

CEQA FINDINGS AND  
MITIGATION MONITORING/REPORTING PROGRAM

FOR THE

MARIPOSA INDUSTRIAL PARK

City of Stockton, CA

State Clearinghouse No: 2020120283

February 28, 2022

Prepared for:  
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#### MITIGATION MONITORING/REPORTING PROGRAM TABLE

# 1.0 INTRODUCTION

This document sets forth the findings of the City of Stockton (the "City") relating to the Mariposa Industrial Park Project as required by CEQA Guidelines sections 15091-15093. This document also describes the Mitigation Monitoring/Reporting Program (MMRP) for the project as required by CEQA Guidelines Section 15097. The primary source document for the findings and MMRP is the *Environmental Impact Report for the Mariposa Industrial Park Project* (SCH# 2020120283) (the "EIR"). When referenced as such, the EIR includes the Public Review Draft EIR (the DEIR) dated August 24, 2021 and the Final EIR (the FEIR) dated December 10, 2021 for the project, as well as any documents that have been incorporated into the DEIR and FEIR by reference.

## 1.1 PURPOSE AND SCOPE OF THIS DOCUMENT

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The California Environmental Quality Act (CEQA) requires that a Lead Agency prepare an Environmental Impact Report (EIR) when a proposed project may involve significant environmental effects, as defined by CEQA. Prior to approval of the project, the Lead Agency is required to certify that the EIR was completed in compliance with CEQA and that the Lead Agency reviewed and considered the information in the EIR before approving the project. If the EIR identifies significant or potentially significant environmental effects, CEQA requires that the Lead Agency make specified written findings prior to project approval. If the Lead Agency finds that mitigation measures are not feasible for one or more of the significant environmental effects of the project, it must also adopt a Statement of Overriding Considerations; this is the case for the proposed project, and the Statement of Overriding Considerations is contained in a separate document. The Lead Agency must also adopt a MMRP that lists all mitigation measures identified in the EIR and describes their implementation and/or monitoring.

The proposed project that is the subject of these findings, the environmental review process, the environmental documentation prepared for the project, and the findings that the City must make to fulfill the requirements of CEQA, are discussed below. The findings and MMRP for the project are described in subsequent sections of this document, as follows:

- 2.0 Findings of the Lead Agency with Regard to the Significant Environmental Effects of the Project
- 3.0 Mitigation Monitoring/Reporting Program

A table detailing the Lead Agency's findings with respect to each of the significant or potentially significant effects of the project, the applicable CEQA findings and the various provisions of the MMRP are shown in the Appendix.

## 1.2 PROJECT DESCRIPTION

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The project site, consisting of nine parcels, is in the San Joaquin County unincorporated area, adjacent to the southeastern limits of the City of Stockton (Chapter 1.0, Figures 1-1 through 1-5). Table 3-1 identifies each of these parcels by its Assessor's Parcel Number (APN), street address, and acreage (Figure 1-5, Assessor's Parcel Map). The project site encompasses 203.48 acres.

TABLE 3-1  
PROJECT SITE PARCELS AND ACREAGES

APN	Address	Acres
179-220-10	5290 E. Mariposa Road	12.46
179-220-11	4600 E. Marfargoa Drive	7.46
179-220-12	5280 E. Mariposa Road	24.55
179-220-13	4522 E. Marfargoa Drive	14.97
179-220-16	5100 E. Clark Drive	19.52
179-220-17	4500 E. Clark Drive	14.97
179-220-18	5150 E. Mariposa Road	65.73
179-220-19	5110 E. Mariposa Road	43.31
179-220-24	4490 E. Clark Drive	0.51
<b>TOTAL ACRES</b>		<b>203.48</b>

The project site is shown on the Stockton East 7.5-minute quadrangle map within the C.M. Weber grant of Rancho Campo de los Franceses, Sections 59 and 69, Township 1 North, and Range 7 East, Mt. Diablo Baseline and Meridian. The approximate latitude of the project site is 37° 55' 13" North, and the approximate longitude is 121° 12' 39" West.

## 1.3 ENVIRONMENTAL REVIEW OF THE PROJECT UNDER CEQA

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The potential environmental effects of the project, mitigation measures necessary to address these effects and alternatives to the project are discussed in detail an EIR prepared by the City of Stockton in accordance with the requirements of CEQA. In addition to preparing the EIR document, the City has conducted the EIR process in conformance with CEQA requirements. EIR process steps have included preparation and distribution of a Notice of Preparation, holding a scoping meeting, publication and distribution of a Draft EIR for public review, preparation of a Final EIR addressing comments received during the public review period and preparation of this CEQA

Findings and Mitigation Monitoring/Reporting Plan for adoption by the Stockton City Council.

The City issued a Notice of Preparation (NOP) of the EIR on December 10, 2020; the NOP was circulated for agency review as required by CEQA. Detailed information on the content, circulation and comments received by the City on the Notice of Preparation is contained in Appendix A of the DEIR; the DEIR is incorporated herein by reference.

The Public Review Draft EIR (DEIR) was prepared by the City and distributed for agency and public comment during the period from August 24, 2021 to October 7, 2021. Documentation of the distribution process is detailed in the FEIR, which, is also incorporated into this document by reference, below.

The City received written comments on the DEIR. In response to this input, the City has prepared the FEIR, which incorporates the DEIR by reference, displays a summary the EIR includes all comments received on the DEIR, provides the City's responses to those comments, and makes any required revisions to the DEIR.

The DEIR and the FEIR for the Mariposa Industrial Park project are hereby incorporated by reference. Copies of these documents, specifically cited below, are available for review at the offices of City of Stockton Community Development Department, Planning Division, 345 N. El Dorado Street, Stockton, California 95202.

BaseCamp Environmental, 2021a. Public Review Draft Environmental Impact Mariposa Industrial Park Project. SCH #2020120283. August 24, 2021

BaseCamp Environmental, 2021b. Final Environmental Impact Report, Mariposa Industrial Park Project. SCH #2020120283. February 28, 2022.

## 1.4 REQUIRED FINDINGS

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CEQA requires that, prior to approval of a project, the Lead Agency make specified findings related to each of the significant or potentially significant environmental effects considered in the EIR. The EIR considered the range of potential environmental effects, including those listed in the CEQA Guidelines Appendix G Environmental Checklist. Most of these potential environmental effects were found, on analysis, to have no effect or less than significant environmental effects. These potential effects do not require City findings under CEQA. All of these potential, but less than significant, effects are listed in the following Section 2.1.

The Mariposa Industrial Park EIR identifies several significant or potentially significant effects on the environment and the mitigation measures needed to reduce those effects to a less than significant level. The City's findings with respect to each of these environmental effects are set forth in Section 2.2 and the Appendix of this document.

It is anticipated that the City will certify the EIR, adopt the EIR mitigation measures and approve the project in conjunction with its adoption of this document. With these approvals in place, all but six of the project's significant or potentially significant environmental effects will be reduced to a Less Than Significant level.

The project would involve six potentially significant and unavoidable environmental effects as described in the EIR: Conversion of Farmland, Air Quality Plans and Standards, Exposure of Sensitive Receptors to Criteria Pollutants, Greenhouse Gas Emissions and Transportation VMT Effects. These potential effects are partially mitigated, but there is uncertainty as to quantification of the mitigation and therefore, whether the available mitigation measures will reduce impacts to a Less than Significant level. As a result, a Statement of Overriding Considerations is required. The Statement of Overriding Considerations is described in a separate document cited below.

BaseCamp Environmental, 2021c. Statement of Overriding Considerations, Mariposa Industrial Park SCH #2020120283. February 28, 2022.

The findings for the Mariposa Industrial Park project described below are based upon substantial evidence, comprised primarily of the information, analysis and mitigation measures described in the DEIR and FEIR and any other information incorporated into these documents by reference. Specific references to supporting information are provided in conjunction with the City's finding for each potentially significant effect of the project, as shown in the MMRP table in the Appendix.

## 2.0 FINDINGS OF THE LEAD AGENCY WITH REGARD TO ENVIRONMENTAL EFFECTS

### 2.1 ENVIRONMENTAL EFFECTS OF THE PROJECT THAT ARE LESS THAN SIGNIFICANT AND REQUIRE NO FINDINGS

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The following items were evaluated in the EIR and were determined to have no effect or a less than significant effect on the environment and do not require findings under CEQA.

It should be noted that some of these potential environmental effects, including air quality, agricultural land conversion, noise and traffic, were identified in the Mariposa Industrial Park Draft EIR as subjects not requiring further analysis under CEQA. These and other environmental subjects were addressed on a city-wide level in the City's General Plan and General Plan EIR adopted in December 2018. Where any of these subjects were, after consideration of all feasible mitigation measures, considered significant and unavoidable, they were addressed in the CEQA Findings and Statement of Overriding Considerations adopted by the City in conjunction with the General Plan. The General Plan EIR and findings document were incorporated by reference into the Mariposa Industrial Park on page 1-4 of the Draft EIR.

#### 4.0 AESTHETICS AND VISUAL RESOURCES

- Impact AES-1: Scenic Vistas
- Impact AES-2: Scenic Resources
- Impact AES-3: Visual Character and Quality
- Impact AES-4: Light and Glare

#### 5.0 AGRICULTURAL RESOURCES

- Impact AG-2: Agricultural Zoning and Williamson Act
- Impact AG-3: Indirect Conversion of Agricultural Lands

#### 6.0 AIR QUALITY

- Impact AIR-1: Air Quality Plans and Standards, Construction Emissions
- Impact AIR-4: Exposure of Sensitive Receptors to Toxic Air Contaminants
- Impact AIR-5: Odors and Other Emissions

#### 7.0 BIOLOGICAL RESOURCES

- Impact BIO-2: Riparian and Other Sensitive Habitats

## 8.0 CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

Impact CULT-1 Historical Resources

## 9.0 GEOLOGY, SOILS, AND MINERAL RESOURCES

Impact GEO-1: Faulting and Seismicity

Impact GEO-2: Other Geologic Hazards

Impact GEO-3: Soil Erosion

Impact GEO-4: Expansive Soils

Impact GEO-6: Access to Mineral Resources

## 10.0 GREENHOUSE GAS EMISSIONS

Impact GHG-2: Project GHG Operational Emissions and Consistency with Applicable Plans and Policies.

## 11.0 HAZARDS AND HAZARDOUS MATERIALS

Impact HAZ-1: Hazardous Material Transportation and Storage

Impact HAZ-2: Hazardous Material Releases

Impact HAZ-3: Hazardous Material Sites

Impact HAZ-4: Airport Hazards

Impact HAZ-5: Interference with Emergency Vehicle Access and Evacuations

Impact HAZ-6: Wildfire Hazards

## 12.0 HYDROLOGY AND WATER QUALITY

Impact HYDRO-1: Surface Water Resources and Quality

Impact HYDRO-2: Groundwater Resources and Quality

Impact HYDRO-3: Drainage Patterns and Runoff

Impact HYDRO-4: Release of Pollutants in Flood, Tsunami, and Seiche Zones

Impact HYDRO-5: Consistency with Water Quality and Groundwater Management Plans

## 13.0 LAND USE, POPULATION, AND HOUSING

Impact LUP-1: Division of Communities

Impact LUP-2: Conflict with Applicable Plans, Policies, and Regulations

Impact LUP-3: Inducement of Population Growth

Impact LUP-4: Displacement of Housing and People

## 14.0 NOISE

Impact NOISE-4: Groundborne Vibrations

Impact NOISE-5: Airport and Airstrip Noise

## 15.0 PUBLIC SERVICES AND RECREATION

Impact PSR-1: Fire Protection Services

Impact PSR-2: Police Protection Services

Impact PSR-3: Schools

Impact PSR-4: Parks and Recreational Services  
Impact PSR-5: Other Public Facilities

#### 16.0 TRANSPORTATION

\*Impact TRANS-1: Motor Vehicle Transportation Plans-Intersections  
\*Impact TRANS-2: Motor Vehicle Transportation Plans-Road Way Segments  
Impact TRANS-3: Motor Vehicle Transportation Plans-Ramp Junctions  
Impact TRANS-4: Motor Vehicle Transportation Plans-Truck Routes  
Impact TRANS-5: Conflicts with Non-Motor Vehicle Transportation Plans  
Impact TRANS-7: Safety Hazards  
Impact TRANS-8: Emergency Access

\*Note: Impacts are the subject to transportation improvement recommendations, but do not require mitigation

#### UTILITIES AND ENERGY

Impact UTIL-1: Wastewater Services and Facilities  
Impact UTIL-2: Water Services and Facilities  
Impact UTIL-3: Stormwater Services and Facilities  
Impact UTIL-4: Solid Waste  
Impact UTIL-5: Energy and Telecommunications Systems  
Impact UTIL-6: Project Energy Consumption

## 2.2 ENVIRONMENTAL EFFECTS OF THE PROJECT THAT REQUIRE FINDINGS

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The environmental effects that were found by the EIR to be significant and/or potentially significant prior to the application of mitigation measures include the effects listed below. As required by CEQA, the City must make findings with respect to each of these significant effects. The City's findings, and the evidence in support of those findings, are detailed in the Mitigation Monitoring/Findings table shown in the Appendix. All of the following environmental effects would be reduced to a less than significant level with mitigation measures.

Impact BIO-1: Special-Status Species and Habitats  
Impact BIO-3: State and Federally Protected Wetlands  
Impact BIO-4: Migratory Fish and Wildlife Habitats  
Impact BIO-5: Local Biological Requirements  
Impact BIO-6: Habitat Conservation Plans

Impact CULT-2: Archaeological and Tribal Cultural Resources

Impact CULT-3: Human Burials

Impact GEO-5: Paleontological Resources and Unique Geological Features

Impact NOISE-2: Increase in Noise Levels in excess of Standards-Other Project Noise

Impact NOISE-3: Increase in Noise Levels in Excess of Standards-Construction

The EIR indicates that the proposed project would involve six potentially significant and unavoidable effects:

Impact AG-1: Conversion of Farmland

Impact AIR-2: Air Quality plans and Standards-Operational Emissions

Impact AIR-3: Exposure of Sensitive Receptors to Criteria Pollutants

Impact GHG-1: Project GHG Construction Emissions and Consistency with Applicable Plans and Policies

Impact NOISE-1: Increase in Noise Levels in Excess of Standards-Traffic

Impact TRANS-6: Consistency with CEQA Guidelines Section 15064.3(b)

In order to address these significant and unavoidable effects, findings related to alternatives and a Statement of Overriding Consideration for the project are provided in a separate document as noted above.

## 2.3 FINDINGS TABLE

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The City's findings with respect to each of the significant or potentially significant environmental effects of the project are detailed in the Mitigation Monitoring/Findings table shown in the Appendix. The findings consider each of the significant or potentially significant environmental effects of the project on an individual basis. Each environmental effect is briefly identified, all of the mitigation measures identified in the EIR are listed, and the significance of each environmental effect after application of the mitigation measures is identified. Following this, the City's finding with respect to the environmental effect, and the location of source information for the City's finding, are identified.

The findings are based upon the whole of the information and analysis included in the EIR and, in particular, on the implementation of the project mitigation measures identified in the EIR as described in the following Mitigation Monitoring/Reporting Plan.

As described in the MMRP, implementation of the mitigation measures will be accomplished through incorporation in permits and approvals as well as project improvement plans and specifications. Implementation of mitigation measures will be ensured through monitoring of project activities by the Stockton Community Development Department. Section 5.0 of this document adopts the MMRP.

Potential findings for the significant and potentially significant effects of the project are prescribed in Sections 15091 of the State CEQA Guidelines. The three potential findings as they apply to the significant effects of the project are listed below. The findings are listed by number reference only in the appended table describing findings for the individual significant effects.

*Finding 1 Changes or alterations to the project have been required of, or incorporated into, the project that will avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. (This is the finding made by the City for all but six of the significant or potentially significant environmental effects identified in the EIR.)*

*Finding 2 Changes or alterations to the project that would avoid or substantially lessen the subject environmental effect are within the responsibility and jurisdiction of another public agency and not the City. Such changes or alterations have been adopted by such other agency, or can and should be adopted by such other agency. (This finding is not applied to any of the environmental effects identified in the EIR.)*

*Finding 3 Mitigation measures or alternatives that would avoid or substantially lessen the subject environmental effect are infeasible as a result of specific economic, legal, social, technological or other considerations. (This finding is applied to six of the environmental effects identified in the EIR, which were determine to be unavoidable and are the subject of the City's Statement of Overriding Considerations.)*

### 3.0 MITIGATION MONITORING/REPORTING PROGRAM

CEQA requires more than just preparing environmental documents; it also requires the governmental agency to change or place conditions on a project, or to adopt plans or ordinances for a broader class of projects, which would address potential environmental impacts. To ensure that mitigation measures within the Lead Agency's purview are actually implemented, CEQA requires the adoption of a mitigation monitoring and/or reporting program (MMRP). Specifically, CEQA Guidelines Section 15091(d) requires that a public agency, when making findings for the significant impacts of a project,

“shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.”

Mitigation measures that are not feasible, or are within the jurisdiction of other agencies, are addressed through the findings required by CEQA Guidelines Section 15091. The Mariposa Industrial Park involves one such mitigation measure. The Council's certification of the EIR, and the approval of the project together with adoption of this document, will initiate implementation of the Mitigation Monitoring/Reporting Program for the project.

The EIR sets forth several mitigation measures that will be applicable to the project. The table shown in the Appendix summarizes the environmental effects that could result from approval of the proposed project as described in the EIR. The table identifies 1) each effect, 2) how each significant effect would be mitigated, 3) the responsibility for implementation of each mitigation measure, 4) the responsibility for monitoring of the mitigation measures, and 5) the City's CEQA finding, the significance of the effect with mitigation and the source material for the finding. The table follows the same sequence as the impact analysis in the EIR. Reporting actions required to ensure that the mitigation measures are implemented are also described in the table.

The significance determination for each environmental effect evaluated in the EIR was based on one or more criteria for significance developed from guidance contained in the CEQA Guidelines, or other “significance thresholds” established by federal, state, regional, or local agencies:

- A “Significant” effect is a substantial adverse change in the environment (CEQA Guidelines Section 15382).
- A “Cumulatively Significant” effect is a substantial adverse change in the environment, which results from cumulative development in the City of Stockton.
- A “Potentially Significant” effect is one that is likely to cause future substantial adverse changes to the environment.

- A “Significant and Unavoidable” effect is one for which there is no known or feasible mitigation.
- A “Not Significant” effect is one that may be adverse but does not exceed the defined significance threshold.

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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<p><b>4.0 AESTHETICS</b></p>			
<p>There are no significant or potentially significant impacts in this issue area.</p>			
<p><b>5.0 AGRICULTURE</b></p>			
<p>Conversion of Farmland. This is a significant impact.</p>			
<p>None feasible</p>			<p>3 SU Rationale: DEIR, Pages 5-5 to 5-6</p>
<p><b>6.0 AIR QUALITY</b></p>			
<p>Air Quality Plans and Standards- Operational Emissions. This is a significant issue.</p>			
<p>All available mitigation measures are assigned to the project in the FEIR. There is uncertainty in terms of quantification as to the degree of impact reduction that will be achieved and whether impacts will be reduced to a Less than Significant level.</p>			<p>3 SU Rationale: DEIR, Pages 6-14 to 6-16</p>
<p>Exposure of Sensitive Receptors to Criteria Pollutants</p>			
<p>AIR-1: The project applicant, to reduce carbon monoxide concentrations to an acceptable level, shall contribute fair-share costs to an improvement on the Mariposa Road and Carpenter Road intersection that would widen the northeast-bound Carpenter Road approach to include an exclusive northeast-bound-to northwest-bound left-turn lane, and a combined through/right-turn lane.</p>	<p>The applicant will be responsible for payment of fair share costs.</p>	<p>The Department of Public Works will be responsible for ensuring that fair share costs are paid prior to approval of improvement plans.</p>	<p>3 SU Rationale: DEIR, Pages 6-16 to 6-19</p>

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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<h2>7.0 BIOLOGY</h2>			
<p>Special-Status Species and Habitats. This is a potentially significant issue</p>			
<p>BIO-1: The developer shall apply to the San Joaquin Council of Governments (SJCOG) for coverage under the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP). The project site shall be inspected by the SJMSCP biologist, who will recommend which Incidental Take Minimization Measures (ITMMs) set forth in the SJMSCP should be implemented. The project applicant shall pay the required SJMSCP fee, if any, and be responsible for the implementation of the specified ITMMs.</p>	<p>The ODS will be responsible for submitting the SJMSCP coverage application, payment of required fees and implementation of ITMMs. The ODS' Engineer will be responsible for incorporating ITMM requirements in the project plans and specifications. The Contractor will be responsible for adherence to the plans and specifications, hiring a qualified biologist if required and implementing the biologist recommendations.</p>	<p>The Community Development Department will verify that SJMSCP coverage has been obtained and that other mitigation measures have been implemented as required by ITMMs.</p>	<p>1, NS Rationale: DEIR, Pages 7-15 to 7-17</p>
<p>State and Federally Protected Wetlands. This is a potentially significant issue</p>			
<p>BIO-2: Prior to the start of construction work in the area where seasonal wetlands have been identified, the project developer shall conduct a wetland delineation identifying jurisdictional Waters of the U.S. and wetlands. The delineation shall be verified by the U.S. Army Corps of Engineers (Corps). The delineation shall be used to determine if any project work will encroach upon any jurisdictional water, thereby necessitating an appropriate permit. For any development work that may affect a delineated jurisdictional Water, the project developer shall obtain any necessary permits from the U.S. Army Corps of Engineers prior to the start of development work within these locations. Depending on the Corps permit issued, the project applicant shall also apply for a Section 401 Water Quality Certification from the Central</p>	<p>The ODS will be responsible for obtaining the required wetland delineation and verification, for proposing adequate mitigation, for obtaining required permits and providing proof of issuance to the City.</p>	<p>The City will be responsible for ensuring that the wetland delineation has been completed, required permits have been issued and that specified mitigation measures are incorporated into project plans and specifications.</p>	<p>1, NS Rationale: DEIR, Pages 7-17, 7-19</p>

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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<p>Valley Regional Water Quality Control Board. If the seasonal wetlands are avoided, or if phased development occurs in areas where no wetlands have been identified, then this mitigation measure does not apply.</p>			
<p>BIO-3: Prior to the start of construction work in North Littlejohns Creek, the project developer shall obtain any necessary permits from the California Department of Fish and Wildlife and the Central Valley Flood Protection Board. The project developer shall comply with all conditions attached to any required permit.</p>	<p>The ODS will be responsible for obtaining the required permits and providing proof of issuance to the City.</p>	<p>The City will be responsible for ensuring that required permits have been issued.</p>	<p>1, NS Rationale: DEIR, Pages 7-17, 7-19</p>
<p>BIO-4: Prior to the start of construction work in the area where seasonal wetlands have been identified, the project developer shall obtain any necessary Waste Discharge Requirements from the Central Valley Regional Water Quality Control Board. Pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, the filling of seasonal wetlands containing vernal pool invertebrates shall be delayed until the wetlands are dry and SJCOG biologists can collect the surface soils from the wetlands, to store them for future use on off-site seasonal wetland creation on SJCOG preserve lands. If the seasonal wetlands are avoided, then this mitigation measure does not apply.</p>	<p>The ODS will be responsible for obtaining Waste Discharge Requirements if necessary and for timing of fill in coordination with the SJCOG biologists.</p>	<p>The City will be responsible for ensuring that Waste Discharge Requirements have been obtained and that seasonal wetland fill is coordinated with SJCOG.</p>	<p>1, NS Rationale: DEIR, Page 7-17-7-19</p>
<p>Local Biological Requirements</p>			
<p>BIO-5: If removal of any oak tree on the project site is required, a certified arborist shall survey the oak trees proposed for removal to determine if they are Heritage Trees as defined in Stockton Municipal Code Chapter 16.130. The arborist report with its findings shall be submitted to the City's Community Development Department. If Heritage Trees are determined to exist on the property, removal of any such tree shall require a permit to be issued by the City in accordance with Stockton Municipal Code Chapter 16.130. The permittee shall comply with all permit conditions, including tree replacement at specified ratios.</p>	<p>The ODS will be responsible for surveying oak trees to be removed, preparation of an arborist report and obtaining permits for removal of Heritage trees, if any.</p>	<p>The City will be responsible for review of the arborist report and ensuring that any necessary tree removal permits have been obtained.</p>	<p>1, NS Rationale: DEIR, Pages 7-17, 7-20</p>

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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8.0 CULTURAL RESOURCES			
Archaeological and Tribal Cultural Resources. This is a potentially significant issue.			
<p>CULT-1: If any subsurface archaeological resources, including human burials and associated funerary objects, are encountered during construction, all construction activities within a 50-foot radius of the encounter shall be immediately halted until a qualified archaeologist can examine these materials and evaluate their significance. The City shall be immediately notified in the event of a discovery. If burial resources or tribal cultural resources are discovered, the City shall notify the appropriate tribal representative, who may examine the materials with the archaeologist and advise the City as to their significance.</p> <p>The archaeologist, in consultation with the tribal representative if contacted, shall recommend mitigation measures needed to reduce potential cultural resource effects to a level that is less than significant in a written report to the City, with a copy to the tribal representative. The City shall be responsible for implementing the report recommendations. Avoidance is the preferred means of disposition of tribal cultural resources. The contractor shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in written reports to the City.</p>	<p>The ODS' Engineer will be responsible for incorporating these requirements in the project plans and specifications. The Contractor will be responsible for reporting discoveries to the City, for hiring a qualified archaeologist to analyze the discovery and coordinate with Native American tribes as necessary, and for implementing the archaeologist's treatment recommendations.</p>	<p>The City will be responsible for ensuring that cultural resource requirements have been incorporated into project plans and specifications and that discovery reports are properly documented.</p>	<p>1, NS</p> <p>Rationale: DEIR, Pages 8-7, 8-7</p>
Human Burials. This is a potentially significant issue.			
<p>CULT-2: If project construction encounters evidence of human burial or scattered human remains, the contractor shall immediately notify the County Coroner and the City, which shall in turn notify the appropriate tribal representative. The City shall notify other federal and State agencies as required. The City will be responsible for compliance with the requirements of California Health and Safety Code Section 7050.5 and with any direction provided by the County Coroner.</p>	<p>The ODS contractor will be responsible for suspending construction activity if human remains are encountered, reporting finds to the City and County Coroner and retaining a qualified archaeologist to</p>	<p>The City will be responsible for responding to reports of burial or human remain finds as required, including notification of and coordination with Native American representatives.</p>	<p>1, NS</p> <p>Rationale: DEIR, Pages 8-8</p>

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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<p>If the human remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission, which will notify and appoint a Most Likely Descendant. The Most Likely Descendant will work with the archaeologist to decide the proper treatment of the human remains and any associated funerary objects in accordance with California Public Resources Code Sections 5097.98 and 5097.991. Avoidance is the preferred means of disposition of the burial resources.</p>	<p>evaluate the find and provide a written report to the City. The City will be responsible for notifying Native American representatives and for overseeing compliance with Public Resources Code requirements.</p>		
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**9.0 GEOLOGY, SOILS, AND MINERAL RESOURCES**

Impact GEO-5: Paleontological Resources and Unique Geological Features.

<p>GEO-2: If any subsurface paleontological resources are encountered during construction, all construction activities within a 50-foot radius of the encounter shall be immediately halted until a qualified paleontologist can examine these materials, initially evaluate their significance and, if potentially significant, recommend measures on the disposition of the resource. The City shall be immediately notified in the event of a discovery. The contractor shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in written reports to the City.</p>	<p>The ODS will be responsible for incorporating requirements in project plans and specifications. The ODS contractor will be responsible for suspending construction activity if paleontological resources are encountered, reporting finds to the City and retaining a qualified paleontologist to evaluate the find and provide a written report to the City.</p>	<p>The City will be responsible for ensuring that paleontology requirements have been incorporated into project plans and specifications and that discovery reports are properly documented.</p>	<p>1, NS Rationale: DEIR Page 9-10</p>
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**10.0 GREENHOUSE GAS EMISSIONS**

Impact GHG-1: Project GHG Construction Emissions and Consistency with Applicable Plans and Policies. This is a potentially significant impact.

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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<p>GHG-1: The project shall implement the Off-Road Vehicles Best Management Practices specified in the Stockton Climate Action Plan. At least three (3) percent of the construction vehicle and equipment fleet shall be powered by electricity. Construction equipment and vehicles shall not idle their engines for longer than three (3) minutes.</p>	<p>The ODS' Engineer will be responsible for incorporating these requirements in the project plans and specifications. The contractor will be responsible for periodically reporting compliance with these conditions to the Community Development Department.</p>	<p>The City will be responsible for overseeing implementation of these requirements and review and acceptance of written reports.</p>	<p>3, SU Rationale: DEIR Pages 10-9</p>
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**11.0 HAZARDS**

There are no significant or potentially significant impacts in this issue area.

**12.0 HYDROLOGY AND WATER QUALITY**

There are no potentially significant or significant impacts in this issue area.

**13.0 LAND USE AND PLANNING**

There are no potentially significant or significant impacts in this issue area.

**14.0 NOISE**

Increase in Noise Levels in Excess of Standards-Traffic. This is a significant issue.

None available

3, SU  
Rationale: DEIR

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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	Pages 14-9 to 14-10
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Increase in Noise Levels in Excess of Standards-Other Project Noise. This is a potentially significant issue.

<p>NOISE-1: Sound walls and/or berms 10 feet in height shall be required where existing residential uses or residentially zoned areas are located adjacent to the project site. Figure 3 of the project noise study (Figure 14-2 of <del>this EIR</del> the DEIR) shows the locations of the recommended sound walls based on the proposed conceptual plan. Where openings in sound walls occur for access or emergency access, solid gates shall be installed. 10-foot sound walls are expected to provide a 10 dB reduction in noise levels. Site plan modifications, and/or additional noise analysis by a qualified acoustical consultant may warrant changes to these requirements, assuming that compliance with City noise standards is maintained.</p>	<p>The ODS engineer will be responsible for incorporating noise wall requirements in the project plans and specifications. The ODS will be responsible for retaining a noise consultant to review and recommend alternative noise wall requirements as appropriate.</p>	<p>The Community Development Department will be responsible for ensuring that noise wall requirements are met in project plans and specifications and for review and approval of any proposed noise wall modifications,</p>	<p>1, NS Rationale: DEIR Pages 14-10 to 14-11</p>
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Increase in Noise Levels in Excess of Standards-Construction. This is a potentially significant issue.

<p>NOISE-2: Construction activities associated with the project shall adhere to the requirements of the City of Stockton Municipal Code with respect to hours of operation. The applicant shall ordinarily limit construction activities to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction shall occur on Sundays or national holidays without a written permit from the City. All construction equipment shall be in good working order and shall be fitted with factory-equipped mufflers.</p>	<p>The ODS engineer will be responsible for incorporating these requirements in the project plans and specifications. The Contractor will be responsible for conformance with noise requirements.</p>	<p>The Community Development Department will be responsible for monitoring compliance with these requirements.</p>	<p>1, NS Rationale: DEIR Pages 14-11 to 14-12</p>
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**15.0 PUBLIC SERVICES AND RECREATION**

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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There are no potentially significant or significant impacts in this issue area.

## 16.0 TRANSPORTATION

Motor Vehicle Transportation Plans-Intersections. The project would have no significant effects in this issue are. The project traffic study recommends the following roadway improvements

<p>RECOMMENDED TRANSPORTATION IMPROVEMENTS.</p> <p>RTI #1: The project applicant should contribute fair-share costs to an improvement on the Mariposa Road and 8<sup>th</sup> Street/Farmington Road intersection that would split the northeast-bound combined through/right-turn lane into an exclusive northeast-bound through lane and a “free” northeast-bound-to-southeast-bound right-turn lane. Existing pavement width is considered adequate to accommodate this improvement.</p> <p>RTI #2: The project applicant should contribute fair-share costs to an improvement on the Mariposa Road and Carpenter Road intersection that would widen the northeast-bound Carpenter Road approach to include an exclusive northeast-bound-to northwest-bound left-turn lane, and a combined through/right-turn lane. (See also Mitigation Measure AIR-1 in Chapter 6.0, Air Quality.)</p>	<p>The ODS should pay proportionate share costs or signal design and construction as appropriate.</p>	<p>The Public Works Department will be responsible for determining that appropriate proportionate share costs are paid, for determining if signalization improvements need to be made, and for approval of plans and specifications.</p>	<p>N/A</p> <p>Rationale: DEIR Pages 16-17 to 16-19</p>
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Motor Vehicle Transportation Plans-Roadway Segments. The project would have no significant effects in this issue are. The project traffic study recommends the following roadway improvements

<p>RECOMMENDED TRANSPORTATION IMPROVEMENT.</p> <p>RTI #3: The project applicant should contribute fair-share costs to an improvement on the segment of Mariposa Road from SR 99 to 8<sup>th</sup> Street/Farmington Road that would widen the portions of this roadway segment that are currently one lane in each direction to two lanes in each direction.</p>	<p>The ODS should pay proportionate share costs of signal design and construction as appropriate.</p>	<p>The Public Works Department will be responsible for determining that appropriate proportionate share costs are paid, for determining if signalization improvements need to be made, and for approval of plans and specifications.</p>	<p>N/A</p> <p>Rationale: DEIR Pages 16-19 to 16-21</p>
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Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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Consistency with CEQA Guidelines Section 15064.3(b). This is a significant impact.			
<p>TRANS-1: The project shall provide "end-of-trip" facilities for bicycle riders to encourage the use of bicycling as a viable form of travel to destinations, especially to work. End-of-trip facilities shall include showers, secure bicycle lockers, and changing spaces.</p> <p>TRANS-2: The project shall implement an employer-sponsored vanpool or shuttle. A vanpool will usually service employees' commute to work, while a shuttle will service nearby transit stations and surrounding commercial centers. Employer-sponsored vanpool programs entail an employer purchasing or leasing vans for employee use, and often subsidizing the cost of at least program administration. Scheduling is within the employer's purview, and rider charges shall be set on the basis of vehicle and operating cost.</p>	<p>The ODS tenants will be responsible for conformance with these requirements as appropriate, and for reporting compliance to the City.</p>	<p>The Community Development Department will be responsible for determining that requirements have been met.</p>	<p>3, SU Rationale: DEIR Pages 16-24 to 16-26</p>
<b>17.0 UTILITIES AND ENERGY</b>			
There are no potentially significant or significant impacts in this issue area.			