-Species Habitat Conservation and Open Space Plan is intended to mitigate biological impacts resulting from open space land conversion within the County. Since the Project is located within a developed orchard and right-of-way, implementation will not directly or indirectly modify any natural open space habitats. The County Environmental Impact Report Figure 4.F-3 shows the Project site as having no species or habitat at the Project location that would be subject to significant impacts from Project implementation. The City's General Plan EIR reports that there are no species on the state or federal endangered species list are expected to be found at the Project location.

The U.S. Fish and Wildlife service Information for Planning and Consultation (IPaC) database shows some potential for discovery of 3 migratory birds and 7 endangered species in the Project area. The 3 migratory birds are the Nuttall's Woodpecker (Picoides nuttallii), Oak Titmouse (Baeolophus inornatus), and Yellowed-billed Magpie (Pica nuttallii). The breeding season for these birds are from March to July. IPaC has a surveyed twice in the area for in October and has found all the birds mentioned above and has scored its probability of presence as a 10 for all birds. No other survey has been performed by IPaC during the months of July, August, and September. It should be noted a bird's probability of presence score is ranked from 0-10 and encompass a 10-kilometer area. The six (6) endangered species are Giant Garter Snake (Thamnophis gigas), California Tiger Salamander (Ambystoma

californiense), Monarch Butterfly (Danaus plexippus), Valley Elderberry Longhorn Beetle (Desmocerus californicus dimorphus), and Greene's Tuctoria (Tuctoria Greenei). None of these species have been documented to occur in the Project area. This is also shown in the County's EIR Figurer 4.F-3. No changes will be made to from the current habitats. The Project will return the environment to the same or better condition post construction. For the reasons above, construction should be scheduled outside of the nesting season (March through July). If construction begins during these months, the following Standard Condition SC BIO-01 shall be implemented.

SC-BIO-01: If construction and any tree removals is to between March and July, prior to start of construction, the City of Escalon shall hire a qualified biologist to conduct a pre-construction bird nesting survey for migratory birds, within 300 feet of the Project footprint and 500 feet of the Project for raptors, to determine presence/absence of nesting birds. A report shall be submitted to the City and kept at the job site documenting the results of the survey. If nests are found, the biologist shall include the report recommendations for an adequate buffer between construction activities and the active nests that will prevent disruption of the nests until the young have fledged the nests.

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 U.S. Fish and Wildlife Service?

No Impact. See Response IV (a). Construction is not expected to have adverse effects on any riparian habitats as no riparian habitats are identified within the construction footprint for the Project or in adjacent areas. The Stanislaus River is the closest riparian habitat or sensitive natural community to the Project and is about 1320 linear feet southeast and tributary to the Project. Since the Project will not come into contact or modify this river or the related riparian corridor, either directly or indirectly, no impacts are expected from Project implementation on riparian habitat or sensitive natural communities. Since the Project involves earthwork and could result in erosion, pursuant to the County Municipal Code, a Storm Water Pollution Prevention Plan (SWPPP) will be implemented during construction according to the standard application of the City's Municipal Code to reduce indirect temporary construction impacts from erosion on surface water quality and downstream beneficial uses of receiving waters; to less than significance. Post construction, the Project location will return to pre-project conditions.

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?

No Impact. The Project will not result in direct modification of the Stanislas River and riparian corridor, which is the closest surface water resource with state or federally protected wetlands. A SWPPP will be implemented during construction of the Project and will reduce indirect impacts from erosion during construction of the Project on any protected receiving waters and wetlands downstream by filtering surface flows within the construction footprint. The SWPPP for the Project will be implemented so that construction of the Project will not result in erosion soils being deposited downstream in receiving waters. Therefore, the Project will not have direct or indirect adverse impacts as it will not be removing or depositing any material within jurisdictional wetlands associated with the Stanislaus River or other receiving waters.

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?

No Impact. See Response IV. c). the Project will implement a SWPPP and will not involve direct or indirect impacts within receiving waters that would prevent migration of migratory fish species. Likewise, the Project will have no impact on migratory fish habitat due to the Project location and implementation of a SWPPP during construction.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The Project will not conflict with any policy or ordinance protecting biological resources. The City does not have any Tree ordinances but does have policies to promote biological diversity and incorporate it into the City's future planning area. There are no policies protecting biological resources pertaining to the Project location within orchards and paved street right-of-way. Likewise, the county does not have any policy protecting biological

resources that will be in conflict with the Project. The County has a Tree Ordinance for the Native Oak Trees, Heritage Oak Trees, and Historical Trees. No trees identified in the County tree ordinance has been identified at the Project location. The county does have a policy to preserve biological diversity in open space which is not applicable to agricultural lands associated with the Project location.

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?**

No Impact. The Project is not located in an area subject to a habitat conservation plan, natural community conservation plan or other approved local state or regional plan for conservation. The current use of the Project location is agricultural and no permanent change in use is proposed. Therefore, the Project will not interfere with approved local, regional, or state habitat conservation plan see response 3.4e). Project will not conflict with policy set forth of maximizing habitat preservation as stated in Chapter 3 of the General Plan as it relates to open spaces and future planning.

5.5 CULTURAL RESOURCES

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the Project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?		☒	☐	☐

a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

The information within Section 5.5 is based on the Cultural Resources Assessment, Phase 2 McHenry Sewer Pipeline Improvement Plan Project, Escalon, San Joaquin County, California, prepared by BCR Consulting LLC. The cultural resources assessment conducted for the Project includes information from the following: Cultural resources records search to review any studies conducted and the resulting cultural resources recorded within a one half-mile radius of the project alignment; additional research through various local and regional resources; systematic pedestrian survey of the entire project alignment; evaluation California Register eligibility for any cultural resources discovered; completion of DPR 523 forms for any cultural resources identified; and vertebrate paleontology resources report through Professional Paleontologists of the Western Science Center in Hemet, California. This report can be found in Appendix A.

Less Than Significant Impact. California Code of Regulations §15064.5 relating to historical resources pertains to environmental changes impacting any object, building, structure, site, area, place, record, or manuscript associated with:

- Events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- The lives of persons important in our past.
- The distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- Resources which have yielded, or may be likely yield, information important in prehistory or history.

Human settlement into the Project Area occurred between 9,000-11,500 years ago during the gradual warming that marked the close of the last ice age. The Project Site is within the Northern Valley Yokuts territory, whose territory extends from present-day Stockton to Bakersfield (See https://native-land.ca/). Tribal resources are discussed in more detail within Section 5.18. The Northern Valley Yokuts are said to have settled in this region due to the resources obtained by the San Joaquin River. The Spanish were the first to establish contact with the Yokuts, which resulted in overwhelming disruptions to Yokuts influence and settlement.

As indicated from earliest aerial photograph taken of the Project Area in 1957, this location has been utilized for agriculture and transportation. This photo shows residential structures along the McHenry Avenue - Meyer Avenue intersection (NETR 1957). A portion of the Project Site was once utilized as part of the Tidewater Southern Railroad (now the Union Pacific Railroad) that began its development in 1861 by a group of Sacramento businessmen hoping to link California with existing networks in the eastern United States. As a result of the railroad, the preexisting natural conditions of the Project location were disrupted. This segment of the railroad within the limits of the Project has been decommissioned and is not considered a historical resource; it is no longer a part of the California rail

system and is designated as a right-of-way within the City of Escalon. The area surrounding Project has remained as agricultural land since aerial photographs were taken in 1957 (NETR 2018).

The records search obtained from the Central California Information Center (CCIC), revealed that 11 cultural resource studies have taken place near the Project and have resulted in three cultural resources recorded within one half-mile radius of the Project (See Table 4). While three studies have taken place within the Project Alignment, no resources have been identified within these boundaries, therefore Project construction with open trench and boring underneath the canal is not expected to result in significant impacts to cultural resources.

Table 4: Cultural Resources and Reports Within One Half-Mile of the Project Alignment

USGS 7.5 Min Quad	Cultural Resources Within One Half-Mile of the Project Alignment	Studies Within ½ Mile
Escalon and Avena California (1968)	P-39-4233: Historic Period Canal (Adjacent/Above Alignment) P-50-2320: Historic-Period Building (1/2 Mile Southeast) P-50-2321: Historic-Period Building (1/2 Mile Southeast)	SJ-369, 921, 6625, 7171, 8069, 8284, 8542, 8284, 8892, 8892A, 8892B

During the field survey, remnants of the historic-period railway (Tidewater Southern Railway) were found along segments of the Project Alignment. Remnants of the railway included spikes and other railroad artifacts left behind during modern installments and subsequent demolition. However, this segment of the railroad is no longer in use and historic-period remnants were not present or identified at the Project Site during the field survey. This resource must meet four separate criteria set by the California Register of Historical Resources, which is based on the National Register criteria. However, upon the evaluation, the segment of the Tidewater Southern Railway within the footprint of the Project is not eligible for the California Register, therefore is not a potential historical resource under CEQA and no impacts are anticipated. No other cultural resources (including archeological or historic architectural resources) were identified during the field survey and no impacts are anticipated.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Less than Significant with the Incorporation of Mitigation Measures. See Response 5.5 a). Public Resources Section 15064.5 identifies historically significant archeological resources and Native American burials in archeological sites, in addition to historic structures, as important cultural resources requiring protection from disturbance, vandalism, or inadvertent destruction, all of which are considered potentially significant impacts. Based on the records search and field survey for the Project, archaeological resources are not anticipated to be encountered during construction. The Project is anticipated to result in excavation depths with open trench construction extending into native soil, which may unearth archaeological resources pursuant to § 15064.5. A letter dated June 20th, 2022, received from Katherine Erolinda Perez, Chairwoman of the Northern Valley Yokuts Tribe and Nototomne Cultural Preservation, received by the City of Escalon, indicates interest in the Project location. The letter requests consultation under AB52 and is addressed in more detail in Section 5.18- Tribal Cultural Resources. Consultation with the following parties ended on June 25th, 2022.

Since ground disturbance for the Project is anticipated to extend into native soils, Mitigation Measures MM CUL01 and CUL02 are proposed to reduce potentially significant impacts on buried resources to less than significance, Project implementation is anticipated to result in less than significant impacts on archeological and tribal resources pursuant to § 15064.5 with the implementation of the following mitigation measures:

MM CUL01: Prior to the start of construction, the City Planning Department will separately verify that the Project contractor has retained a qualified archeologist to provide tailgate training to Contractor staff regarding the protocol and handling of cultural resources in the event that previously unknown cultural resources are discovered during construction.

MM CUL02: Prior to the initiation of ground-disturbing activities, field personnel should undergo worker environmental awareness training and be alerted to the possibility of buried prehistoric or historic cultural deposits.

If any subsurface cultural resources are encountered during Project, construction activities within 50 feet of the encounter shall be halted until a qualified archeologist can examine these materials, determine their significance, and if significant, recommend mitigation measures that would reduce potential effects to a level that is less than significant. Should buried cultural resources be discovered during construction, the Project contractor shall immediately halt all work within 50 feet of the find until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation measures. Recommended measures could include, but are not limited to,

c) preservation in place, or
d) excavation, recovery and curation by qualified professionals.

The City of Escalon Community Development Department and the HACSI shall be notified, and the project developer shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the City's Community Development Department and the HACSI, consistent with the requirements of the CEQA Guidelines. If burial resources or tribal cultural resources are discovered, the City shall notify the appropriate tribal representative, who may examine the materials with the archeologist and advise the City as to their significance and disposition.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less than Significant Impact. See Response 5.5, a) and b). According to the review of aerial photos, previous uses for the Project Site were primarily for transportation routes (railroad and roadway) and agricultural land uses, not as a cemetery. Therefore, the likelihood of discovering human remains during construction is not high. Despite previous land uses, Project implementation results in disturbances to the land below depths previously unearthed, therefore, it is possible to uncover human remains. As a result, in the unlikely event that trenching and jack and bore, below depths of previous disturbance, uncovers buried human remains, the contractor shall implement mitigation measure MM CUL03 and MM CUL04, outlined below.

MM CUL03: Should human skeletal remains be encountered; State law requires immediate notification of the County Coroner by the Contractor. Should the County Coroner determine that such remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains.

MM CUL04: If human remains are encountered during construction, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination on the origin and disposition of the find pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

5.6 ENERGY

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY. Would the Project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

Less Than Significant Impact. The Project is gravity sewer and is not anticipated to result in significant long-term use of energy or wasteful, inefficient, or unnecessary consumption of energy resources. The Project is included in the planned buildout of the City of Escalon General Plan and will not result in changed land use or additional GHG emissions. The Project is not anticipated to result in significant energy consumption beyond what has already been identified in the General Plan EIR and no impacts are anticipated. The Project is part of a planned phased construction from the City's Sewer Master Plan which is intended to efficiently accommodate buildout of the approved General Plan. As a result, the Project will implement the long-term goals, objectives and strategies of the approved Sewer Master Plan including the effective operation of the Escalon Wastewater Treatment Plant involving treatment and recharge of groundwater for sustainability and the protection of water resources as well as safe delivery of water service throughout the City of Escalon into the future. Project construction will involve short-term energy use. The use of equipment during construction is subject to California Air Resources Board's In-Use Off-Road Diesel-Fueled Fleets Regulation, which limits idling to 5 minutes for off road diesel vehicles 25 horsepower or greater and requires the use of energy to promote fuel efficiency. Required compliance with CARB's standards will be implemented during site inspections by the City's Building Department and will result in less than significant impacts during construction. For the reasons above, impacts from the Project are considered less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact. See Response 5.6, a). Plans for the Project are consistent with the City of Escalon General Plan and Sewer Master Plan. The Project is a gravity sewer and will not require permanent long-term energy use. Sewer project are exempt from analysis under the San Joaquin County Climate Change Action Plan Guidance. The Project is part of the planned enhancement of the City's sewer system and treatment plan operations and is intended to facilitate the most efficient method of effluent treatment. In addition, the Project will facilitate recharge of groundwater with treated water due to increased treatment capabilities anticipated from Project implementation. For these reasons implementation of the Project is not anticipated to conflict with or obstruct plans for renewable energy or energy efficiency.

5.7 GEOLOGY AND SOILS

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the Project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on 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?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

The responses within this section were based on a previously published Initial Study/Mitigated Negative Declaration within the City of Escalon with technical reports outlining the baseline conditions of the soil composition. Specifically, the ISMND utilized during the preparation of these responses were drawn from the following sources:

- Administrative Review Draft Initial Study/Mitigated Negative Declaration for the Irwin Village Senior Residential Project, Escalon, CA, prepared by BaseCamp Environmental Inc., November 2021
- Cultural Resources Assessment Phase 2 McHenry Sewer Pipeline Improvement Plan Project Escalon, San Joaquin County, California, prepared by BCR Consulting LLC, Project No. ESC2201

No Impact. The Project is within the San Joaquin Valley in central California. The Project location is flat and has been in use for agriculture. The Project Area is not near a mapped fault line. The closest fault lines are west and east of the Project. In the west, the Vernals Fault, approximately 21 miles from the Project, traverses through Stockton City Limits to the base of the San Joaquin River National Wildlife Refuge. In the east, the closest mapped fault line is the Negro Jack Point Fault part of the Foothills Fault System, approximately 35 miles from the Project. The Project Site is not within the boundaries of an Earthquake Fault Zone for fault rupture hazard defined by the

Alquist-Priolo Earthquake Zoning Act of 1972 which was concluded by using the California's Department of Conservation, Geological Survey Website, reference (CGS Earthquake Zones (ca.gov). The California Department of Conservation defines Alquist-Priolo earthquake fault zones as "regulatory zones surrounding the surface traces of active faults in California" that have increased potential for surface rupture. The Act came into effect in March of 1973 and prohibited structure for human occupancy from being built across traces of active faults and maintain a minimum distance of 50 feet from the fault line.

Since the Project Site is not within mapped fault zones or within the confines of active fault traces or their associated Alquist- Priolo Fault Zones, it is unlikely for the potential for ground displacement to occur outside of them. For these reasons, no impact is anticipated in association with fault rupture. This includes the risk of loss, injury, or death, which are not anticipated to occur at the Project Site or other properties in the Local Vicinity.

ii) Strong seismic ground shaking?

Less Than Significant Impact. As with all of California, the Project Site is subject to ground shaking due to earthquakes. The severity of shaking is based on proximity with active faults and the estimated maximum ground acceleration of the fault. In the City of Escalon General Plan EIR "according to the California Division of Mines and Geology Bulletin 198, "Urban Geology Master Plan for California," the Escalon area is shown to be in a low severity zone with a probable maximum intensity of VI or VII on the Modified Mercalli Scale of 1931" (City of Escalon GP EIR 2035). As a result of these findings, in addition to the proximity of the nearest fault zone to the Project Site being more than 20 miles away, less than significant impact is anticipated as a result of strong seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Reference Response 5.7, a) i) and ii). Liquification is the product of earthquake shaking and tends to occur when the soil is loose and unconsolidated. Additionally, liquefaction is expected in areas where the groundwater is less than 30 feet from the surface. Subsurface information shows that the soil types in the vicinity of the Project are not conducive to liquefaction because of their coarse texture (Escalon Draft General Plan Update Background Report, 2004). The soils found within this region mainly consist of Honcut sandy loam and Vertis fine sandy loam with 0 to 2 percent slopes (BaseCamp Environmental 2021). According to the Department of Conservation Compilation of Quaternary Surficial Deposits, the Project Site is underlain with primarily Alluvial Fan Deposits (Qf) (See https://maps.conservation.ca.gov/cgs/QSD/). These deposits consist of gravel, sand, and small pieces of sediment like silt, which result as a product of flowing water interacting with hills or mountains dating back to the Pleistocene-age (National Geographic 2022). According to the California Geologic Survey, the City of Escalon is not within areas identified as having high susceptibility to liquefaction or landslide potential (City of Escalon General Plan 2035) and can be verified using the Earthquake Zones of Required Investigation, provided by the California Department of Conservation (See https://maps.conservation.ca.gov/cgs/EQZApp/app/).

The Project will require earthwork involving jack and bore and open trench construction methods. The Project will implement standard specifications for construction related to soil stability and engineered fill. Therefore, Project will not result in anticipated impact related to seismic-related ground failure, including liquefaction due to information from the resources above.

iv) Landslides?

Less Than Significant Impact. See Response 5.7, a) iii). The Project Area is not near a mountain range or hills. The area of the Project is gently sloping. The closest point of elevation to the Project Site is located east near the Goodwin Dam Recreation Area, approximately 26 miles from the Project Site. According to the California Department of Conservation the City of Escalon, including the Project Area, does not have high susceptibility for landslides. During construction, excavation may involve steep trench slopes which may require shoring or other methods of temporary reinforcement for worker safety pursuant to Cal-OSHA standards and California Division of Industrial Safety. In addition to worker safety standards, the City of Escalon's Standard Specifications, Section 02730: Sanitary Sewer will be implemented via plan check and site inspections during construction activities and includes requirements pertaining to soils stability during construction and within pipe bedding and backfill. Standard

application of worker safety requirements by the contractor and implementation of the City's Standard Specifications will prevent temporary soil instability during earthwork. For these reasons, no impacts due to landslides are anticipated.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. See Response 5.7, a) i) through iii). During Project construction when jack and bore takes place, topsoil will be disrupted, becoming susceptible to erosion during earthwork, especially during high winds and rains. The City's Standard Specifications Section 01500: Construction Facilities and Temporary Controls will be implemented by the Contractor to prevent soil erosion. Therefore, substantial erosion or the loss of topsoil will be mitigated to less than significant levels with the incorporation of the City's standard specifications. No impacts are anticipated.

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?

Less Than Significant Impact. See Response 5.7, a) through b). The geologic composition of the Project Site consists to alluvial fall deposits dating back to the Pleistocene-Holocene age, which is about 2,580,000 to 11,700 years ago. The site and surrounding areas are flat and level and will be subject to disturbance during earthwork. The City Engineer will verify that the City's Standard Specifications Section 01500: Construction Facilities and Temporary Controls will be implemented during plan check and field inspections. For these reasons no impacts are anticipated.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. See Responses 5.7 a) through c). The City of Escalon will implement Standard Specification Section 01400: Quality Control and Testing during plan check, construction and inspections. This will ensure that the appropriate methods of trenching, pipe bedding and backfill are implemented with the Project and will reduce direct and indirect risks to life and property due to soil type.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. Septic tanks or alternative wastewater disposal systems are not proposed with the Project. There are no existing septic tanks or alternative wastewater disposal systems at the Project Site. Therefore, no impacts are anticipated.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact with Mitigation Incorporated. Refer to Section 5.7, c). The Project Site is underlain with alluvial fan deposits (Qf) dating back to Pleistocene-Holocene age, approximately 2,580,000 to 11,700 years ago. Research conducted at the Western Science Center for the Project indicates the geologic units underlying the Project are mapped entirely as Pleistocene alluvial gravel, silt, sand, and clay from the Modesto Formation (Wagner, Bortugno, and McJunkin 1991). Pleistocene alluvial units are considered highly paleontologically sensitive, and fossils have been reported from the Modesto Formation. Any fossils recovered from the Project would be scientifically significant. Therefore, mitigation Measure PALEO01 is recommended to reduce potentially significant impacts to less than significance.

MM PALEO01: Prior to the start of Project construction, the City of Escalon shall hire a qualified paleontologist for the Project. The City's paleontologist shall prepare and implement a Paleontological Resource Mitigation Program to monitor, salvage and curate any recovered fossils which will be funded by the City.

5.8 GREENHOUSE GAS EMISSIONS

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

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

Less Than Significant Impact. Greenhouse Gas Emissions (GHGs) are thought to be caused by human activities and mixing of specific chemicals in the atmosphere. Chemicals known to result in GHG include water vapor, carbon dioxide (CO2), methane (CH4), nitrogen oxide (N2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF6) (State CEQA Guidelines, Section 15364.5 and Health and Safety Code, Section 38505(g)). Presence of GHGs in the atmosphere enhances the Greenhouse Gas Effect, resulting trapped heat within Earth's atmosphere leading to the continual warming of the Earth's climate. GHG emissions are attributed to sources including industrial/manufacturing, agriculture, utilities, transportation, and residential land use. A large percentage of the State's GHG emissions come from transportation, approximately 41 percent followed by energy generation.

GHG is generally regulated on a regional level. The City of Escalon does not currently have a climate action plan for regulation of GHG. The Project was considered in the City's Sewer Master Plan, which is intended to facilitate full buildout of the City under the approved General Plan. Therefore, the Project is not considered growth inducing and no long-term impacts are anticipated from Project implementation. The Project will contribute to the production of GHG emissions released into the atmosphere during construction from truck trips and equipment emissions. However, due the size of the Project, GHG impacts are not anticipated to be substantive. The Project will implement air quality Mitigation Measures AQ01 through AQ03, which will reduce emissions associated with GHG.

County's General Plan, states that reduction of GHG emissions can be accomplished through "modified County operations, reduced auto trips, emphasis on infill development in urban communities and cities, and reduced energy and water consumption" (San Joaquin General Plan DEIR 2035). While the Project will contribute to GHG emissions during Project construction in the short-term, the Project will not contribute to long-term emissions beyond what has been evaluated and approved in the City's General Plan and EIR. The Project is an improvement to a Capital Improvement Project that will facilitate groundwater recharge. Emissions emitted into the atmosphere during construction are not anticipated to reach a level of significance that would pose a threat to the environment.

For these reasons, the short-term generation of Greenhouse Gas Emissions are not anticipated to directly or indirectly pose as a significant impact on the environment.

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

Less than Significant Impact. See Response 5.8, a). The Project will generate GHG emissions temporarily due to Project construction, but the Project will implement mitigation measures which comply the City's Air Quality Element Policy 5.1-3 and County Policies PFS-1.6 and PFS-3.2 (See Table 5 below) to reduce impacts to a less than significant level. As a result of compliance with County and City General Plan Energy and Climate Change reduction policies, the Project does not conflict with GHG emission reduction goals. Therefore, the Project is anticipated to result in less than significant impact.

Table 5: Project Consistency with County and City General Plan Energy and Climate Change Policies and Goals

San Joaquin County General Plan Energy and Climate Change Policies	City of Escalon General Plan Air Quality Element Policies	Project Consistency
	Policy 5.1-3: Review development and land use projects to ensure that measures are incorporated to reduce air pollutants, including particulate matter emissions, and greenhouse gases associated with project design, site preparation, grading, and construction as conditions of approval for all development projects, subdivision maps, site plans, and grading permits. These measures may include, but are not limited to: ***1. All applicable particulate matter control requirements of SJVAPCD Regulation VIII;*** ***2. Reduction in vehicle miles travelled through pedestrian/transit-oriented project design (see related policies and implementation strategies in the Circulation and Land Use Elements);*** ***3. Use of alternative energy sources;*** ***4. Provision of adequate electric or natural gas outlets to encourage use of natural gas or electric barbecues and electric gardening equipment;*** ***5. Access roads, driveways, and parking areas serving new commercial uses, industrial uses, recreational facilities, and other high-traffic uses are constructed with materials that minimize particulate emissions.***	Reduction measures outlined within Escalon's General Plan will be implemented upon the City's plan check and review process. Therefore, compliance with these policies and procedures set forth by the City's Planning Department will result in less than significant impact.

PFS-1.6: Efficient Infrastructure and Facilities. When performing maintenance, upgrading, or expanding infrastructure and facilities, the County shall use technologies that improve energy efficiency and conserve water, when feasible. (RDR/PSP) (Source: New Policy)		The Project proposes for a planned improvement to a public utility. As a result, the planned improvement will allow for the public works facility to be utilized more efficiently with current technology incorporated. Therefore, the Project is compliant with the proposed policy within the County's General Plan.
PFS-3.2: Sustainable Plans and Operations. The County shall integrate sustainability concepts, greenhouse gas reduction strategies, and climate change resiliency planning into County facility and service plans and operations. (PSP/SO) (Source: New Policy)		Upon the implementation of the new sewer line, the Project will incorporate new sustainability concept that have been reviewed prior by the City's Planning Department through the standard application and plan check processes. Therefore, resulting in less than significant impacts.

5.9 HAZARDS AND HAZARDOUS MATERIALS

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the Project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact. Human-induced and natural hazards are prevalent within City Limits, and it is the City's primary duty to protect the health, safety and welfare of its population. For these reasons, the City's Safety Element within the General Plan proposes policies and goals specific to hazard-prone areas. Potential natural hazards within City Limits include soil instability, flooding, wildland and urban fires, evacuation routes. Geologic and soil hazards are discussed in Section 5.7- Geology and Soils. Human-induced hazards include hazardous materials and waste associated with potentially toxic substances are addressed in this section. The presence of all hazards within the City are mitigated utilizing the procedures detailed in San Joaquin County's Emergency Operations Plan (EOP); the City's Standard Specifications and Municipal Code and City planning documents including the General Plan and Sewer Master Plan.

There is some potential for sewer system failure currently due to the age of the McHenry pipeline; implementation of the Project will reduce this impact to less than significance. Hazardous materials that have the potential to be found at the Project Site derive from past agricultural practices and past operation of the Union Pacific Railroad in the Local Vicinity. Agricultural land use can result in the presence of contaminate including pesticides, and fertilizers. Since these hazardous materials may become airborne with dust from construction, there is potential to pose a risk to the public. Regulations established by agencies at a federal, state, and local level are readily available to provide the City with the appropriate preventative, remediation, and management measures. At the federal level, regulating agencies include the Environmental Protection Agency (EPA) and California Department of Toxic Substances

Control (DTSC). Both agencies work towards limiting potential risk from hazardous materials to the public and the environment by imposing requirements to minimize exposure and production of hazardous materials. Additionally, these agencies oversee remediation measures regarding air, water, and soil pollution in accordance with the following environmental laws including the Clean Air Act, Clean Water Act, Porter Cologne Water Quality Act, Resource Conservation and Recovery Act, Title 22 of the California Code of Regulations, Health and Safety Code, and the California Occupational Safety and Health Act of 1973. The California Hazardous Waste Control Law regulates the use, handling, and storage of hazardous materials within the state. The following regulations are enforced by San Joaquin County and local fire departments with specialty trained personnel.

At the local-level, agencies implementing regulations on the transport, use, or disposal of hazardous materials at the Project Site and its surroundings is enforced primarily by California Division of Occupational Safety and health (Cal-OSHA), along with the City of Escalon, and San Joaquin County Department of Industrial Relations. In addition, the City's Fire Department assists in regulating the use, disposal, and transport of hazardous materials. The closest fire stations to the Project Site will alleviate crisis during emergencies related to hazards that could pose as a threat to the public.

According to GeoTracker, a website maintained by the State Water Quality Control Board and EnviroStor website, maintained by DTSC, there are no active or past significant environmental hazards at the Project Site. The closest active Clean Up Site is a LUST Cleanup Site approximately 4.5 miles southeast of the Project Site (23659 S. Santa Fe Road Riverbank, California). Due to the proximity of the Cleanup Site in relation to the Project Site, no impact is anticipated as a result.

During construction, heavy equipment and chemicals are anticipated to be utilized. As a result, best management practices will be implemented. Best management practices (BMPs) include using staging areas for appropriate areas for storing materials and tools. Tools needing to be placed in containers or covered storages shall be stored as such. As indicated by the County's EOP, the Environmental Health Department will coordinate with local agencies including public works, fire districts, and law enforcement to mitigate and recover from threats to the public and the environment. Mitigation that is offered includes subject matter consultation, assessing potential health risks of a hazardous material release, and recommending protective actions related to hazardous materials. Additionally, an approved traffic control plan will be followed to direct any incoming traffic and impacts to traffic are short-term, resulting in no long-term impacts post construction.

The Project proposes to install an underground public utility improvement for the City's sewer system. Short-term, as mentioned above, the use of hazardous materials will impact the Project Site; however, with BMPs and following policies implemented by regulating agencies impacts are anticipated to be less than significant. Long-term, the single 24" PVC gravity pipeline planned to be installed will contain hazardous waste potentially harmful to the public and environment if the pipeline is not installed properly. To help prevent potential harm to the environment and public health, upon installation, the Project will implement the City's Standard Specifications. Continuous maintenance of the pipeline will fall under the jurisdiction of the City's Public Works Department and is require under Chapter 13.08.025 of the City's Municipal Code. According to Escalon's Sewer Master Plan, similar pipelines make up the City's sewer system. Therefore, the Project is consistent with existing components of the City's sewer and will replace a portion of the sewer system that has reached the end of its useful life. Additionally, the standard application of the City's plan check and inspection processes would be sufficient to reduce any potential impacts from the Project to less than significant. No mitigation measures are needed.

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?

Less than Significant Impact. See Response 5.9, a). Since the handling, use, and disposal of hazardous materials during construction is regulated through the standard application and compliance with the City's Municipal Code via plan check and inspection process, impacts during construction of the Project are considered less than significant.

According to the San Joaquin County's Local Hazard Mitigation Plan 2017, the Project Site is not located within a high-risk area for wildland fire, flooding, or earthquakes (Reference San Joaquin County Local Hazard Mitigation Plan pgs. 20-28). Higher risk areas are located outside of City Limits and primarily west of the City of Escalon. The Project Site is not within a special study area for Alquist-Priolo Earthquake Fault Zones, FEMA Flood Zones, or High-risk Fire Zones. However, the Project is within a Dam Inundation Zone for New Melones Dam. However, this zone is not isolated to the Project Site since the entire City of Escalon is within the inundation zone as well. Due to the existing urban land uses within City Limits and surrounding the Project Site, implementation of the Project does not propose changes not already anticipated and considered by the City of Escalon. Therefore, the threat of the Project being in a dam inundation zone for New Melones are considered to be less than significant.

During construction due to the location of active orchards being around the Project site with the use of heavy machinery fires are a potential to spread. The surrounding agricultural land uses have the potential for pesticides and arsenic to be released from the soils during excavation. The City's Standard Specifications will be implemented during excavation which may include watering the ground prior to excavation to reduce the creation of airborne particles. In addition to BMPs, compliance with Cal-OSHA standards will mitigate potential exposure to arsenic and pesticides in the soils for worker safety.

In the event of sewer system failure or spills, the County's Emergency Operations Plan outlines the measures required to mitigation and strategize the best response in coordination with local emergency response teams like the County and City Fire Departments. Fire departments closest to the Project Site are Station 1 (approximately 2 miles north of the Project Site) and Station 62 (approximately 4.8 miles northwest of the Project Site). Standard protocol for a hazardous materials accident is to contain the spill and prevent it from being bigger, then call the County's Hazmat Team for cleanup.

As a result of the above reasons, the creation of a significant hazard t the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment are anticipated to be less than significant.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. See Responses 5.9 a) through b). The nearest school to the Project Site is El Portal Middle School (805 1st St, Escalon, CA 95320), approximately 1.75 miles north. El Portal Middle School is located within the Escalon Unified School District. Since the schools are greater than one-quarter mile from the Project, impacts related to emission of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school are not anticipated. Therefore, no mitigation is required. In addition, during Project construction, compliance with the City's Standard Specifications and Cal-OSHA standards will reduce potential effects from the use of hazardous materials, substances, or waste to construction workers and surrounding areas. As a result, no impacts are anticipated to occur.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. Government Code section 65962.5 is an updated list of Hazardous Waste Substances, also referred to as the Cortese List. The California Department of Toxic Substances Control publishes this list as the EnviroStor Website, which can be found at

https://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&reporttype=CORTESE&site_type=CSITES,OPEN,FUDS,CLOSE&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST.

Upon conducting a Site/Facility Search on the EnviroStor Website using the City name, Zip Code, and County, three results were found, none of which were located at the Project Site or adjacent land use addresses. Since the

Project Site is not included on the Cortese List of sites that have known or potential contamination and is not located where facilities permitted to treat, store, or dispose of hazardous waste, no impacts are anticipated with the Project in regard to Government Code section 65962.5. For this reason, mitigation measures are not required.

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?

No Impact. See Response 5.9, a) through d). The nearest airports to the Project Site are Modesto City-County Airport, located approximately 11.6 miles south of the Project Site, and Oakdale Airport, approximately 13.6 miles east of the Project Site. Since the closest airport to the Project Site is over two miles away from a public airport or public use airport, the Project will not result in impacts to a safety hazard or excessive noise for people residing or working in the Project Area.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. See Response 5.9, a) through e). In order for the City to manage disasters such a earthquakes, floods, and other emergencies affecting the City, Escalon follows the County's Local Hazard Mitigation Plan and Emergency Response Plan. In addition, the City's General Plan Chapters 2- Safety Element and Chapter 6- Circulation Element outline policies and goals that will assist the local community and emergency response departments during disasters. The Project will follow guidance in provided within these sections and abided by policies and goals within Table 6 below. According to the City of Escalon Evacuation Sector Map found on the City Website, McHenry Avenue is an arterial utilized for vehicular evacuation purposes. Along McHenry, north of the Project Site, Mar-Val Parking Lot is a designated area to evacuate citizens if they are unable to leave on their own. An approved traffic control plan will be developed with the emergency response plan in mind during Project construction in compliance with the City's Standard Specifications. The Project will not permanently increase traffic along these emergency routes. For the reasons stated above, the Project will not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan and impacts are considered less than significant.

Table 6: City of Escalon General Plan Safety and Circulation Element Policies and Goals

Safety Element	
City of Escalon General Plan	**Project Consistency**
Policy 2.1.1 The City will maintain its emergency preparedness, including evacuation procedures, to address potential natural and man-made hazards. These procedures shall be developed in coordination with San Joaquin County's emergency operations plans.	The Project is consistent with such plans that involve the County's Emergency Operations Plans. Reference Responses within Section 5.9.
Policy 2.1.5 The City shall establish a network of streets that permits emergency vehicle access to any individual property that is no more than one minute from designated Arterial, Collector or Minor Collector roadways.	With the coordination from the City, the traffic control plan will allow for continuous vehicular access to the Project Site and surrounding properties. The traffic control plan and Project construction will ensure that emergency routes are undisturbed in the event of an accident or disaster.
Circulation Element	
City of Escalon General Plan	**Project Consistency**
Policy 6.6.A.4 Require specific plans, commercial and industrial projects, subdivisions, and other large-scale projects to implement appropriate transportation control measures to reduce vehicle miles travelled and traffic congestion.	The Project is a public works improvement Project and will incorporate a traffic control plan per the instruction of the following General Plan policy. The traffic control plan will mitigate potential impacts to local roadways due to Project construction.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less than Significant Impact. See Response 5.9, a) through f). According to CalFire's Fire Hazard Severity Zones Viewer, the Project Site and City Limits are not within a zone with high to moderate fire risk. The closest zones for moderate fire risk surround the Central Valley region in the east and west, approximately 13.2 miles and 22.9 miles away. These areas are outside City Limits and do not pose as a risk to the Project Site and the surrounding vicinity. As a result of Project location within City Limits and relative to fire-prone areas, direct exposure to wildland fires is not anticipated to significantly impact people or structures and result in loss, injury, or death. Accidental fire during construction is possible due to the surrounding land uses containing orchards and the use of heavy machinery during construction. Potential impacts will be reduced to less than significant levels with the implementation of the City's Standard Specifications.

5.10 HYDROLOGY AND WATER QUALITY

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
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:	☐	☐	☐	☒
i) result in a substantial erosion or siltation on- or off-site;	☐	☐	☐	☒
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	☒
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	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than Significant Impact. The Project Site is located within the San Joaquin Valley Groundwater Basin. Specifically, the Project Site is within the Eastern San Joaquin County Groundwater Subbasin. According to the San Joaquin County Flood Control and Water Conservation District (FCWCD), groundwater is located approximately 80-90 feet below ground surface (San Joaquin FCWCD 2018). The following agencies ensure that the Clean Water Act (CWA), under the Porter Cologne Water Act, is adopted and utilized to establish water quality control plans and standards that will adequately protect beneficial uses in receiving waters by regulating water discharges affecting water quality in surface waters. To remain compliant with CWA during Project construction, the regulation discharges into the municipal storm water at the Project Site will be under the jurisdiction of the EPA and State Water Resources Control Board (SWRCB).

At the Project Site, natural storm water flows occur from north to south leading to the Escalon WWTP and Stanislaus River. For this reason, implementing best management practices onsite during construction while chemicals and other hazardous materials are being introduced is essential. BMPs consist of the proper storage, handling, and containment of said materials and alleviate risk of infiltrating into the groundwater. Construction and design of the Sewer pipe and Manhole will have proper seals to ensure no sewer water makes it into the ground water post construction.

For the reasons above, the Project impacts related to violations of any water standards or waste discharge requirements or otherwise degrade surface or ground water quality are considered to be less than significant.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

Less than Significant Impact. Project plans indicate all of Meyer Avenue's asphalt roadway will be removed and replaced to pre-construction conditions between the Meyer Avenue and McHenry Avenue intersection to the end of the Meyer Avenue roadway. Therefore, no permanent changes within the Project footprint are proposed. Project implementation will facilitate effluent treatment and groundwater recharge at the Escalon WWTP. As a result, less than significant impact is anticipated to substantially decrease groundwater supplies or interfere substantially with groundwater recharge. The Project is consistent with sustainable management of the basin.

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:

No Impact. Project area is relatively flat with elevations ranging from 100 to 200 feet above mean sea level (ASML) with general drainage patterns from north to south. During construction temporary changes of the Project Site will occur due to ground disturbances and earthworks including trenching and excavation. Construction-phase alterations are temporary and will not result in significant impacts due to the required implementation of the City's Standard Specifications. No permanent changes to existing drainage patterns at the Project Site are anticipated to occur due to Project implementation, since the site is expected to be restored to pre-construction conditions upon completion of the Project. Therefore, no impacts are anticipated with the implementation of the Project and no mitigation measures are needed.

b) result in a substantial erosion or siltation on- or off-site;

No Impact. See Response 5.10, c). The Project Site slopes from the north to the south and contains almond orchards along the perimeter of the all-weather roadway segment of the Project Alignment. The Project will follow natural drainage patterns to minimize adverse effects on the current topography to minimize the use of import soil. Currently, no underground storm drain facility exists near the site that are tributary to the Project, therefore the runoff is directly flowing to the terminus of the all-weather roadway and Greenleaf Road. Therefore, no impacts to the disruption of the natural flow of receiving waters are anticipated with the implementation of the Project and no mitigation measures are needed. The implementation of the City's Standard Specifications will require erosion control during construction to limit soil, silt and debris from entering surface waters and affecting beneficial use of receiving waters. Examples of erosion control measures include regular cleaning of track out and the installation of silt fences and watering disturbed areas throughout construction.

c) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

No Impact. See Response 5.10, a) through c) i). According to site plans, the Project will follow existing drainage conditions and surface runoff. Runoff at the Project Site will not change from existing conditions since additional impervious surfaces are not proposed beyond what is present at the Project Site under existing conditions. The site will return to post-construction conditions with Meyers Road being repaved with 2" of asphalt and 6 inch of Class II Aggregate Base rockover the native subgrade soil. The acceptable material that can be reused/repurposed from excavation and trenching will be used for the repaving of the all-weather roadway south of Meyers Road. Site will return to pre-construction conditions, as such no changes in runoff are foreseen. As a result, the surfaces of the Project Alignment will remain the same post-construction. Therefore, the Project will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.

d) 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

Less than Significant Impact. There are no constructed storm drain facilities within the Project footprint or tributary to the Project. Surface flows within these areas are directed via graded swales into earthen ditches adjacent to improved roadways. The Project Site is located adjacent to active farmland and has a natural grade from north to south toward the Stanislaus River. The Project and would not create additional impervious surfaces; therefore, the Project will not contribute additional runoff exceeding existing conditions post construction. During construction, the Project will require materials and equipment staging that is subject to compliance with the City's Standard Specifications and compliance of the City's Municipal Storm Water Permit. A storm water pollution prevention plan will be implemented during construction.

Project construction will require earthwork resulting in soil particles becoming suspended in surface water runoff and the potential for temporarily elevated pollution in surface waters due to Project construction. Procedures to mitigate exposure from construction-phase pollution entering run-off will be implemented during construction and will be consistent with the City's Standard Specifications and Municipal Storm Water Permit. Examples of methods that could be used to reduce construction phase pollution in runoff include installation of silt fencing, regular watering of disturbed surfaces and regular cleaning of track out areas. The Project Site will return to pre-construction conditions upon completion of construction. As a result, no substantive changes in runoff are foreseen and mitigation measures are not required.

e) impede or redirect flood flows?

No Impact. See Response 5.10, a) through c) iii above. Plans for Project development indicate general consistency between the proposed Project and native drainage patterns existing at the site and surrounding the Project Site. Site drainage will not change post-construction and construction will not impact flood flows, Figure 8 Flood Map. Since the Project does not propose to impede or redirect flood flows within the Project Area, no impact is anticipated.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?

No Impact. See Response 5.10, a) through c) iv above The Project location is near Stanislaus River but not within a flood, tsunami, or seiche zone indicated by FEMA flood maps. The California Department of Conservation does not place the Project Site within a zone at risk for a tsunami (See https://www.conservation.ca.gov/cgs/tsunami/maps)e. The Project Area is in the San Joaquin Valley and not close to oceans or large bodies or water. Erosion control practices will be implemented pursuant to the City's Standard Specifications to mitigate the release of pollutants in surface flows. For the reasons above, no Project impacts are anticipated from flood hazard, tsunami, or seiche zones, risk or release of pollutants due to Project inundation.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. See Response 5.10, a) through d). Project implementation will reduce the risk of sewer system failure due to the existing poor condition of the sewer pipe. The risk of effluent release from pipeline breaks or leaking will be reduced with the Project and the potential of effluent contaminating the ground water will be reduced. The Project will facilitate wastewater treatment and groundwater recharge at the Escalon WWTP. The Project is consistent with the City's Sewer Master Plan. The Project will implement water quality control methods that are consistent with the City's Standard Specifications and the Municipal Storm Water Permit. The Project will facilitate sustainable groundwater recharge.

The proposed Project will follow City ordinances within Chapter 13.08- Sewer Service System regarding mandatory maintenance and connection requirements. Compliance with City ordinances and County Water Quality Control Board plans, through the standard application of the plan check and inspection process will result in no impact to conflicts with or obstruction of a water quality control plan or sustainable groundwater management plan.

5.11 LAND USE AND PLANNING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING. Would the Project:				
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒

a) Physically divide an established community?

No Impact. The Project involves subsurface installation of a sewer line that will not cause a permanent physical divide of an established community. The Project will install of an underground sewer line within paved street right-of-way and existing easements connecting to existing sewer infrastructure at either end of the Project alignment, along McHenry Avenue and at the terminus of the all-weather roadway. Upon completion of construction, the surface of the Project footprint will be backfilled and returned to existing conditions. Pursuant to the City's Standard Specifications, the Project will implement traffic control measures during construction to maintain safe and consistent access throughout the Project location and surrounding areas.

The Project does not propose to change zoning or existing and future land use for the site or surrounding parcels. The project Site and Local Vicinity will remain substantively unchanged upon the competition of construction and the Project is consistent with the Sewer Master Plan and General Plan of the City of Escalon. The sewer system is a public utility that lies under the City's jurisdiction, therefore, making enhancements and improving the efficiency of this system is vital for its long-term performance. As a result, the Project will result in the development of infrastructure that has already been conceptually considered and approved by the City of Escalon. In addition to consistency with the Sewer Master Plan, the Project accommodates policies and goals found within the Land use section of the General Plan (See Table 7).

Table 7: Project Consistency with City of Escalon General Plan Land Use Element Policies and Goals

City of Escalon General Plan (Land Use Element)	Project Consistency
Goal 7.5.4: Continue to plan and provide efficient public safety and leisure/cultural facilities and services for the community	The Project will provide sewer services for the community more efficiently, since this is a part of a planned buildout of the sewer line system, as outlined in the City's Sewer Master plan. The community overall will benefit from the proposed Project because it will allow for an enhanced level of service and accommodate the growing demand that results from a booming economy within City Limits.
Policy 7.6.1: Provide for orderly outward expansion of new urban development that is contiguous with existing development, allows for the incremental expansion of infrastructure and public services, and minimizes impacts on the environment.	The Project proposes to expand the sewer line and connect to existing facilities to enhance the level of service to consumers. In addition, the planned improvement will increase the reliability and efficiency of public utilities, which maximizes the utility of the consumer.
Policy 7.6.1-5: Ensure that land uses proposed in general plan updates and amendments are supported by adequate existing or planned infrastructure and utilities, including water, wastewater, and a multi-modal transportation system.	The Project does not propose to change the existing land use of the Project Site. The site is already designated as a sewer line right-of-way; therefore, the land use is compatible with the City's General Plan and will provide enhanced levels of service to the sewer system's consumer base.

For the reasons above, the Project does not impact an established community. Project implementation would not divide an established community and are consistent with the concept plans from the City's Sewer Master Plan.

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?

No Impact. See Response 5.11, a). The Sewer Master Plan has accounted for the planned improvements that are being implemented with the proposed Project. Project implementation will not modify zoning or the General Plan Land Use Map. The Project improvements are proposed due to the age of the existing sewer as well as increase in population projected within the 2007 Sewer Master Plan. The population is expected to increase by approximately 67% between 2005 to 2025. In order to accommodate for such growth, the City is improving their public facilities for wastewater treatment and groundwater recharge to adequately and safely serve the increase in demand. While the City has a Growth Management Ordinance that limits residential growth to 75 dwelling units per year on the average, the public utilities still need to increase demand to keep up with the average annual growth.

Since the Project will not exceed what has been anticipated for the Project Site under the Sewer Master Plan implemented by the City of Escalon, Project implementation will not cause significant environmental impact due to conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The Project is intended to enhance the reliability of the sewer system to accommodate for increased use due to population growth projections. As a result, the Project will not result in impacts beyond what has already been approved for the City within the environmental analysis of the certified General Plan EIR.

5.12 MINERAL RESOURCES

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES. Would the Project:				
a) Result in the loss of availability of a known mineral resource that would be a 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?	☐	☐	☐	☒

a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?

No Impact. According to the San Joaquin County's General Plan, mineral resources consist of sand and gravel aggregate. Minimal extraction of peat, silver, and gold is known to occur within the County; however, it is typically dredged near rivers and creeks. In a survey conducted by the California Division of Mines and Geology in 2006, the largest producer of aggregate minerals within the State is the Corral Hollow Creek production district, near Tracy and Manteca. This is approximately 18 miles from the Project Site. In addition, the County's General Plan Figure 4.0-1: Aggregate Resources indicates that the Project Site is not within a Mineral Resources Zone (MRZ) with any known or potential mineral resources. Since the areas with known mineral resources of significance are outside the bound of the Project Site and Local Vicinity, no impacts for implementation of the Project on mineral resources are anticipated.

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?

No Impact. See Response 5.12, a). There are no locally important mineral resource recovery sites delineated in the County's General Plan. The Project is consistent with existing zoning and general plan at this location. Therefore, Project implementation will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan or other land use plan and no impacts are anticipated.

5.13 NOISE

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 located 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?	☐	☐	☐	☒

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?

Less than Significant Impact. Dominant noise sources existing at the Project Site are derived from vehicle traffic along McHenry Avenue, a major arterial within City Limits, and along Meyer Avenue, a collector road. In addition, noise from agricultural operations such as the use of machinery for harvesting or planting including tractors, forage harvesters, silage blowers, chain saws, and other equipment used for agriculture. The Project is not impacted by existing noise sources from an airport or freeway. The closest airport to the Project Site is located in Modesto, California (Modesto City- County Airport), approximately 11.9 miles southeast of the Project Site, and the closest freeway to the Project Site is State Route (SR) 108, approximately 3.2 miles south of the Project Site along McHenry Avenue. Both noise sources are over 2 miles from the Project Site, therefore, do not contribute to existing ambient noise levels since the Project is located outside of the Community Noise Equivalent Level (CNEL) noise contour for these sources.

Substantial increases in ambient noise levels are usually associated with Project construction noise (temporary) and Project operational noise (permanent). CNEL is a time-weighted 24-hour noise average in decibels (dBA) that has county-established thresholds of significance. The Project does not propose land use or traffic that will permanently increase noise levels. Some noise may be experienced by heavy machinery during the construction process and not post construction. Construction shall be in accordance with any noise ordinances established by the City of Escalon. In the City's General Plan EIR the maximum recommended noise level for exterior residential areas is 65 dB. The noise levels for industrial and commercial areas are recommended not to exceed 75dB and 65dB, respectively. To minimize construction noise from exceeding the recommended noise levels, Standard Condition NOI01 will be implemented during project construction.

SC-NOI01: Construction shall be limited to the hours between 7:00 a.m. and 9:00 p.m. on weekdays, and between 8:00 a.m. and 9:00 p.m. on Saturday and Sunday in order to reduce the impacts to a less than significant level.

For the reasons above, Project implementation will not generate substantial temporary or permanent increases in ambient noise levels in the vicinity of the Project that exceed the standards established by the local general plan or noise ordinance, or applicable standards of other agencies.

b) Generation of excessive groundborne vibration or groundborne noise levels?

No Impact. See Response 5.13, a). Multiple pieces of equipment during Project construction have the potential to generate vibration levels high enough to cause architectural damage and/or annoyance to persons in the vicinity. However, the closest residences are 500 feet or more away from the Project and are not anticipated to experience groundborne vibration or groundborne noise from Project construction. However, the Project will implement standard conditions that will ensure impacts to the environment do not occur.

SC- NOI:5.11.2:

1. The City shall review new public and private development proposals to determine conformance with the policies of this Noise Element.
2. Where the development of a Project may result in land uses being exposed to existing or projected future noise levels exceeding the levels specified by the policies of the Noise Element, the City shall require an acoustical analysis early in the review process so that noise mitigation may be included in the Project design. For development not subject to environmental review, the requirements for an acoustical analysis shall be implemented prior to the issuance of a building permit.
3. The City shall develop and employ procedures to ensure that noise mitigation measures required pursuant to an acoustical analysis are implemented in the development review and building permit processes.
4. The City shall develop and employ procedures to monitor compliance with the policies of the Noise Element after completion of Projects where noise mitigation measures have been required.

c) **For a Project located 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?**

No Impact. See Response 5.11, a). The closest airport is located south of the Project in the City of Modesto, California, approximately 11.9 miles southeast of the Project. The airport is utilized for public use and serves the surrounding communities including Escalon, Modesto, and Manteca. The Project Site is not close to the airport and is not within the zones affected by noise produced by the airport, including ranges from 70 CNEL to 55 CNEL. Therefore, due to the Project location and proximity to the nearest airport, the Project will not expose construction workers or residence in the Local Vicinity to excessive noise levels. As a result, less than significant impacts are anticipated and no mitigation is required.

5.14 POPULATION AND HOUSING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

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)?

No Impact. According to the City's Sewer Master Plan, the population was anticipated to increase by approximately 67% from 2005 to 2025, as a result the City proposed planned improvements to the sewer system to accommodate such an increase in growth. The planned improvement will "accommodate ultimate flows, wastewater treatment and disposal facilities…typically expanded in phases ahead of the actual pace of growth in the City" (City of Escalon Sewer Master Plan 2007).

Project is the upsizing of a sewer line to replace an outdated facility and to accommodate future planned development of the City of Escalon. Therefore, the Project will complete planned, approved improvements to the sewer system through the extension of the sewer line from McHenry Avenue to the terminus of the all-weather roadway, extending past the end of Meyer Avenue. Since the Project is consistent with existing City plans and programs for land use, it is not anticipated to result in unplanned population growth by either implementing new homes or business or indirectly by extending infrastructure. As a result, impacts are not anticipated, and no mitigation is required.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The Project Site consists of a paved roadway along segments of McHenry Avenue and Meyer Avenue within a designated right-of-way. Additionally, the Project Site does not contain existing buildings that will need to be taken down or disrupted during construction. Since the Project Site is within an existing City right-of-way, Project implementation will not result in displacement of substantial numbers of existing people or housing. Implementation of the Project is limited to the Project footprint within existing easements and right-of-way. The Project will increase the capacity of the sewer system to be able to sustain the new planned growth within City Limits in the approved General Plan. The Project is not meant or intended to displace people. The Project is intended to accommodate a growing population, which has been anticipated within the City's Sewer Master Plan and General Plan. For these reasons, no impacts from the Project will occur regarding displaced or housing necessitating the construction of replacement housing elsewhere.

5.15 PUBLIC SERVICES

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES. Would the Project:				
a) 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?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

a) 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:

i) Fire protection?

Less than Significant Impact. Fire protection and emergency services are provided by both the City of Escalon and the County of San Joaquin to ensure maximum fire protection. The Project Site is within the bounds of the Escalon Consolidated Fire Protection District, providing fire protection, emergency medical, hazardous materials, and other services. Within the City of Escalon, there are two stations. Station 1 is located on 1749 Coley Avenue, Escalon, CA 95320, approximately 2 miles from the Project Site and adjacent to the heart of Escalon's downtown. Currently, there are seven full-time active firefighters working in this station with an additional four volunteer firefighters and eight reserve personnel. Station 62 is located northwest of the Project Site, approximately 4.8 miles from the Project Site at 17950 South Van Allen Road.

During construction an approved traffic control plan will be followed pursuant to the City's Standard Specifications. This will allow services to function as usual, and significant delays to the Fire Department through the Project site during construction. The nearest Fire Station is Station 1 which is north of the Project Site. The Project does not propose to increase population or density that would require an additional fire station to service the area permanently and does not propose to implement land use requiring fire response beyond what has already been identified in the City's approved Sewer Master Plan and General Plan. The standard application of the City's plan check, inspection, and design criteria will verify the implementation of fire protection performance objectives for the Project and facilitate fire protection within the Local Vicinity. For these reasons, impacts are considered less than significant.

ii) Police protection?

Less than Significant Impact. The City of Escalon Police Department will provide police protection to the Project Site. The closest police station to the Project Site is located on McHenry Avenue, approximately 1.4 miles from the Project Site. Since the Project is a part of the Sewer Master Plan, intended to benefit the City's public works facilities,

the Project will not impact the level of police protection at the Project Site since it does not propose to increase population or change land use.

During construction an approved traffic control plan will be followed pursuant to the City's Standard Specifications. This will allow services to function as usual, and access will remain open to the Police department through the Project site. Compliance with the City Police Department traffic control guidelines will result in less than significant impacts. The proposed Project will not increase population change land use within the Project Area, therefore less than significant long-term impacts to police protection are expected.

iii) Schools?

No Impact. The Project is within the Escalon Unified School District. The closest schools to the Project Site are located near Escalon's downtown area, approximately 2.1 miles north of the Project Site. Within the downtown region, El portal Middle School, Dent Elementary School, and Escalon High School are located within blocks of one another. The Project does not propose to increase population or density within the planning area, therefore, impacts to the enrollment at these facilities are not anticipated. In addition, due to the Project's proximity to the closest educational facilities, Project construction will not conflict or directly impact these schools during peak hours for drop-off and pickup. As a result, impacts are not anticipated.

iv) Parks?

No Impact. See Response 5.15, a) i) through iii). The Project does not propose to change land use resulting in increased density or population affecting park use. The closest park servicing the Project Vicinity is the McHenry Recreational Area, approximately 2.4 miles southwest of the Project Site. Since the Project will implement an approved traffic control plan in compliance with the City's Standard Specifications, impacts are not significant. The long-term use of this recreational facility will not be changed and a result of Project implementation. Therefore, no impacts from Project implementation are anticipated.

v) Other public facilities?

No Impact. The Project Site is located about 1000 feet north of the Escalon wastewater treatment plant. Construction is not anticipated to result in closure of the system leading to the plant. The Project will be constructed and tested, then final connections made to the overall sewer system. The existing line will be abandoned in place according to City standards. This planned improvement is a part of the City's Sewer Master Plan; therefore, permanent impacts have already been evaluated and approved by the City. No significant impacts to the treatment plant or services and procedures will occur due to Project implementation.

5.16 RECREATION

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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?

No Impact. The Project does not propose to increase housing, change land use, or increase density within the City of Escalon. The Project consists of a sewer line improvement that will replace a sewer main that has reached the end of its useful life. The Project will also facilitate wastewater treatment and groundwater recharge. The Project is not within a designated park or open space area. The closest park or recreational facility to the Project Site is McHenry Recreation Area, approximately 1.2 miles southwest of the Project Site (See Table 4.M-13: Existing Park and Open Space Areas in San Joaquin County, San Joaquin County GP DEIR). Due to the size and location, Project implementation will not substantively increase existing recreational use of parks or other recreational facilities within City Limits. In addition, compliance with the General Plan Policies and Goals outline in Table 8 will result in no impact on the substantial deterioration of a recreational facility. No Mitigation Measure are required.

Table 8: Project Consistency with City General Plan Open Space, Conservation, and Recreation Element

City General Plan Policies and Goals (Open Space, Conservation, and Recreation Element)	Project Consistency
Policy 3.3.1: The City will create and protect open space for the preservation of natural resources.	The Project does not propose to detract from the natural open space that is utilized for recreation purposes. The Project Site will install a below grade sewer improvement and return the site to existing conditions. The Project will not propose to convert the land to a use that has not been approved or considered by the City.
Policy 3.3.3: The City will preserve and protect agricultural use on lands in and surrounding the Escalon planning area for open space purposes and for the managed production of resources.	The Project continues to allow for agriculture use in the surrounding lands of the Project Site. Agriculture that takes place on the surrounding lands is the cultivation of almond orchards. Since almond production is valuable and essential within California, the surrounding land uses to the Project Site will remain unchanged with Project implementation.

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?**

No Impact. See Response 5.16, a). Since the Project will not cause any changes to recreational facilities or the use of these facilities, as mentioned above. The Project will have no impacts related to construction or expansion of recreational facilities or an adverse physical effect on the environment related to recreation facilities. Therefore, no mitigation is required.

5.17 TRANSPORTATION

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION. Would the Project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less than Significant Impact. The Project will upsize, replace, and relocate a portion of sewer main from beneath McHenry Avenue to Meyers Avenue. No permanent changes to the City of Escalon circulation system are proposed with the Project. Standard Specifications including a construction phase traffic control plan will be implemented during Project construction to reduce temporary impacts on access and circulation to less than significance. Upon completion of construction, the Project location will be returned to pre-project conditions. Therefore, Project impacts on the circulation system are less than significant.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b) and/or thresholds of significance set forth in Section 5.09, *Determining the Significance of Transportation Impacts*

No Impact. CEQA Guidelines Section 15064.3, subdivision (b) pertains to vehicle miles traveled that are expected from a Project. The Project does not propose changes to existing or approved land use and will not facilitate permanently increased traffic trips or increased VMT. Due to the size of the Project, construction is not anticipated to result in a substantive number of increased traffic trips or any changes in level of service or intersection capacity ratios from truck traffic during construction or the construction crew commuting to the Project within the Local Vicinity. Project construction will include slower moving truck traffic within the Local Vicinity on a temporary and intermittent basis. Due to limited land use requiring continuous access from McHenry Avenue and Meyers Avenue (Orchards and a total of three residences), the standard implementation of the City's plan check and inspection process including application of the City's Standard Specifications will result in no traffic impacts.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The Project will be constructed below ground surface and will not implement above ground features that could result in permanent hazards from a geometric design feature. During construction, the Project will require transport of heavy equipment to the Project location and the use of heavy equipment. Work within public right-of-way requires review and approval of an encroachment permit by the City, which will include a traffic control plan with BMPS such as temporary barriers and detours. Less than significant impacts are anticipated.

d) Result in inadequate emergency access?

Less than Significant Impact. Refer to Responses XVII a) through c). Potential for delay within the Local Vicinity during Project construction is likely, since equipment will temporarily block access, although continuous access will be maintained to developed properties throughout the duration of construction with the implementation of the City's

Standard Specifications. During construction an approved traffic control plan will be followed to allow services to function as usual, and any required road or driveway access will be available for emergency access by the Fire and Police department through the Project site. As a result, construction impacts are not anticipated. In the long-term, The Project location will return to pre-project conditions and there will be no impact on vehicular access near the Project Alignment or in the Local Vicinity.

5.18 TRIBAL CULTURAL RESOURCES

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	☐	☐	☐	☐
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☐

a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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

No Impact. Public Resources Code Section 5020.1 (k), indicates that "Substantial adverse change" is defined as "demolition, destruction, relocation, or alteration such as significance of any historical resources would be impaired." The changes impact historical resources listed or eligible for listing on the State and/or National Register of Historic Places as well as historical structures deemed locally significant by the Lead Agency either directly or indirectly. At the Project Site and within the Project Vicinity, no significant cultural resources were found during the site visit for the Project and no cultural resources were previously recorded at the Project Location. Therefore, no impacts to cultural resources that are listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources is anticipated to occur from Project implementation.

Public Resources Code 21074 defines "Tribal cultural resources as any of the following "Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either: (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources and/or (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1. This may include 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 Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe. "

The State of California and the City of Escalon recognize the importance of Native American consultation and participation during the cultural resources' evaluation process. In compliance with these guidelines, a Sacred Lands Search was conducted at the California Native American Heritage Commission (NAHC). On April 26th, 2022, a

response was received and concluded that the results from the search were negative in that no resources have been previously identified in the immediate Project location.

Scoping letters were sent to Native American tribes who may have more knowledge on the Project Area and were provided in a list by the NAHC (See Appendix A). One response was received on June 20th, 2022, from Ms. Katherine Perez representing the Northern Valley Yokuts Tribe and Nototomne Cultural Preservation. This letter to the City of Escalon is dated June 7, 2022, and formally notifies the City that the Tribe requests consultation under AB 52. The letter is provided in Appendix B and is a formal notice that Northern Valley Yokuts Tribe and Nototomne Cultural Preservation would like to initiate consultation under AB 52 with the City of Escalon regarding the topics listed in Cal. Consultation with the following parties ended on June 25th, 2022. Public Resources Code section 21080.3.2(a), including the type of environmental review to be conducted for the Project; Project alternatives; the Project's significant effects; and mitigation measures for any direct, indirect, or cumulative impacts to tribal cultural resources. This includes design options that would avoid impacts. At the request of the Tribe the cultural resources report prepared for the Project was sent to the Tribe for review. At the time of the City's receipt of the Tribe's letter, a cultural resource field survey had been completed. The letter from the Tribe indicates tribal monitors are needed and must be present for all ground disturbing activities if tribal cultural resources are found at the Project location. The letter indicates that it is the Tribe's preference to preserve tribal cultural resources in place and avoid them whenever possible. Subsurface testing and data recovery must not occur without first consulting with and receiving written consent from Northern Valley Yokuts Tribe and Nototomne Cultural Preservation.

The cultural resources survey for the Project indicates, impacts to tribal cultural resources eligible for the California Register and significant under CEQA are not anticipated; however, there is potential to unearth resources during earthwork in native soils. Although significant Project impacts are not expected to occur and to tribal cultural resources from Project implementation, the following measures will be implemented as a result of tribal consultation under AB 52.

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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

No Impact. See Response 5.18, a) i). Public Resource Code Section 5024.1 subdivision (c) provides criteria following the National Register of Historic Places for historical resources in the California Register. The legislature finds and declares the California Native American tribes traditionally and culturally affiliated with a geographic area may have expertise concerning their tribal cultural resources and the cultural resources and the cultural value of the area. In accordance with Public Resource Section 5024.1 subdivision (c) and advise from NAHC, letters were sent out to the following tribes requesting additional information on cultural significance of the Project Site and surrounding areas. Tribes that include Buena Vista Rancheria of Me-Wuk Indians, California Valley Miwok Tribe, Ione Band of Miwok Indians, North Valley Yokuts Tribe, Tule River Indian Tribe, Wilton Rancheria, and the Wuksache Indian Tribe/ Eshom Valley Band.

As mentioned in Response a) in this Section, the Project is not anticipated to result in impacts to cultural resources. However, upon the completion of a cultural resources report and the City's consultation with the appropriate tribes, Mitigation Measures might be required upon Project implementation so that the Project will not have significant impacts related to substantial adverse change to a tribal resource pursuant to Public Resource Code 5024.1, subdivision (c).

5.19 UTILITIES AND SERVICE SYSTEMS

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

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?

Less than Significant Impact. Within City Limits, Electricity is provided by PG&E and Modesto Irrigation District, where both providers work together to provide electrical services to the City. Solid waste collection is provided by Gilton Solid Waste Management and is taken to McClure Transfer Station in Modesto where it's processed and then sent to the Fink Road Sanitary Landfill in Stanislaus County.

At the Project Site, existing utilities and service systems include a 20" concrete industrial water force main approximately 36" below ground serviced by the City of Escalon's Water Department. This pipeline is part of the approximately 33-mile network of pipelines that make up Escalon's water system. In addition to water services being provided by the City, the Project Site will also be served by their other utilities and services systems including Wastewater and Stormwater services. Relocation of existing utilities will not be required for the proposed Project; however, implementation of new components to the sewer system at the Project Site are required. Project implementation requires the installation of 4,500 linear feet of 24" PVC sewer pipeline; therefore, expanding the City's Sewer system and increasing the demand on the system. The extension of the sewer line will connect to an existing 14" concrete sewer pipe along McHenry Avenue and continue along Meyer Road to its terminus and extend along the all-weather roadway leading to Greenleaf Road.

Project construction of a new sewer manhole and sewer line are meant to improve the system capacity, performance, and reliability. For Project implementation, some services of the sewer line may be temporarily stopped to allow for the connection to the main sewer system. Upon implementation, street improvements will also be made including repaving a portion of McHenry Avenue where the sewer line will be connected and all of Meyer Avenue where the Project will be installed. Temporary impacts to traffic will occur during to these proposed improvements. For this reason, a traffic control plan will be utilized and approved by the City prior to Project construction in conformance with the City's Standard Specifications. Additionally, since the Project is included in the City's Sewer Master Plan 2017, the Project does not propose to develop infrastructure or public utility

improvements that have not already been conceptually considered and approved by the City of Escalon. The Project is also consistent with polices and goals outline in San Joaquin County's General Plan Public Services and Recreation Element (See Table 9) as well as the City's General Plan.

For the reasons above, the Project will result in the construction of new expanded wastewater utilities, however, new construction will not result in significant impact.

Table 9: Project Consistency with County General Plan Public Services and Recreation Policies and Goals

County General Plan Policies and Goals (Public Services and Recreation)	Project Consistency
IS-1.4: Infrastructure Maintenance. The County shall work with agencies to maintain, improve, and replace public facilities as necessary to maintain adequate levels of service for existing and future development and reduce the need for new facilities. Where public facilities and services are provided by other agencies, the County shall encourage similar service level goals. (PSP/IGC) (Source: Existing GP, CODP, Growth Accommodation, Policy 25, modified)	The Project will carry out Policy IS-1.4 by improving the sewer infrastructure in the City of Escalon. The improvement will allow for the sewer line to connect to the treatment plant to the south of the Project Site and improve services to the City's consumer base.
IS-1.5: Infrastructure and Service Expansions. The County shall base the expansion of public facilities and services on current needs and planned or projected development patterns. (PSP) (Source: Existing GP, CODP, Growth Accommodation, Policy 26, modified)	The planned improvement that the Project proposes as the result of projected growth within the City. The sewer line will accommodate the increase in growth anticipated within the coming years. Public facilities like the sewer line will be updated accordingly. The Project will improve and modify this public utility as a result of changing conditions.

b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?

No Impact. The City's Water Department will generate water supplies available to serve the Project Location. An existing 20" concrete industrial water force main runs along the Project alignment and will run parallel to the extended sewer line. Since the Project does not propose to increase population or density at the Project Site or the Local Vicinity, water services at the Project Site will not experience an increased demand long-term due to implementation of the Project. However, during Project construction watering the soil is require mitigating potential contaminants from being released into the air. This is a short-term demand and will not result in significant impact to water supplies. As a result, no impacts are foreseen as the Project is not anticipated to substantively impact water supplies available to serve the Project and reasonably foreseeable future development during normal dry and multiple dry years.

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?

No Impact. Wastewater flows are treated by the Escalon Wastewater Treatment Plant (WWTP) located at 25100, East River Rd, Escalon, CA 95320 (approximately 800 feet south from the Project location). At the Escalon WWTP, influents from domestic and industrial are received at this plant, then processes separately in different sections of the facility (Escalon Preliminary WWTP Master Plan Report 2019). The sewer pipeline extension will discharge into the treatment facility and enhance the reliability of the effluent conveyance system. The Project is consistent with Escalon's Capital Improvements Program for the Fiscal Year 18-19. The Project is outlined within this document and is referenced as "NEW MCHENRY LIFT STATION (Phase 2)". At the release of this document, the land for the Project had been purchased and the design of the new Lift Station was competed and out for bidding. The proposed Project aids in carrying out this Capital Improvement Project. Therefore, the Project aligns with the City's goals and

does not propose improvements that have not already been approved and considered. As a result, the Project will have no impact.

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?

No Impact. The Project consists of improvements to sewer system and repaving Meyer Avenue. Solid waste from the removal of the old, paved Meyer Avenue will be recycled and used for the new all-weather roadway, which extends from the terminus of Meyer Avenue to Greenleaf Road. Solid waste that is created will be disposed of in the Fink Road Landfill, located at 4000 Fink Rd, Crows Landing, CA 95313 (approximately 51.5 miles southwest from the Project Site). No waste is anticipated to exceed state or local capacity since sold waste production is temporary and plans for recycling waste are being made. Therefore, no impact is anticipated related to the generation of 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.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact. The project will not increase sold waste production over the long-term since the Project does not propose to increase population or density at the Project Site or the Local Vicinity. In addition, the Project relates to sewer water and not solid waste, therefore, no impacts are anticipated. No mitigation measures are required.

5.20 WILDFIRE

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The Project location is not near a CALFIRE Fire Hazard Severity Zone (CALFIRE FHSZ Viewer). The closest lands that are categorized as such are near the east and west Project, approximately 13.2 and 22.9 miles from the Project Site. The proposed Project is along a designated roadway under the City's jurisdiction. Temporary traffic will result from the implementation of the Project; therefore, construction will follow an approved traffic control plan to comply the emergency response plan and emergency evacuation plan. According to the City, the closest evacuation route to the Project Site is along McHenry Avenue, which leads out of the City either in the north or south direction. Since Project implementation involves work along McHenry Avenue, approval of the traffic control plan should be reviewed by the City's Fire Department and additional emergency response personnel. Fire stations closest to the Project Site consist of Station 1 and Station 62, referenced in Response 5.9, a) and Response 5.15, a) i). These stations will service the Project Site in the event of an emergency and assist in providing access to evacuation routes during disasters as outlined in Section 5.9-Hazards and Hazardous Materials.

The Project is not anticipated to require additional or unique emergency response services. However, during Project construction will include slow moving trucks temporarily deployed on the City's circulation system. Despite the utilization of construction equipment and slower moving trucks, the Project is not proposed at a scale that would substantially impair the circulation system or neighboring freeway operations with the implementation of a traffic control plan. Therefore, the Project will result in less than significant impact on emergency response plans or emergency evacuation plans. In addition, due to proximity to very high fire hazard severity zones, Project implementation will involve less than significant impacts on evacuation routes and emergency response plans within vulnerable, fire-prone areas.

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?

Less than Significant Impact. See Response 5.20, a). Since the Project Site is not within a CALFIRE Fire Hazard Severity Zone or a zone of higher severity Locally or Regionally, the Project Site is not prone to fires. Almond orchards surround the Project Site and are susceptible to fire if best management practices for handling machinery are not utilized during Project construction. Best management Practices that will be utilized during Project construction include ensuring equipment is properly stored on staging areas and regular inspections of the

equipment are performed to ensure flammable gasoline is not leaking. For these reasons, the impacts due to slope, prevailing winds, and other factors related to wildfire are less than significant.

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?

No Impact. The Project plans indicate the installation of 4,500 linear feet of 24" PVC sewer line, an extension of the City's sewer system to reach Escalon's WWTP. The Project is consistent with the City's General Plan and Sewer Master Plan regarding needed public works improvements to accommodate utility demand from future population increases expected within City Limits. The extension of public utilities and services have been considered and approved by the City's decision makers and plans will be review by the City's Engineer to ensure compliance with the Municipal Code and Standard Specifications. The Project will not obstruct above ground infrastructure or exacerbate fire risk because the sewer line extension will be underground. For the reasons above, implementation of the project will not exceed what has already been considered and approved by the Sewer Master Plan and other City documents. Therefore, the Project will result in no additional impacts from Project implementation.

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?

No Impact. See Response 5.20, a) through c). According to CALFIRE's Fire Hazard Safety Zone Map, the area is designated as Local Responsibility exhibiting no high-moderate fire hazards. Therefore, based on this assessment, the Project Site is not located in an area with unique features or elevated risk from wildfire, slope, flooding, runoff, landslides, and drainage. Land use and infrastructure proposed will comply with the City's Municipal Code and will be verified during the standard application of the City's plan check and inspection processes during construction. For these reasons, impacts are less than significant.

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

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?

Less Than Significant with Mitigation Incorporated. The analysis in this report indicates that Project activities from construction and long-term operation are proposed within existing developed areas located within the boundaries of the Project Site. The Project will implement mitigation measures for protection of water quality air quality, nesting birds, paleontological resources and tribal cultural resources. Project impacts are expected to be less than significant with mitigation incorporated. The Project will be implemented within existing paved right-of-way and easements in a location that is surrounded by orchards. Other than the permanent removal of 49 orchard trees currently planted within County right-of-way, no permanent above ground impacts are anticipated with Project implementation. The Project will be implemented with mitigation measures for fugitive dust emissions control, erosion control, a pre-construction bird nesting survey, and monitoring during earthwork for cultural and paleontological resources to reduce potentially significant impacts on these resources to less than significance. Implementation of mitigation measures for the Project will sufficiently reduce potentially significant impacts on the quality of the environment, wildlife, and cultural and paleontological resources to less than significant levels.

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.)

Less Than Significant with Mitigation Incorporated. The analysis in this report indicates that the Project will implement mitigation measures which will reduce both direct and indirect impacts from the construction to less than significant levels; and there are no significant long-term impacts from operation of the Project. Therefore, Project implementation will not contribute to cumulative impacts. The Project is proposed in response to projected population that is expected from the buildout of approved local land use programs and

will not result in additional impacts beyond what has already been considered and approved within the City of Escalon.

c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant with Mitigation Incorporated. The analysis in this report indicates that Project implementation, with the incorporation of mitigation measures will not cause substantial adverse effects on human beings either directly or indirectly.

4. References

1. Escalon General Plan, adopted on June 6th, 2005
    - Chapter 3.0 Open Space, Conservation, and Recreation Element

2. Final Environmental Impact Report (EIR) for the Escalon General Plan 2005-2035 SCH #2004092075, adopted April 2005

3. San Joaquin County General Plan 2035- Draft Environmental Impact Report (EIR), adopted October 2014
    - Chapter 4: Environmental Setting, Impacts, and Mitigation Measures
        - A. Land Use

4. San Joaquin Valley Air Pollution Control District, 2021 Air Monitoring Network Plan, adopted July 1, 2021

APPENDICIES

APPENDIX A

CULTURAL RESOURCES ASSESSMENT

Phase 2 McHenry Sewer Pipeline Improvement Plan Project
Escalón, San Joaquin County, California

Prepared for:

Dominique Romo
City Manager
City of Escalon
2060 McHenry Avenue
Escalon, California 95320

Prepared by:

David Brunzell, M.A., RPA
BCR Consulting LLC
Claremont, California 91711

Project No. ESC2201

Data Base Information:

Type of Study: Cultural Resources Assessment
Resources Recorded: Tidewater Southern Railway
Keywords: Railway, Railroad, Tidewater Southern, Western Pacific, Union Pacific
USGS Quadrangle: 7.5-minute *Escalón* (1968) and *Avena* (1968)*, California*

BCRCONSULTING LLC

July 20, 2022

MANAGEMENT SUMMARY

BCR Consulting LLC (BCR Consulting) is under contract to the City of Escalon to conduct a Cultural Resources Assessment of the Phase 2 McHenry Sewer Pipeline Improvement Plan Project (the project) located in the City of Escalon (City), San Joaquin County, California. The work is being performed pursuant to the California Environmental Quality Act (CEQA). A cultural resources records search, additional research, field survey, Sacred Lands File Search with the Native American Heritage Commission (NAHC), and paleontological overview were conducted for the effort. The records search revealed that 11 cultural resource studies have taken place resulting in three cultural resources recorded within a one half-mile radius of the project alignment. Three studies have taken place within the project alignment, and no cultural resources have been identified within its boundaries.

During the field survey, BCR Consulting archaeologists identified one historic-period cultural resource, a railroad segment that comprised a portion of the Tidewater Southern Railway within the project alignment. This resource segment is not recommended eligible for listing in the California Register of Historical Resources (California Register). Based on these results, BCR Consulting recommends that the project as proposed will not result in an adverse effect to any historical resources under CEQA. No further cultural resource work or monitoring is recommended.

While the current study has not indicated sensitivity for buried cultural resources within the project alignment, ground disturbing activities always have the potential to reveal buried deposits not observed on the surface during previous surveys. Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register, plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

- historic artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
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- prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
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If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

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INTRODUCTION

BCR Consulting LLC (BCR Consulting) is under contract to the City of Escalon to conduct a Cultural Resources Assessment of the Phase 2 McHenry Sewer Pipeline Improvement Plan Project (the project) in the City of Escalon (City), San Joaquin County, California. The project will involve trenching in road and railroad right of way, and boring under an existing canal to install new sewer pipeline between McHenry Avenue in the north and the Union Pacific Railroad right of way in the south. The work is being performed pursuant to the California Environmental Quality Act (CEQA). Tasks completed for the scope of work include a cultural resource records search, additional research, intensive pedestrian cultural resource survey, Sacred Lands File search with the Native American Heritage Commission, and paleontological resources overview. The project is in Section 17, Township 2 South, Range 9 East, Mt. Diablo Base and Meridian in Escalon, San Joaquin County, California. It is depicted on the United States Geological Survey (USGS) *Escalon, California* (1968) and *Avena, California* (1968) 7.5-minute topographic quadrangle (Figure 1).

NATURAL SETTING

The elevation of the project alignment ranges from approximately 100 to 120 feet above mean sea level (AMSL). The property has been subject to disturbances related to road construction and maintenance, railroad construction and maintenance, canal construction and maintenance, and agricultural activities. Local geologic units include Pleistocene-age alluvial gravel, silt, sand, and clay from the Modesto Formation (see Appendix E). These deposits have not indicated local sourcing of prehistoric tool materials. The region is characterized by a Mediterranean climate with relatively dry summers and mild winters. Annual rainfall averages approximately 14.06 inches, and typically occurs in the form of fall and winter storms and showers. The nearest local fresh water source is the Stanislaus River, which drains a large watershed surrounding the project site, and meanders from east to west approximately 0.25 miles to the east of the project alignment's southern terminus (USGS 1968). Very little native vegetation remains locally intact due to intensive agricultural and other developments. Historically, Valley Grassland and Oak Woodland communities dominated local vegetation. Signature native and non-native species associated with each habitat are summarized below in Table A (see also Williams et al. 2009: 375, 453). For prehistoric use of many of the local native species see Lightfoot and Parrish 2009.

Table A. Local Vegetation Communities

Habitat	Plant Species	Animal Species
Valley Grassland	Beardless Wildrye, Blue Wildrye, Deergrass, Foothill Bluegrass, Needlegrass, Three-Awn Grass, Baby Blue-Eyes, Big Tarweed, Blue Dicks, California Jewelflower, California Poppy, Clover, Goldfields, Lupine, Mariposa Lily, Pitgland Tarweeed, Purple Owl's Clover, Tidytips, Wild Onion	Burrow Owl, Ferruginous Hawk, Horned Lark, Long-Billed Curlew, Northern Harrier, Sandhill Crane, Sainson's Hawk, Western Kingbird, Western Meadowlark, American Badger, California Ground Squirrel, California Pocket Mouse, Cottontail Rabbit, Giant Kangaroo Rat, Heermann's Kangaroo Rat, Pronghorn Antelope, Kit Fox, Tule Elk, Pocket Gopher, Leopard Lizard, Gopher Snake, Rattlesnake
Oak Woodland	Black Oak, Blue Oak, Buckeye, California Bay, Canyon Live Oak, Coast Live Oak, Engelmann Oak, Interior Live Oak, Oregon Oak, Valley Oak, Coffeeberry, Toyon, Blue Dicks	Mule deer, Western Grey Squirrel, Deer Mouse, Wood Rat, Northern Flicker, Scrub Jay, Ash-throated Flycatcher, Western Kingbird, White-breasted Nuthatch.

BCR CONSULTING LLC

Project Location Site
Phase 2 McHenry Sewer Pipeline Improvement Project

Figure 1

Reference: ESRI; USGS Quad: Avena (1968), Escalon (1968), California

City of Escalon

CULTURAL SETTING

Prehistory

Similar to most of western North America, human groups commenced regional settlement between 9,000-11,500 years before present. Humans proliferated globally during this era due to gradual environmental warming that marked the close of the last ice age. Changes in settlement patterns and subsistence focus are widely cited as adaptations to the new conditions and have been organized into a number of chronological frameworks for the region (see Moratto 1984; Heizer 1978; and others).

Ethnography

The project sites are situated within the traditional boundaries of the Northern Valley Yokuts. This prehistoric population depended heavily on the San Joaquin River and its connecting sloughs and rivers for sustenance and transportation. Little ethnographic information is available for the local Northern Valley Yokuts, due to missionization and disease soon after European contact, and to influx of miners in the 1850s ((Wallace 1978:462). Trade routes and rights to riverine resources allowed the Northern Valley Yokuts to reap the benefits of the numerous perennial water sources allowing local populations to pursue a sedentary lifestyle in an otherwise arid climate. Prehistorically, such sedentism often coincides with a village-style residential model in which residential bases remain the same or seasonal, while specialized procurement parties are deployed to more remote areas to collect specialized resources (Binford 1980, Thomas 1983). This village model has been locally supported by early ethnographers, who considered Yokuts unique in California for forming "true tribes" and for developing an unparalleled array of dialects (Kroeber 1925:474).

History

The first Europeans to establish contact with the Yokuts were Spanish troops led by Captain Don Pedro Fages in pursuit of deserters. Father Francisco Garces also travelled through the San Joaquin Valley searching for an overland route from Yuma to Monterey. During his travels, Garces noted positive interactions with locals (see Smith 1939, Bailey 1984). The Mexican era (1821-1848) saw little notable cultural exchange between Mexicans and Yokuts, although an 1833 malaria epidemic devastated the local native population (Wallace 1978:460). The American era, punctuated by California's annexation into the United States in 1848, resulted in overwhelming Anglo settlement which disrupted local Yokut influence. Mining and ranching represented the early historical focus of the San Joaquin Valley, although abundant natural water, a mild climate, and arable land soon led to the successful development of agriculture. The resulting diversion of local water and escalating land values transformed the physical and economic character of the area, and has allowed it to remain one of the world's most productive agricultural regions to this day (Preston 1981).

Railroad Development. In 1861, a group of Sacramento businessmen incorporated the Central Pacific Railroad (CPRR) to link California with existing networks in the eastern United States. Collis P. Huntington, Mark Hopkins, Leland Stanford, and Charles Crocker emerged as the controlling members of the ownership group and became known as the

"Big Four" due to the wealth and power they accrued. In 1862, CPRR received authorization from President Abraham Lincoln to build the railroad and telegraph line from the Pacific Ocean to the Missouri River. After financial difficulties and technical challenges crossing the rugged Sierra Nevada, the CPRR met the Union Pacific lines in Promontory Utah, an event celebrated with the dramatic "golden spike" ceremony in 1869. The next year, the Western Pacific Railroad (WPRR) and CPRR formally merged. The Big Four also acquired the Southern Pacific Railroad (Southern Pacific), and eventually operated the companies as one under the Southern Pacific name (SFBART 2002:9).

The connection of the far Western states to the transcontinental railroad system brought profound transformation to nineteenth-century California. Early railroad boosters promoted economic growth, population expansion, modernization of lifestyles, and the spread of culture and knowledge to isolated populations. The railroad did bring many of these benefits: towns along railroad lines experienced job growth as well as exponential increases in real estate prices, the dangerous months-long trip across the country was replaced by a comfortable rail journey of a few days and increasing volumes of travel and communication began to forge a unified American culture. However, construction of the transcontinental railroad also had a number of negative consequences. The relatively new technology suffered from a high accident rate, caused environmental problems, worsened economic inequality, and drew investment away from towns located far from its lines. A small group of men were able to control this vital infrastructure, and they used the wealth generated by their early entry into the business to buy rivals and amass extraordinary power. This massive near-monopoly could set prices as high as it liked and exerted increasingly heavy influence on politics beginning in the late nineteenth century (Orsi 1991:6-8).

By the 1870s, the railroad's ubiquity had sparked a backlash, with farmers and political reformers publicly decrying freight rates and accusing operators of corruption. The railroad's position as essential infrastructure was nevertheless further solidified as the century progressed, and its role in shipping agricultural products was particularly important. Between the mid-1880s and the first decade of the twentieth century, the Southern Pacific added several new lines to serve California's tourism and agricultural markets. Introduction of refrigerated cars was a crucial development for California's farmers, who gained the ability to ship fresh fruit and vegetables to distant markets (Orsi 2007:32).

In 1886, the Southern Pacific introduced refrigerated cars, stimulating the production of citrus and other perishable produce in the region (Tibbet 2010). In 1901, after the death of Collis P. Huntington (who had sole control of the Southern Pacific from 1888 to 1900), the Union Pacific (UP) acquired a controlling interest in Southern Pacific stock, which was by the turn of the century the world's largest transportation corporation. E.H. Harriman presided over a period of growth and modernization until 1913. During this era, most railroad tracks were replaced with more durable steel. Harriman's expansion of the refrigerated car system was particularly important for Northern California's fruit farmers. In 1916, the U.S. railroad system reached its mileage zenith. In 1917, the federal government took over management of the entire transcontinental railroad system in order to optimize freight travel for the war effort. When private control returned in 1920, the

nation was on the brink of the automobile age, which would slowly chip away at the railroad's dominance for the remainder of the century. Its hegemonic position was destroyed by the post-World War II shift to trucking and personal vehicles, but the railroad remained important to transportation infrastructure throughout the twentieth century (Orsi 2007).

PERSONNEL

David Brunzell, M.A., RPA acted as the Project Manager and Principal Investigator, provided project oversight, completed additional research through various archives and repositories, and authored the Department of Park and Recreation (DPR) 523 forms and the technical report. Central California Information Center (CCIC) staff completed the cultural resources records search through its archive at California State University, Stanislaus. BCR Consulting Archaeological Field Director Joseph Orozco, M.A., RPA completed the field survey.

METHODS

This work was completed pursuant to Section 106 of the NHPA and to CEQA, the Public Resources Code (PRC) Chapter 2.6, Section 21083.2, and California Code of Regulations (CCR) Title 14, Chapter 3, Article 5, Section 15064.5. The pedestrian cultural resources survey was intended to locate and document previously recorded or new cultural resources, including archaeological sites, features, isolates, and historic-period buildings, that exceed 45 years in age within defined project boundaries. The project site was inspected using 15 meter transect intervals on either side of the alignment.

This study is intended to determine whether cultural resources are located within the project alignment, whether any cultural resources are significant pursuant to the above-referenced regulations and standards, and to develop specific mitigation measures that will address potential impacts to existing or potential resources. Tasks pursued to achieve that end include:

- Cultural resources records search to review any studies conducted and the resulting cultural resources recorded within a one half-mile radius of the project alignment
- Additional research through various local and regional resources
- Systematic pedestrian survey of the entire project alignment
- Evaluation California Register eligibility for any cultural resources discovered
- Development of recommendations and mitigation measures for cultural resources documented within the project alignment following CEQA
- Completion of DPR 523 forms for any cultural resources identified
- Vertebrate paleontology resources report through Professional Paleontologists of the Western Science Center in Hemet, California.

Research

Records Search. An archaeological records search was conducted by the CCIC on June 2, 2022. This included a review of all recorded historic and prehistoric cultural resources,

as well as a review of known cultural resources, and survey and excavation reports generated from projects located within one half-mile of the project alignment. In addition, a review was conducted of the National Register of Historic Places (National Register), the California Register of Historical Resources (California Register), and documents and inventories from the California Office of Historic Preservation including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Built Environment Resources Directory (BERD).

Additional Research. BCR Consulting performed additional research through the San Joaquin County Assessor's Office, General Land Office records of the Bureau of Land Management, and various internet resources.

Field Survey

An intensive-level cultural resources field survey of the project alignment was conducted on May 2, 2022. The survey was conducted by walking parallel transects spaced approximately 15 meters apart along both sides of the project alignment. Digital photographs were taken at various points within the project alignment. These included overviews as well as detail photographs of all cultural resources. Cultural resources were recorded per the California OHP *Instructions for Recording Historical Resources* in the field using:

- Detailed note taking for entry on DPR 523 Forms (see Appendix B)
- Hand-held Garmin Global Positioning systems for mapping purposes
- Digital photography of all cultural resources (see Appendix C/D).

RESULTS

Research

Records Search. Data from the CCIC revealed that 11 cultural resource studies have taken place resulting in three cultural resources recorded within a one half-mile radius of the project alignment. Three studies have taken place within the project alignment, and no resources have been identified within its boundaries. One resource (a historic-period canal designated P-39-4233) has been identified adjacent to the project site. The project proposes boring underneath the canal which will result in no impacts to the resource. Therefore, the canal does not warrant consideration under this study. The records search results are summarized in Table B. Bibliographic details and records search maps are provided in Confidential Appendix A.

Table B. Cultural Resources and Reports Within One Half-Mile of the Project Alignment

USGS 7.5 Min Quad	Cultural Resources Within One Half-Mile of Project Alignment	Studies Within ½ Mile
Escalon and Avena, California (1968)	P-39-4233: Historic Period Canal (Adjacent/Above Alignment) P-50-2320: Historic-Period Building (1/2 Mile Southeast) P-50-2321: Historic-Period Building (1/2 Mile Southeast)	SJ-369, 921, 6625, 7171, 8069, 8284, 8542, 8284, 8892, 8892A, 8892B

Additional Research. Research has shown that this project alignment is partially occupied by a small segment of a historic-period interurban railroad known as the

Tidewater Southern Railway that connected Stockton and Modesto, by way of Escalon, California. South of Modesto the railway split into two branches that terminated at Turlock and Hilmar, respectively. The Tidewater Railway was incorporated in 1910 to supplement traffic on the San Joaquin River which had filled with silt rendering it marginal as a thoroughfare. Track was laid from 1911 to 1912 and 32.23 miles of mainline between Stockton and Modesto commenced service in October. Although most of the railway was electrified in 1913, the southern branches were freight lines that were never electrified. Plans to expand south of Hilmar were formulated and reviewed, but never materialized. Western Pacific Railroad bought the Tidewater Southern in 1917 and began to emphasize freight locomotives along the railway.

Proliferation of the automobile and eventually the Great Depression combined to reduce demand for interurban passenger service, and the last interurban train on the Tidewater Railway ran on May 26, 1932. Going forward, passengers rode in combination freight trains that were pulled by steam and electric locomotives. Some urban locales on the alignment limited the use of steam engines because of the smoke, but by 1948 no electric segments remained in use. The railway did remain profitable as a freight line for decades and the heavier traffic resulted in the eventual replacement of rail and bridges throughout the alignment. When Union Pacific absorbed Western Pacific in 1986, the Tidewater Railway corporation was dissolved and its remaining lines were renamed the Tidewater Subdivision of the Union Pacific (Vicknair 2016). It no longer remains in use in the project region.

Field Survey

During the field survey Mr. Orozco carefully inspected the project alignment and identified remnants of a segment of the Tidewater Southern Railway crossed by the project alignment. The segment within the project region is no longer in use. The historic-period rail segment is described below, and DPR 523 Forms are included in Appendix B. No other cultural resources (including prehistoric or historic archaeological or historic architectural resources) were identified during the field survey.

The project alignment has been subject to severe disturbances related to road construction and maintenance, railroad construction and maintenance, canal construction and maintenance, and agricultural activities. Sediments included sandy silt, and vegetation within the alignment was dominated by seasonal grasses affording approximately 40 percent surface visibility within unpaved portions of the project alignment.

The Tidewater Southern Railway Segment. This resource comprises a segment of a historic-period railway known as the Tidewater Southern Railway. Modern parallel steel tracks and wooden railroad ties are in place near the modern crossing at McHenry Avenue, but are sporadically present or have been buried elsewhere. The original rail installed for passenger trains has been replaced by heavy modern freight rail, much of which has been subsequently removed. The crossing at McHenry Avenue has been updated to include modern concrete to accommodate automobile crossing. No crossing gates are present. Some spikes and other railroad artifacts were noted, but these appear to have been left behind during modern installations and subsequent demolition. Although the alignment remains in its original location, no historic-period remnants were identified.

SIGNIFICANCE EVALUATIONS

During the field survey, one historic-period rail segment of the Tidewater Southern Railway was identified within the project alignment. CEQA calls for the evaluation and recordation of historic and archaeological resources. The criteria for determining the significance of impacts to cultural resources are based on 36 CFR Part 800 as part of the Section 106 process, and on Section 15064.5 of the *CEQA Guidelines* and Guidelines for the Nomination of Properties to the California Register. Properties eligible for listing in the National and/or California Register and subject to review under CEQA are those meeting the criteria for listing in the National or California Register, or designation under a local ordinance.

Significance Criteria

California Register of Historical Resources. The California Register criteria are based on National Register criteria. For a property to be eligible for inclusion on the California Register, one or more of the following criteria must be met:

1. It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the U.S.;
2. It is associated with the lives of persons important to local, California, or U.S. history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of a master, possesses high artistic values; and/or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (CCR 4852 [d][2]). The California Register also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

California Register Evaluation

The Tidewater Southern Railway. BCR Consulting has completed substantial research regarding the project, and this resource is associated with the initial development of interurban electric rail in California. The site is therefore eligible for the California Register under Criterion 1. Research has failed to show that any persons important to our past, or that persons of significant regional or national stature are connected with it. The site is therefore not eligible for the California Register under Criterion 2. This resource comprises the remnants of an abandoned railroad which has been significantly altered and is not indicative of the distinctive characteristics of a type, period, region, or method of construction, and does not represent the work of a master, possess high artistic values, or

represent a significant or distinguishable entity whose components may lack individual distinction. It is therefore not eligible for the California Register under Criterion 3. Research and fieldwork indicate a low likelihood for the railway segment to yield information important to the history or prehistory of the region. As such it is not eligible for California Register Criterion 4).

The segment of the resource within the project alignment has been subject to severe disturbances. Such disturbances include track and railroad tie replacement, removal of all original historic-period features and artifacts, and modern paving at the crossing with McHenry Avenue. Furthermore, it is no longer in use and other than the grade (which remains in place) is not identifiable as a historic-period resource. As such, its integrity of setting, design, materials, workmanship, feeling, and association have been severely diminished. Although the resource does meet the qualifications for California Register Criterion 1, its diminished integrity keeps it from conveying that significance. As a result, BCR Consulting recommends that the segment of the Tidewater Southern Railway crossed by the project alignment is not eligible for the California Register, and as such is not a potential historical resource under CEQA.

RECOMMENDATIONS

During the field survey, BCR Consulting archaeologists identified one historic-period cultural resource, a rail segment that comprised a portion of the Tidewater Southern Railway. This resource segment is not recommended eligible for listing in the California Register. Based on these results, BCR Consulting recommends that development of the project site would not result in an adverse effect to any historical resources under CEQA. No further cultural resource work or monitoring is recommended.

While the current study has not indicated sensitivity for buried cultural resources within the project alignment, ground disturbing activities always have the potential to reveal buried deposits not observed on the surface during previous surveys. Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register, plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

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APPENDIX A

RECORDS SEARCH BIBLIOGRAPHY

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SJ-00369	NADB-R - 1366081; Other - CX-0001-100077	1982	Swernoff, M.	Archaeological Investigations at the Lower Stanislaus River Recreation Areas, Calaveras, Tuolumne, Stanislaus, and San Joaquin Counties, California [and] Appendix C: Field Data, Phone Contacts, and Access Information.	Professional Analysts; for Interagency Archaeological Services, National Park Service	05-000270, 05-000271, 39-000307, 39-000308, 50-000213, 50-000231, 50-000232, 50-000265, 50-000266, 50-000267, 50-000268, 50-000269, 50-000270, 50-000271, 50-000272, 50-000273, 50-000274, 50-000275, 50-000276, 55-001711, 55-001712, 55-002287, 55-002288, 55-002289
SJ-00921	NADB-R - 1367436	1977	Orlins, Robert I.	Cultural Resources Survey of Fee Lands for Public Access, Lower Stanislaus River, California.	Robert I. Orlins; for USACE	50-000231, 50-000232, 50-000244, 50-000245, 50-000250, 50-000251, 50-000252, 50-000253, 50-000254, 50-000255, 50-000275, 50-000545, 55-001711, 55-001712, 55-002286, 55-002302
SJ-06625	NADB-R - 1367290	1998	ASI Archaeology and Cultural Resource Management	Cultural Resources Survey, South County Surface Water Project, San Joaquin County, California, South San Joaquin Irrigation District	ASI Archaeology and Cultural Resource Management (prepared for Environmental Science Associates, Inc.)	39-000002, 39-000098, 39-000129, 39-000317, 39-000531, 39-000548, 50-000001
SJ-07171	NADB-R - 1367495	2009	Graham, C. K.	Proposed Abandonment of the McHenry Industrial Lead from Milepost 21.25 near Escalon to Milepost 26.43 near McHenry, a total distance of 5.18 miles in San Joaquin and Stanislaus Counties, California; STB Docket No. AB-33 (Sub-No.278X).	Union Pacific Railroad Law Department; for Califonia State Historic Preservation Office	39-000015, 50-000083
SJ-08069		2014	Peterson, C. L. and Willis, C. D.	Cultural Resources Records Search and Site Visit Results for Verizon Wireless Candidate Stanislaus Rio, 24754 East River Road, Escalon, San Joaquin County, California, EBI Project No. 61142717.	Michael Brandman Associates; for EBI Consulting and Verizon Wireless	
SJ-08284		2011	AECOM	Cultural Resources Inventory Report for the Central Valley Independent Network Fiber Optic Communications Network Project, California (Calaveras, Merced, San Joaquin, Stanislaus and Tuolumne Counties in the CCaIC Area of Responsibility)	AECOM; for Central Valley Independent Network	

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SJ-08542		2010	Tomes, A.	Historic Property Survey Report, McHenry Avenue Corridor Improvement Project; Replacement of the Stanislaus River Bridge (Br. No. 38C-0032) on McHenry Ave. - Fed Aid No. BRLS-5929 (166); Replacement of the SSJID Canal Bridge (Br. No. 29C-0166 on McHenry Ave. - Fed Aid BRLS-5929 (167), McHenry Ave. Widening RPSTPL-5929 (196), Near scalon, San Joaquin/Stanislaus Counties, California	AECOM for Caltrans. SJO County DPW and STA County DPW	39-000015, 39-004233
SJ-08542		2010	Tomes, A.	Archaeological Survey Report Historic Property Survey Report, McHenry Avenue Corridor Improvement Project; Replacement of the Stanislaus River Bridge (Br. No. 38C-0032) on McHenry Ave. - Fed Aid No. BRLS-5929 (166); Replacement of the SSJID Canal Bridge (Br. No. 29C-0166 on McHenry Ave. - Fed Aid BRLS-5929 (167), McHenry Ave. Widening RPSTPL-5929 (196), Near scalon, San Joaquin/Stanislaus Counties, California	AECOM for Caltrans, SJO Co. and STA Co. DPW	
SJ-08542		2010	Tomes, A.	Historical Rsources Evaluation Report, McHenry Avenue Corridor Improvement Project; Replacement of the Stanislaus River Bridge (Br. No. 38C-0032) on McHenry Ave. - Fed Aid No. BRLS-5929 (166); Replacement of the SSJID Canal Bridge (Br. No. 29C-0166 on McHenry Ave. - Fed Aid BRLS-5929 (167), McHenry Ave. Widening RPSTPL-5929 (196), Near scalon, San Joaquin/Stanislaus Counties, California	AECOM for Caltrans, SJO CO. and STA Co. DPW	
ST-08284		2011	AECOM	Cultural Resources Inventory Report for the Central Valley Independent Network Fiber Optic Communications Network Project, California (Calaveras, Merced, San Joaquin, Stanislaus and Tuolumne Counties in the CCaIC Area of Responsibility)	AECOM; prepared for Central Valley Independent Network, Fresno, Ca	

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
ST-08542		2010	Tomes, A.	Historic Property Survey Report, McHenry Avenue Corridor Improvement Project; Replacement of the Stanislaus River Bridge (Br. No. 38C-0032) on McHenry Ave. - Fed Aid No. BRLS-5929 (166); Replacement of the SSJID Canal Bridge (Br. No. 29C-0166 on McHenry Ave. - Fed Aid BRLS-5929 (167), McHenry Ave. Widening RPSTPL-5929 (196), Near scalon, San Joaquin/Stanislaus Counties, California	AECOM for Caltrans, STA CO. and SJO Co. DPW	
ST-08542		2010	Tomes, A.	Archaeological Survey Report, McHenry Avenue Corridor Improvement Project; Replacement of the Stanislaus River Bridge (Br. No. 38C-0032) on McHenry Ave. - Fed Aid No. BRLS-5929 (166); Replacement of the SSJID Canal Bridge (Br. No. 29C-0166 on McHenry Ave. - Fed Aid BRLS-5929 (167), McHenry Ave. Widening RPSTPL-5929 (196), Near scalon, San Joaquin/Stanislaus Counties, California	AECOM for Caltrans, STA Co. and SJO Co. DPW	
ST-08542		2010	Tomes, A.	Historical Resources Evaluation Report, McHenry Avenue Corridor Improvement Project; Replacement of the Stanislaus River Bridge (Br. No. 38C-0032) on McHenry Ave. - Fed Aid No. BRLS-5929 (166); Replacement of the SSJID Canal Bridge (Br. No. 29C-0166 on McHenry Ave. - Fed Aid BRLS-5929 (167), McHenry Ave. Widening RPSTPL-5929 (196), Near scalon, San Joaquin/Stanislaus Counties, California	AECOM for STA Co. and SJO Co. DPW	
ST-08892	Caltrans - STPL-5938(233)	2017	Marks, B.	Historic Property Survey Report 10 STA STPL-5938 (233) McHenry Road	Dokken Engineering for Caltrans	50-002320, 50-002321, 50-002322, 50-002323
ST-08892A		2017	Marks, B.	Archaeological Survey Report for the McHenry Avenue Widening Project Stanislause County, California	Dokken Engineering	
ST-08892B		2017	Lyons, A.	Historical Resources Evaluation Report for the McHenry Avenue Widening Project Stanislaus County, California	GPA Consulting	

Resource List

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-39-004233		Resource Name - SSJID Main Distribution Canal	Structure	Historic	HP20	2001 (Tang and Ballester, CRM Tech); 2001 (R. Scott Baxter, Past Forward); 2009 (Tomes, AECOM); 2016 (O'Neill, GPA Consulting)	SJ-04550, SJ-04879, SJ-04883, SJ-04884, SJ-05170, SJ-08542, SJ-08571, ST-04879
P-50-002320		Resource Name - 8124 McHenry Ave.	Building, Structure, Element of district	Historic	HP02; HP04; HP13; HP33; HP39	2017 (Lyons, A., GPA Consulting)	ST-08892
P-50-002321		Resource Name - 8018 McHenry Ave.	Building	Historic	HP02	2017 (Lyons, A., GPA Consulting)	ST-08892

APPENDIX B

CONFIDENTIAL DEPARTMENT OF PARK AND RECREATION 523 FORMS

State of California — The Resources Agency **Primary #**
DEPARTMENT OF PARKS AND RECREATION **HRI #**

PRIMARY RECORD

Trinomial
NRHP Status Code

Other Listings **Review Code** **Reviewer** **Date**

 ***Resource Name or #:** Tidewater Southern Railway

P1. Other Identifier: Cajon Connection; the Devore Cutoff; Devore Road

***P2. Location:** ☐ **Not for Publication** ☑ **Unrestricted** ***a. County:** San Bernardino

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

***b. USGS 7.5' Quad:** *Avena* and *Escalon, California* **Date:** 1968 (both) **T** 2S; **R** 9E; Section 17**;** MDBM

c. Address: N/A City: Escalon Zip:

d. UTM: Zone: 11; 676474mE/4182029mN (NAD83); Elevation: 115' AMSL

e. Other Locational Data: The subject segment is at the intersection of McHenry Avenue and Meyers Avenue in Escalon.

***P3a. Description:** (Describe resource and its major elements: design, materials, condition, alterations, size, setting, boundaries)

This resource comprises a segment of a historic-period interurban railroad known as the Tidewater Southern Railway that connected Stockton and Modesto, by way of Escalon, California. South of Modesto the railway split into two branches that terminated at Turlock and Hilmar, respectively. The Tidewater Railway was incorporated in 1910 to supplement traffic on the San Joaquin River which had filled with silt rendering it marginal as a thoroughfare. Track was laid from 1911 to 1912 and 32.23 miles of mainline between Stockton and Modesto commenced service in October. Although most of the railway was electrified in 1913, the southern branches were freight lines that were never electrified. Plans to expand south of Hilmar were formulated and reviewed, but never materialized. Western Pacific Railroad bought the Tidewater Southern in 1917 and began to emphasize freight locomotives along the railway. Eventually the depression combined with greater use of the automobile reduced demand for interurban passenger service, and the last interurban train ran on May 26, 1932. Going forward passengers rode in combination freight trains that were pulled by steam and electric locomotives. Some urban locales on the alignment limited the use of steam engines because of the smoke, but by 1948 no electric segments remained in use. The railway did remain profitable as a freight line and the heavier traffic resulted in the replacement of rail and bridges throughout the alignment. When Union Pacific absorbed Western Pacific in 1986, the Tidewater Railway corporation was dissolved and its remaining lines were renamed the Tidewater Subdivision of the Union Pacific (Vicknair 2016).

BCR Consulting visited a small portion of the alignment crossed by the proposed project on May 2, 2022 and identified a railroad with modern parallel steel tracks. Wooden railroad ties are in place near the modern crossing at McHenry Avenue but are not present or have been buried elsewhere. The original rail installed for passenger trains has been replaced by heavy modern freight rail, much of which has been subsequently removed. The crossing at McHenry Avenue has been updated to include modern concrete to accommodate automobile crossing. No crossing gates are present.

Reference: Vicknair, Eugene John. 2016. *The Tidewater Southern History Pages.* Electronic Document: https://www.tidewatersouthern.com/. Accessed 7/20/2022.

***P3b. Resource Attributes:** AH7. Roads/trails/railroad grades

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)

Improvement Plan Project, Escalon, San Joaquin County, California

P5b. Description of Photo: (View, date, accession #) South, May 2, 2022

***P6. Date Built; Age and Source:**
☑Historic ☐Prehistoric ☐Both

***P7. Owner and Address:**
City of Escalon
2060 McHenry Avenue
Escalon, California 95320

***P8. Recorded by:**
Joseph Orozco
BCR Consulting LLC
Claremont, CA 91711

P9. Date: 5/2/22
***P10. Survey Type:** Intensive
***P11. Report Citation:** *Cultural Resources Assessment of the Phase II McHenry Sewer Pipeline*

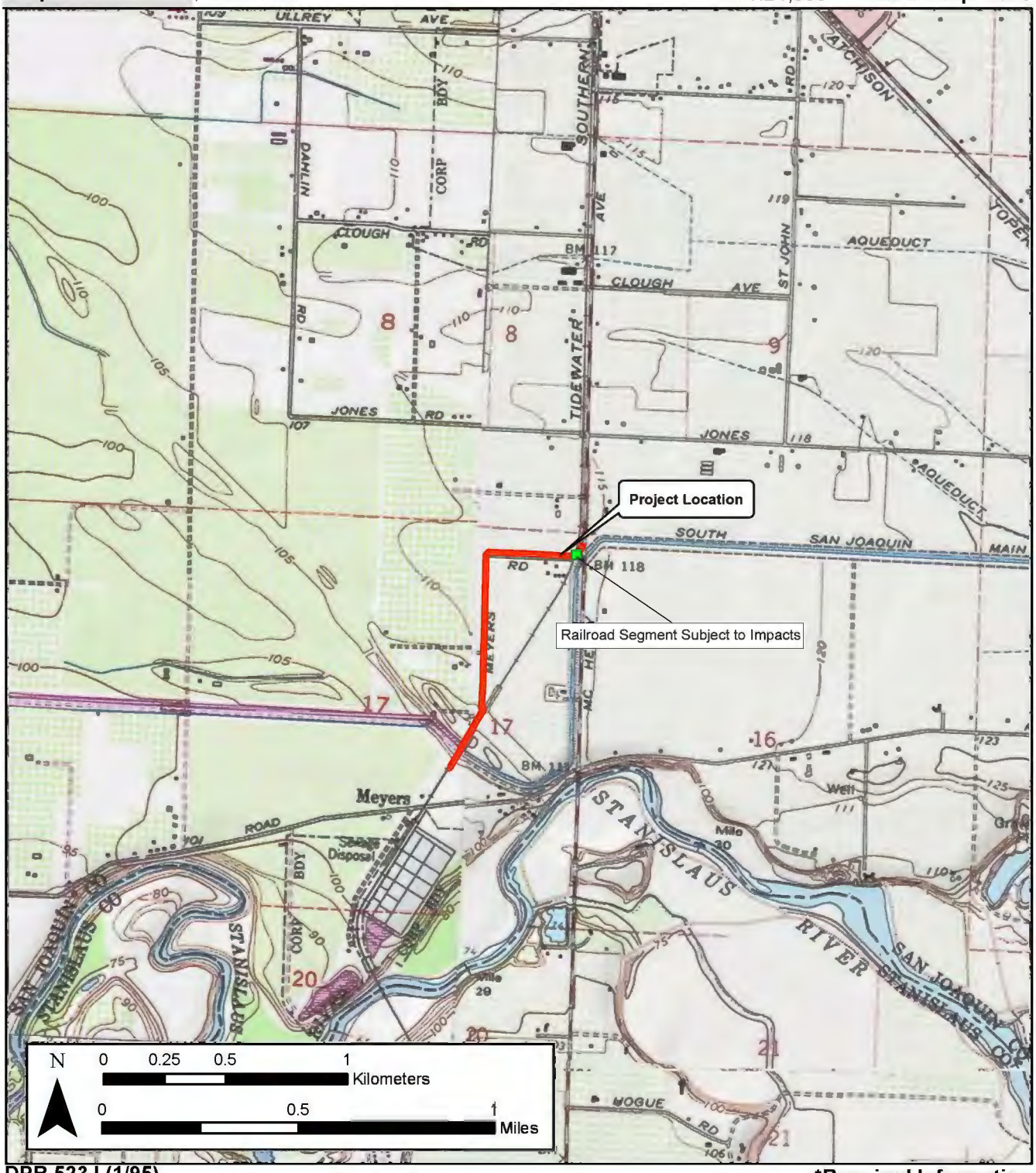
***Attachments:** ☐NONE ☑ Location Map ☐ Sketch Map ☐ Continuation Sheet ☐Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐ Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

State of California - The Resources Agency DEPARTMENT OF PARKS AND RECREATION **LOCATION MAP**	**Primary #:** **HRI #:** **Trinomial:**

***Resource Name or #:** Tidewater Southern Railway

***Map Name:** *Escalon, California*

***Scale:** 1:24,000 ***Date of Map:** 1976



DPR 523J (1/95)

***Required Information**

APPENDIX C

NATIVE AMERICAN HERITAGE COMMISSION SACRED LANDS FILE SEARCH

NATIVE AMERICAN HERITAGE COMMISSION

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov

April 26, 2022

Joseph Orozco
BCR Consulting LLC

Via Email to: bcrllc2008@gmail.com

Re: Phase 2 McHenry Sewer Pipeline Improvement (ESC2201) Project, San Joaquin County

Dear Mr. Orozco:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
San Joaquin County
4/26/2022

Buena Vista Rancheria of Me-Wuk Indians
Rhonda Morningstar Pope, Chairperson
1418 20th Street, Suite 200 — Me-Wuk
Sacramento, CA, 95811
Phone: (916) 491 - 0011
Fax: (916) 491-0012
rhonda@buenavistatribe.com

California Valley Miwok Tribe
14807 Avenida Central — Miwok
La Grange, CA, 95329
Phone: (209) 931 - 4567
Fax: (209) 931-4333

California Valley Miwok Tribe
AKA Sheep Rancheria of Me-Wuk Indians of CA,
P.O. Box 395 — Miwok
West Point, CA, 95255
Phone: (209) 293 - 4179
l.ewilson@yahoo.com

Ione Band of Miwok Indians
Sara Dutschke, Chairperson
9252 Bush Street — Miwok
Plymouth, CA, 95669
Phone: (209) 245 - 5800
consultation@ionemiwok.net

North Valley Yokuts Tribe
Timothy Perez,
P.O. Box 717 — Costanoan
Linden, CA, 95236 — Northern Valley
Phone: (209) 662 - 2788 — Yokut
huskanam@gmail.com

North Valley Yokuts Tribe
Katherine Perez, Chairperson
P.O. Box 717 — Costanoan
Linden, CA, 95236 — Northern Valley
Phone: (209) 887 - 3415 — Yokut
canutes@verizon.net

Tule River Indian Tribe
Kerri Vera, Environmental Department
P. O. Box 589 — Yokut
Porterville, CA, 93258
Phone: (559) 783 - 8892
Fax: (559) 783-8932
kerri.vera@tulerivertribe-nsn.gov

Tule River Indian Tribe
Joey Garfield, Tribal Archaeologist
P. O. Box 589 — Yokut
Porterville, CA, 93258
Phone: (559) 783 - 8892
Fax: (559) 783-8932
joey.garfield@tulerivertribe-nsn.gov

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589 — Yokut
Porterville, CA, 93258
Phone: (559) 781 - 4271
Fax: (559) 781-4610
neil.peyron@tulerivertribe-nsn.gov

Wilton Rancheria
Dahlton Brown, Director of Administration
9728 Kent Street — Miwok
Elk Grove, CA, 95624
Phone: (916) 683 - 6000
dbrown@wiltonrancheria-nsn.gov

Wilton Rancheria
Steven Hutchason, THPO
9728 Kent Street — Miwok
Elk Grove, CA, 95624
Phone: (916) 683 - 6000
Fax: (916) 863-6015
shutchason@wiltonrancheria-nsn.gov

Wilton Rancheria
Jesus Tarango, Chairperson
9728 Kent Street — Miwok
Elk Grove, CA, 95624
Phone: (916) 683 - 6000
Fax: (916) 683-6015
jtarango@wiltonrancheria-nsn.gov

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Phase 2 McHenry Sewer Pipeline Improvement (ESC2201) Project, San Joaquin County.

Native American Heritage Commission
Native American Contact List
San Joaquin County
4/26/2022

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas, CA, 93906
Phone: (831) 443 - 9702
kwood8934@aol.com

Foothill Yokut
Mono

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Phase 2 McHenry Sewer Pipeline Improvement (ESC2201) Project, San Joaquin County.

APPENDIX D

PHOTOGRAPHS


330
N
0
30
NE
60
E
90
120
S
46°NE (T) 10N 676464 4182020 ±9 m
BCR Consulting
02 May 2022, 05:08 PM


S
180
SW
240
211°S (T) 10N 676137 4181367 ±8 m
historic railroad siding
BCR Consulting
ESC2201-H-1
02 May 2022, 05:44 PM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NW
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NE
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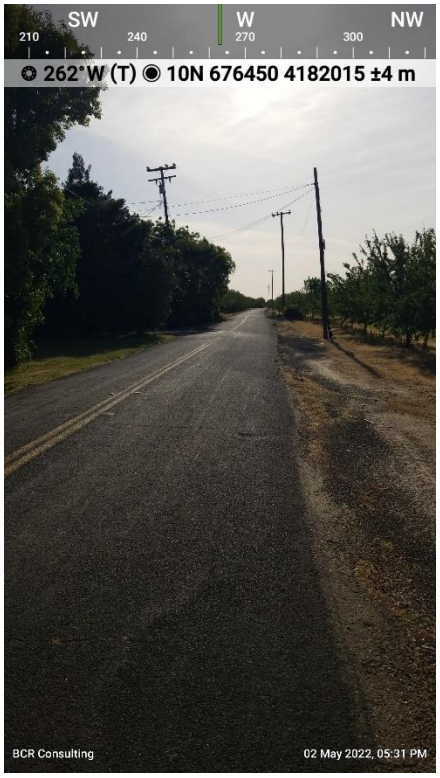
BCR Consulting
02 May 2022, 05:52 PM


SW
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300
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BCR Consulting
02 May 2022, 05:31 PM


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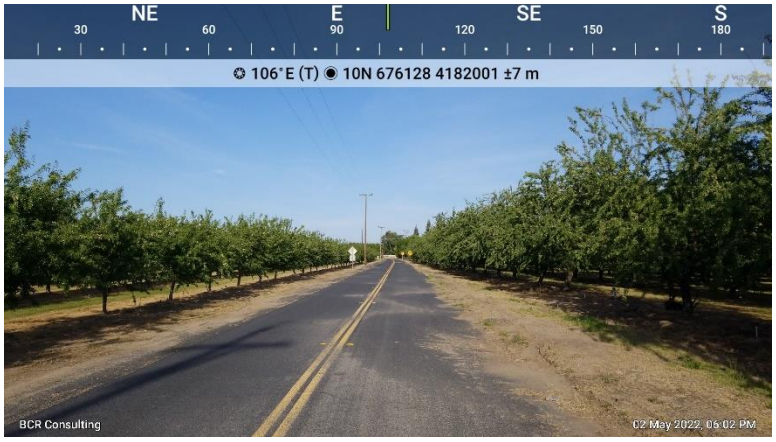
BCR Consulting
02 May 2022 05:57 PM


NE
E
SE
S
30
60
90
120
150
180
106°E (T) 10N 676128 4182001 ±7 m
BCR Consulting
02 May 2022 06:02 PM

APPENDIX E

PALEONTOLOGICAL OVERVIEW

WESTERN SCIENCE CENTER

April 29th, 2022

BCR Consulting, LLC
Joseph Orozco
505 W. 8th St.
Claremont, CA 91711

Dear Mr. Orozco,

This letter presents the results of a record search conducted for the Phase 2 McHenry Sewer Pipeline Improvement Plan Project located in the City of Escalon, San Joaquin County, California. The project site is located north of East River Road (while bisecting Greenleaf Road), south of Jones Road, and east of McHenry Avenue in the Township 2 South, Range 9 East, Section 17 on the *Avena and Escalon MDBM, CA* USGS 7.5 minute quadrangle.

Due to the project's distance from the Western Science Center, it is unlikely for any of the museum's localities to be in the area. The geologic units underlying the project area are mapped entirely as Pleistocene alluvial gravel, silt, sand, and clay from the Modesto Formation (Wagner, Bortugno, and McJunkin 1991). Pleistocene alluvial units are considered highly paleontologically sensitive and fossils have been reported from the Modesto Formation. The Western Science Center does not have localities within the project area or within a 1 mile radius, but does have a locality approximately 55 miles south of the project in a similarly mapped unit.

Any fossils recovered from the Phase 2 McHenry Sewer Pipeline Improvement Plan Project would be scientifically significant. Excavation activity associated with development of the project area would impact the paleontologically sensitive Pleistocene units and it is the recommendation of the Western Science Center that a paleontological resource mitigation program be put in place to monitor, salvage, and curate any recovered fossils associated with the current study area.

If you have any questions, or would like further information, please feel free to contact me at bstoneburg@westerncentermuseum.org.

Sincerely,

Brittney Elizabeth Stoneburg
Collections Technician

McHenry Pipeline Project

Project area + 1 mile radius

Legend

- 1 Mile Radius
- McHenry Pipeline Project
- Q: Quaternary alluvium and marine deposits (Pliocene to Holocene)

Strand Ace Hardware - Escalon

McHenry Ave

Roche Brothers

Rancho Santa Fe

Santa Fe Rd

S Harold Ave

East River Rd

Munn & Perkins

Del Rio Vista Garden

McHenry Recreation Area

Stanislaus River

Survey

Google Earth

N

4000 ft

APPENDIX B

Lori Trottier

From: Katherine Perez <canutes@verizon.net>
Sent: Monday, June 20, 2022 5:13 PM
To: Nick Prichard
Subject: Phase 2 Mchenry Sewer line Project

June 15, 2022

City of Escalon Development Services
2060 McHenry Avenue
Escalon, Ca 95361
Ph: 209.691.7400

RE: AB 52 Consultation Request for the Proposed Phase 2 Mchenry Sewer Line Project in the City of Escalon, CA

Attention Nick W. Prichard,

Northern Valley Yokuts Tribe and Nototomne Cultural Preservation received a letter from the City of Escalon dated June 7, 2022, formally notifying us of the proposed Phase 2 McHenry Sewer Line project, and an opportunity to consult under AB 52. This letter is notice that Northern Valley Yokuts Tribe and Nototomne Cultural Preservation would like to initiate consultation under AB 52.

We would like to discuss the topics listed in Cal. Public Resources Code section 21080.3.2(a), including the type of environmental review to be conducted for the project; project alternatives; the project's significant effects; and mitigation measures for any direct, indirect, or cumulative impacts the project may cause to tribal cultural resources. As consultation progresses, we may also wish to discuss design options that would avoid impacts to tribal cultural resources; the scope of any environmental document that is prepared for the project; pre-project surveys; and tribal cultural resource identification, significance evaluations and culturally-appropriate treatment.

This letter is also a formal request to allow Northern Valley Yokuts Tribe and Nototomne Cultural Preservation tribal representatives to observe and participate in all cultural resource surveys, including initial pedestrian surveys for the project. Please send us all existing cultural resource assessments, as well as requests for, and the results of, any records searches that may have been conducted prior to our first consultation meeting. If tribal cultural resources are identified within the project area, it is our policy that tribal monitors must be present for all ground disturbing activities. Finally, please be advised that our strong preference is to preserve tribal cultural resources in place and avoid them whenever possible. Subsurface

testing and data recovery must not occur without first consulting with and receiving written consent from Northern Valley Yokuts Tribe and Nototomne Cultural Preservation.

In the letter you are identified as the lead contact person for consultation on the proposed project. I will be our point of contact for this consultation. Please contact me by phone 209.649.8972 or email at canutes@verizon.net begin the consultation process.

Thank you for involving Northern Valley Yokuts Tribe and Nototomne Cultural Preservation in the planning process at an early stage. We ask that you make this letter a part of the project record and we look forward to working with you to ensure that tribal cultural resources are protected.

Sincerely,

Katherine Erolinda Perez, Chairwoman