

CEQA FINDINGS AND  
MITIGATION MONITORING/REPORTING PROGRAM

FOR THE

SANCHEZ-HOGGAN ANNEXATION

City of Stockton, CA

State Clearinghouse No: 2020020006

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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 Sanchez-Hoggan Annexation 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 Sanchez-Hoggan EIR* (SCH# 2020020006) (the "EIR"). When referenced as such, the EIR includes the Public Review Draft EIR (the DEIR) dated March 6, 2020 and the Final EIR (the FEIR) dated April 2020 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 proposes the annexation of approximately 169.77 acres into the City of Stockton. The annexation area consists of two properties: the 149.01-acre Sanchez property and the 20.76-acre Hoggan property. Both properties are in the San Joaquin County unincorporated area, adjacent to the southeastern limits of the City of Stockton. In conjunction with annexation, the City would pre-zone the entire project site IL - Industrial, Limited. The project also includes a Tentative Parcel Map for the Sanchez property, along with cancellation of the existing Williamson Act contract on that property.

Upon annexation, the Sanchez property would be developed with industrial buildings that would accommodate mainly “high cube” warehouses. A site plan for this property proposes the construction of four industrial buildings with a total building area of 2,796,948 square feet. Property development also would provide parking areas with a total of 2,726 automobile parking stalls and 154 trailer parking stalls. Approximately seven acres would be used for a detention basin at the northwest corner of the property to collect storm water runoff, which would be discharged into Weber Slough. Access would be available from Logistics Drive and Austin Road adjacent to the property, as well as from an access point on Mariposa Road north of the property. The EIR also considers different anticipated development intensities and site designs for the Sanchez property.

The Hoggan property would be developed with one high-cube warehouse approximately 290,440 square feet in floor area, along with parking areas for 237 automobiles and 41 trailers. Two detention basins to collect runoff would be installed on the west and east sides of the property, which would be sent to the drainage system of the Norcal Logistics Center. Access would be provided by a new extension from Frontier Way to the south and from the adjacent Norcal Logistics Center site.

The City is responsible for the primary local government approvals for the project. Other agencies from whom permits or approvals would be required include the San Joaquin LAFCo, San Joaquin County Department of Public Works, the State Water Resources Control Board, the Regional Water Quality Control Board, the Central Valley Flood Protection Board, the U.S. Army Corps of Engineers, and the California Department of Fish and Wildlife.

## 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 January 29, 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 City provided public notice and conducted a scoping meeting for the project on February 19, 2020.

The Public Review Draft EIR (DEIR) was prepared by the City and distributed for agency and public comment during the period from March 6, 2020 to April 22, 2020. 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 Sanchez-Hoggan Annexation 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, 2020a. Public Review Draft Environmental Impact Report, Sanchez-Hoggan Annexation. SCH #2020020006. March 6, 2020

BaseCamp Environmental, 2020b. Final Environmental Impact Report, Sanchez and Hoggan Annexation. SCH #2020020006. April 2020

## 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 Sanchez-Hoggan Annexation 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 one of the project environmental effects will be reduced to a Less Than Significant level.

The project would involve one potentially significant and unavoidable environmental effect. The EIR describes a development option for the Sanchez property that would be allowable under the proposed pre-zoning. This option, described as the Market Driven Project, would involve a higher-intensity industrial development of a portion of the Sanchez property that would result in additional traffic generation and potential for a significant traffic effect. This potential effect could be mitigated, but mitigation measures are not feasible and therefore a Statement of Overriding Considerations is required. The Statement of Overriding Considerations is described in a separate document cited below.

BaseCamp Environmental, 2020c. Statement of Overriding Considerations, Sanchez and Hoggan Annexation. SCH #2020020006. May 2020.

The findings for the Sanchez-Hoggan 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 Sanchez Hoggan Annexation Draft EIR as subjects not requiring further analysis under CEQA. These and other environmental these 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 Sanchez Hoggan Annexation EIR 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-1: Conversion of Farmland
- 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 Standards
- Impact AIR-2: Air Quality Plans and Standards, Operational Standards
- Impact AIR-3: Exposure of Sensitive Receptors to Pollutants
- 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-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-1: Increase in Noise Levels in Excess of Standards-Traffic

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

Impact NOISE-4: Groundborne Vibrations

Impact NOISE-5: Airport and Airstrip Noise



## 15.0 PUBLIC SERVICES AND RECREATION

- 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: Consistency with CEQA Guidelines
- Impact TRANS-3: Motor Vehicle Transportation Plans-Roadway Segments
- Impact TRANS-4: Motor Vehicle Transportation Plans-Ramp Junctions
- Impact TRANS-5: Motor Vehicle Transportation Plans-Truck Routes.
- Impact TRANS-6: Conflicts with Non-Motor Vehicle Transportation Plans
- Impact TRANS-7: Safety Hazards
- Impact TRANS-8: Emergency Access

## 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 Communications 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 CULT-2: Archaeological and Tribal Cultural Resources
- Impact CULT-3: Human Burials
- Impact GEO-4: Expansive Soils

Impact GEO-5: Paleontological Resources and Unique Geological Features

Impact GHG1: Project GHG Construction Emissions and Consistency with Applicable Plans and Policies

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

Impact PSR-1: Fire Protection Service

Impact TRANS-2: Motor Vehicle Transportation Plans - Intersections

The EIR indicates that the proposed project would involve one potentially significant and unavoidable effect, which is a variation on Impact TRANS-2: Motor Vehicle Transportation Plans – Intersections that addresses a possible project scenario described in the DEIR as the Market Driven Project. In order to address this effect, 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 one 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 applied to one 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 one of the environmental effects identified in the EIR and is 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 Sanchez Hoggan Annexation 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>There are no significant or potentially significant impacts in this issue area.</p>			
<p><b>6.0 AIR QUALITY</b></p>			
<p>There are no significant or potentially significant impacts in this issue area.</p>			
<p><b>7.0 BIOLOGY</b></p>			
<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 the SJMSCP coverage application, payment of any 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</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 7-18</p>

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
	required and implementing the biologist' recommendations.		
<p>BIO-2 Prior to issuance of City permits for the proposed pump station and outfall, the project applicant shall delineate wetland areas, obtain required federal and state permits and demonstrate that the project would result in “no net loss” of wetlands and/or Waters of the U.S. Wetland mitigation necessary to make this demonstration shall be included in the project or project conditions of approval</p>	<p>The ODS will be responsible for obtaining the required wetland delineation, for proposing adequate mitigation, for making required permit application submittals and providing proof of issuance to the City.</p>	<p>The City will be responsible for ensuring that required permits have been issued and that specified mitigation measures are incorporated into project plans and specifications.</p>	<p>1, NS  Rationale: DEIR, Pages 7-18, 7-19</p>
<p>BIO-3: If vegetation removal or construction commences during the general avian nesting season (February 1 through September 15), a pre-construction survey for all species of nesting birds is recommended. If active nests are found, work in the vicinity of the nests shall be delayed until the young have fledged.</p>	<p>The ODS will be responsible for retaining a qualified biologist to conduct the nesting survey, if needed, and providing a copy of the survey report to the City.</p>	<p>The City will be responsible for ensuring that the survey, if required, has been completed and that the biologist's recommendations are incorporated into project plans and specifications.</p>	<p>1, NS  Rationale: DEIR, Pages 7-19, 7-20</p>
<p>BIO-4: Project development on the Hoggan property (APN 179-200-27) shall avoid removal of existing oak trees to the extent feasible. If removal of oak trees 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.</p>	<p>The ODS will be responsible for an oak tree survey, for determining which if any trees need to be removed, for retaining a qualified arborist and submitting the arborist report to the City and for application to the City for removal of trees, as required.</p>	<p>The City will be responsible for ensuring that the required survey, tree avoidance and tree removal permitting have been completed prior to approval of grading permits for areas containing oak trees.</p>	<p>1, NS  Rationale: DEIR, Page 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			
Historical and Archaeological Resources. This is a potentially significant issue.			
<p>CULT-1: Prior to construction, construction personnel shall receive brief “tailgate” training by a qualified archaeologist in the identification of buried cultural resources, including human remains, and protocol for notification should such resources be discovered during construction work. A Yokuts tribal representative shall be invited to this training to provide information on potential tribal cultural resources.</p>	<p>The ODS’ Engineer will be responsible for incorporating these requirements in the project plans and specifications and ensuring that they are implemented by the contractor.</p>	<p>The City will be responsible for ensuring that the required tailgate meeting will occur before approval of grading permits.</p>	<p>1, NS Rationale: DEIR, Pages 8-8, 8-9</p>
<p>CULT-2: If any subsurface historical or 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, 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, and if burial resources or tribal cultural resources are discovered, the City shall notify the appropriate Native American representatives. The contractor shall be responsible for retaining qualified professionals, implementing recommended mitigation measures and documenting mitigation efforts in written reports to the City.</p>	<p>The contractor will be responsible for suspending construction, reporting finds to the City and retaining a qualified archaeologist to evaluate the find and provide a written report to the City. The City will be responsible for notifying Native American representatives.</p>	<p>The City will be responsible for responding to reports of archaeological finds as required, including notification of Native American representatives.</p>	<p>1, NS Rationale: DEIR, Pages 8-8, 8-9</p>
<p>CULT-3: If tribal cultural resources other than human remains and associated funerary objects are encountered, the City shall be immediately notified of the find, and the City shall notify the Yokuts tribal representative. The qualified archaeologist and tribal representative shall examine the materials and determine their “uniqueness” or significance as tribal cultural resources and shall recommend mitigation measures needed to reduce potential cultural resource effects to a level that is less than significant in a written report to the City, with a copy to the Yokuts tribal representative. The City will be responsible for implementing the report</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</p>	<p>The City will be responsible for notifying other agencies as required and for ensuring that the archaeologist’s recommendations are implemented.</p>	<p>1, NS Rationale: DEIR, Pages 8-8, 8-9</p>



Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
recommendations. Avoidance is the preferred means of disposition of tribal cultural resources.	the discovery and for implementing the archaeologist's treatment recommendations.		
CULT-4: 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 Yokuts 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. 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.	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 for implementing the archaeologist's treatment recommendations.	The City will be responsible for notifying other agencies as required, for overseeing project conformance with applicable codes and for ensuring that the archaeologist's and/or Most Likely Descendant's recommendations are implemented	1, NS Rationale: DEIR, Pages 8-9, 8-10
<b>9.0 GEOLOGY, SOILS, AND MINERAL RESOURCES</b>			
Impact GEO-4: Expansive Soils. This is a potentially significant impact.			
GEO-1: Prior to site development plan approval, a site-specific, design-level geotechnical study shall be completed for the proposed construction areas. The study shall include an evaluation of potential geologic and soil hazards, including the presence of expansive soils. The study shall recommend design and construction features to reduce the potential impact of identified hazards on the proposed development if the hazard is considered significant. The recommendations included in the study shall be incorporated in design and construction documents and implemented during development.	The ODS' Engineer will be responsible for obtaining the geotechnical study and incorporating relevant requirements in the project plans and specifications. The Contractor will be responsible for adherence to the plans and specifications.	The City will be responsible for ensuring that the geotechnical has been completed and that its recommendations are incorporated into project plans and specifications.	1, NS Rationale: DEIR Page 9-9

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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Impact GEO-5: Paleontological Resources and Unique Geological Features. This is a potentially significant impact.			
<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' 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 paleontologist to analyze the discovery and for implementing the paleontologist's treatment recommendations.</p>	<p>The City will be responsible for ensuring that the paleontologist's recommendations are implemented.</p>	<p>1, NS Rationale: DEIR Pages 9-9, 9-10</p>
<b>10.0 GREENHOUSE GAS EMISSIONS</b>			
Impact GHG-1: Project GHG Construction Emissions and Consistency with Applicable Plans and Policies. This is a potentially significant impact.			
<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 reporting compliance with these conditions in regular reports 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>1, NS Rationale: DEIR Pages 10-9, 10-10</p>

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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<b>11.0 HAZARDS</b>			
FEIR: Potential contamination of roadside areas with aerially-deposited lead.			
HAZ-1: The applicant shall conduct limited soil testing along sections of Arch Road and Austin Road for the presence of lead-based compounds that exceed state health standards and take precautions as needed to prevent exposure of construction workers or the public from any associated health risks.	The applicant will be responsible for obtaining the required testing and submitting results to the Community Development Department. The applicant will be responsible for remediation that may result from test results.	The City will be responsible for overseeing implementation of these requirements and review and acceptance of written reports.	1, NS Rationale: FEIR Pages 4-2, 4-3
<b>12.0 HYDROLOGY AND WATER QUALITY</b>			
There are no potentially significant or significant impacts in this issue area.			
<b>13.0 LAND USE AND PLANNING</b>			
There are no potentially significant or significant impacts in this issue area.			
<b>14.0 NOISE</b>			
Impact NOISE-2: Increase in Noise Levels in Excess of Standards - Other Project Noise. This is a potentially significant issue.			
NOISE-1: Construction activities shall adhere to the requirements of the City of Stockton Municipal Code with respect to hours of operation. The City shall limit construction activities on the Hoggan property to the hours of 7:00 a.m. to 10:00 p.m., Monday through Saturday, except for concrete pouring related to building construction. No construction shall occur on Sundays or national holidays without a written permit from the city. All equipment shall be in good working	The Project Engineer will be responsible for incorporating these requirements in the project plans and specifications. The Contractor will be responsible for	The Community Development Department will be responsible for monitoring compliance with these requirements.	1, NS Rationale: DEIR Pages 14-10 to 14-12

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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<p>order and shall be fitted with factory-equipped mufflers.</p> <p>Should the project necessitate construction outside of the specified hours, the applicant shall request the Community Development Director's approval of such activities. The applicant shall accompany the request with evidence that the proposed activity will not create a noise disturbance across a residential property line.</p>	<p>implementing noise requirements.</p> <p>The ODS will be responsible for requesting and justifying authorization to exceed noise control requirements.</p>	<p>The Community Development Director will be responsible for authorizing noise control requirement exceedance based on the evidence submitted by the ODS.</p>	
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**15.0 PUBLIC SERVICES AND RECREATION**

Impact PSR-1: Fire Protection Service. This is a potentially significant issue.

<p>PSR-1: The developer shall incorporate Early Suppression Fast Response fire sprinkler systems in the project building design and construction. The Stockton Fire Department shall review and approve such systems prior to their installation.</p>	<p>The ODS and its engineer will be responsible for ESFR design and coordination with the Stockton Fire Department.</p>	<p>The Community Development Department will be responsible for ensuring that ESFR requirements are properly included in project plans.</p>	<p>1, NS Rationale: DEIR Page 15-7</p>
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**16.0 TRANSPORTATION**

Impact TRANS-2: Motor Vehicle Transportation Plans-Intersections. This is a potentially significant and unavoidable impact associated with the Market Driven Project.

<p>TRANS-1: The project applicant shall contribute fair-share costs to the installation of a traffic signal at the intersection of Arch Road and Frontier Way and related improvements. If needed to meet short-term traffic needs, the City may require applicant to design and construct the signal, subject to reimbursement. The project applicant shall submit a traffic analysis for the City's approval to determine if the intersection improvements can be aligned with development related impacts should the proposed site be constructed in phases.</p>	<p>The ODS will be responsible for payment of 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>3, SU Rationale: DEIR Pages 16-17 to 16-20 See separate Statement of Overriding Considerations</p>
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Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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<p><b>17.0 UTILITIES AND ENERGY</b></p>
<p>There are no potentially significant or significant impacts in this issue area.</p>