CITY OF STOCKTON
FINAL INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

FOR THE

ELDERBERRY RESIDENTIAL
PROJECT
Stockton, CA

City of Stockton
Project File No: P18-0146
August 2019

Prepared for:

CITY OF STOCKTON
Community Development Department
345 N. El Dorado Street
Stockton, CA 95202
209-937-8266
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Prepared by:

BASECAMP ENVIRONMENTAL, INC.
115 S. School Street, Suite 14
Lodi, CA 95240
209-224-8213
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</table>
1.0 INTRODUCTION TO FINAL IS/MND

The proposed Elderberry Residential project site is located on vacant land located within the City of Stockton, west of Lower Sacramento Road, south of Eight Mile Road and north and south of the future Villa Point Drive alignment. The project site includes approximately 17.8 acres of land. The project and its general location are shown on the following Figures 1 through 4.

A proposed Tentative Subdivision Map and Planned Development Plan provide for subdivision of the southern 6.65 acres of the site into a gated low-density residential community, which would be age-restricted for persons 55 years of age and older. A total of 42 lots ranging from 3,500 sq. ft. to 7,500 sq. ft. in size would be created. Proposed front yard setbacks would be 18 feet and 20 feet, and side yards would be one foot and four feet, on adjacent lots. Each lot would have minimum 10-foot rear yard setbacks.

The overall residential community also includes an entry area and private street access (Lot A), a community center (Lot B), a common open space area (Lot D), and a non-exclusive access lot (Lot E). Lot C, located south of the proposed residential development, hosts an existing cell tower. No new development is proposed for Lot C.

Villa Point Drive would be extended eastward from its existing terminus to Lower Sacramento Road as a part of the project; the extension would provide access for the proposed residential project as well as for future high-density residential development north of the site. High-density residential development in this area is an allowable use in the existing Residential, High Density zone and is permitted “by right” as provided in the Stockton Municipal Code. Future high-density residential development is not addressed in this IS/MND.

The project would dedicate approximately 1.01 acres of land along the west side of Lower Sacramento Road to the City of Stockton for proposed and future street improvements. Extension of Villa Point Drive will include the installation of City wastewater, potable water and storm drain facilities, and installation of power, phone, gas and other regulated utilities to serve the proposed residential subdivision.

The project is subject to the California Environmental Quality Act. The City of Stockton prepared an Initial Study and proposed Mitigated Negative Declaration for the project (Draft IS/MND), which was circulated for public and agency review during a 20-day comment period extending from July 12, 2019, until July 31, 2019. Copies of the public review legal notices and transmittal documents are shown in Appendix A. The Draft IS/MND is available for public review at the Stockton Department of Community Development at 345 N El Dorado Street, Stockton, CA 95202 or online at:


Elderberry Residential Project, Final Initial Study/Mitigated Negative Declaration
This document is the Final Initial Study/Mitigated Negative Declaration (Final IS/MND) for the project. The Final IS/MND includes the Draft IS/MND by this reference. The Draft IS/MND is available for review as described above. The Final IS/MND contains a summary of the environmental effects of the project (Section 2.0). A list of any public or agency comments received and the City’s responses to the comments received, are shown in Section 3.0. The Errata (Section 4.0) shows any revisions to the Draft IS/MND needed to respond to public and agency comments as well as any other changes and corrections to the document identified by City staff.

The Final IS/MND, when combined with the Draft IS/MND, constitutes the complete environmental review document for the Elderberry Residential Project. The Final IS/MND will be considered by the City of Stockton Planning Commission before the Commission makes its decision on the project. The project is scheduled for consideration by the Planning Commission on September 12, 2019.
REGIONAL LOCATION MAP
Figure 2
VICINITY MAP

SOURCE: Google Maps
Figure 3

AERIAL PHOTO

SOURCE: Google Maps
Figure 4
PROPOSED SUBDIVISION MAP

NOTE: PORTIONS OF MAP SHEET NOT SHOWN IN ORDER TO ALLOW ENLARGEMENT

SOURCE: Sanguinetti and Associates
2.0 SUMMARY TABLE

The following pages contain Table 2-1, Summary of Environmental Impacts and Mitigation Measures for the proposed project. The table is drawn from the Draft IS/MND; there have been no changes to the potential environmental effects of the project, or mitigation measures required to address significant effects, since the publication of the Draft IS/MND.

The potential environmental impacts of the proposed project are summarized in the left-most column of this table. The level of significance of the impact is indicated in the second column, mitigation measures proposed to minimize the impacts are shown in the third column, and the significance of the impact, after mitigation measures are applied, is shown in the fourth column.
**TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Significance Before Mitigation Measures</th>
<th>Mitigation Measures</th>
<th>Significance After Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3.1 AESTHETICS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Scenic Vistas</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>b) Scenic Resources</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>c) Visual Character and Quality</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>d) Light and Glare</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td><strong>3.2 AGRICULTURE AND FORESTRY RESOURCES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Agricultural Land Conversion</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>b) Agricultural Zoning and Williamson Act</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>c, d) Forest Land Conversion and Zoning</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>e) Indirect Conversion of Farmland and Forest Land</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td><strong>3.3 AIR QUALITY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a, b) Air Quality Plan Consistency</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>c) Cumulative Emissions</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>d) Exposure of Sensitive Receptors</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>e) Odors</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td><strong>3.4 BIOLOGICAL RESOURCES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Effects on Special-Status Species</td>
<td>PS</td>
<td>BIO 1: The owners, developers, or successors in Interest (ODS) shall mitigate for the proportionate loss of potential wildlife habitat from proposed residential development by applying for coverage, paying required fees and implementing Incidental Take Minimization Measures (ITMMs) as required by the adopted San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP).</td>
<td>LS</td>
</tr>
<tr>
<td>b) Riparian and Other Sensitive Habitats</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
</tbody>
</table>
# TABLE 1-1
## SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

<table>
<thead>
<tr>
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<th>Significance After Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>c) Wetlands and Waters of the U.S.</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>d) Fish and Wildlife Movement</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>e) Local Biological Requirements</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>f) Conflict with Habitat Conservation Plans</td>
<td>PS</td>
<td>Implementation of Mitigation Measure BIO-1</td>
<td>LS</td>
</tr>
</tbody>
</table>

### 3.5 CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Significance Before Mitigation Measures</th>
<th>Mitigation Measures</th>
<th>Significance After Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>a, b) Historical and Archaeological Resources</td>
<td>PS</td>
<td>CULT-1:</td>
<td>LS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If any subsurface cultural or paleontological resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist or paleontologist, as appropriate, can examine these materials and make a determination of their significance. If the resource is determined to be significant, recommendations shall be made on further mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. Such measures could include 1) preservation in place or 2) excavation, recovery and curation by qualified professionals. The CDD shall be notified of any find, and the ODS shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the CDD, consistent with the requirements of the CEQA Guidelines.</td>
<td></td>
</tr>
<tr>
<td>c) Paleontological Resources</td>
<td>PS</td>
<td>Implement Mitigation Measure CULT-1</td>
<td>LS</td>
</tr>
<tr>
<td>d) Human Burials</td>
<td>PS</td>
<td>CULT-2.</td>
<td>LS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Project construction shall comply with the provisions of CEQA Guidelines Section 15064.5(e) regarding the treatment of any human burials encountered, including halting all work in the vicinity of the find and notifying the County Coroner.</td>
<td></td>
</tr>
</tbody>
</table>
### Table 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

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<th>Significance After Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3.6 ENERGY</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>a, b) Project Energy Consumption and Consistency with Energy Plans</td>
<td>LS</td>
<td>None required</td>
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<tr>
<td><strong>3.7 GEOLOGY AND SOILS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a-1) Fault Rupture Hazards</td>
<td>LS</td>
<td>None required</td>
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</tr>
<tr>
<td>a-2, 3) Seismic Hazards</td>
<td>LS</td>
<td>None required</td>
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</tr>
<tr>
<td>a-4) Landslides</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>b) Soil Erosion</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>c) Geologic Instability</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>d) Expansive Soils</td>
<td>PS</td>
<td>GEO-1: Prior to approval of public road and utility improvements, a geotechnical study shall be submitted to the City Engineer addressing potential adverse effects related to expansive soils. The Building Department shall review and approve grading plans, improvement plans and building design for private lands. The City Engineer and/or Building Department shall verify the implementation of geotechnical requirements in the field.</td>
<td>LS</td>
</tr>
<tr>
<td>e) Adequacy of Soils for Wastewater Disposal</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td><strong>3.8 GREENHOUSE GAS EMISSIONS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a, b) GHG Emission Reduction Plans</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td><strong>3.9 HAZARDS AND HAZARDOUS MATERIALS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a, b) Hazardous Material Transport, Use and Storage</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>c) Hazardous Materials Releases Near Schools</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>d) Hazardous Materials Sites</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>e, f) Airport and Airstrip Operations</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>g) Emergency Response and Evacuation</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
</tbody>
</table>
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</tr>
</thead>
<tbody>
<tr>
<td>h) Wildland Fire Hazards</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td><strong>3.10 HYDROLOGY AND WATER QUALITY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a, f) Surface Waters and Water Quality</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>b) Groundwater Supplies</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>c, d, e) Drainage Patterns and Runoff</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>g, h) Residences and Other Structures in 100-Year</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>Flooding Hazards</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i) Other Flooding Hazards</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>j) Seiche, Tsunami and Mudflow Hazards</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td><strong>3.11 LAND USE AND PLANNING</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Division of Established Communities</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>b) Conflict with Applicable Plans, Policies and</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>Regulations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Conflict with Habitat Conservation Plans</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td><strong>3.12 MINERAL RESOURCES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a, b) Availability of Mineral Resources</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td><strong>3.13 NOISE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Exposure to Noise Exceeding Local Standards</td>
<td>PS</td>
<td>NOISE-1:</td>
<td>LS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Site and building plans for any two-story or taller homes located along the eastern boundaries of the project site shall be reviewed by a qualified acoustical professional to ensure that City outdoor and indoor noise standards are met.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>NOISE-2:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Air conditioning or other suitable mechanical ventilation shall be provided in all residential units to allow all residents to close windows and doors to reduce noise levels.</td>
<td></td>
</tr>
<tr>
<td>b) Exposure to Groundborne Noise</td>
<td>NI</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>c) Permanent Increase in Ambient Noise</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
</tbody>
</table>

**LEGEND:** NI = No Impact; LS = Less Than Significant; PS = Potentially Significant
### TABLE 1-1
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<th>Mitigation Measures</th>
<th>Significance After Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>d) Temporary or Periodic Increase in Ambient Noise</td>
<td>PS</td>
<td>NOISE-3: Temporary noise impacts resulting from project construction shall be minimized by restricting hours of operation by noise-generating equipment to 7:00 a.m. to 10:00 p.m. Monday through Friday, and to 7:00 a.m. to 6:00 p.m. on Saturday and Sunday when such equipment is to be used near noise-sensitive land uses, and by requiring residential type mufflers where applicable.</td>
<td>LS</td>
</tr>
<tr>
<td>e, f) Public Airport and Private Airstrip Operations</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
</tbody>
</table>

#### 3.14 POPULATION AND HOUSING

<table>
<thead>
<tr>
<th>Impact</th>
<th>Significance</th>
<th>Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Population Growth Inducement</td>
<td>LS</td>
<td>None required</td>
</tr>
<tr>
<td>b, c) Displacement of Housing or People</td>
<td>NI</td>
<td>None required</td>
</tr>
</tbody>
</table>

#### 3.15 PUBLIC SERVICES

<table>
<thead>
<tr>
<th>Impact</th>
<th>Significance</th>
<th>Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Fire Protection</td>
<td>LS</td>
<td>None required</td>
</tr>
<tr>
<td>b) Police Protection</td>
<td>PS</td>
<td>SERV-1: The ODS shall coordinate with the Stockton Police Department as required during City review of site improvement and building plans to establish adequate security and visibility of the construction site.</td>
</tr>
<tr>
<td>c) Schools</td>
<td>NI</td>
<td>None required</td>
</tr>
<tr>
<td>d, e) Parks and Other Public Facilities</td>
<td>LS/NI</td>
<td>None required</td>
</tr>
</tbody>
</table>

#### 3.16 RECREATION

<table>
<thead>
<tr>
<th>Impact</th>
<th>Significance</th>
<th>Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>a, b) Recreational Facilities</td>
<td>LS</td>
<td>None required</td>
</tr>
</tbody>
</table>

#### 3.17 TRANSPORTATION/TRAFFIC

<table>
<thead>
<tr>
<th>Impact</th>
<th>Significance</th>
<th>Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Consistency with Applicable Plans, Ordinances and Policies</td>
<td>LS</td>
<td>None required</td>
</tr>
<tr>
<td>b) Conflict with Congestion Management Program</td>
<td>LS</td>
<td>None required</td>
</tr>
<tr>
<td>c) Air Traffic Patterns</td>
<td>NI</td>
<td>None required</td>
</tr>
</tbody>
</table>

**Legend:** NI = No Impact; LS = Less Than Significant; PS = Potentially Significant
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<th>Significance After Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>d) Traffic Hazards</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>e) Emergency Access</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>f) Conflict with Non-vehicular Transportation Plans</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
</tbody>
</table>

3.18 TRIBAL CULTURAL RESOURCES

a, b) Tribal Cultural Resources

<table>
<thead>
<tr>
<th></th>
<th>PS</th>
<th>TCR-1: Mitigation Measures CULT-1 and CULT-1 shall also be implemented to address potentially significant effects relating to Tribal Cultural Resources.</th>
</tr>
</thead>
</table>

TCR-2: If potential Tribal Cultural Resources are discovered during construction activities, work shall immediately cease within 100 feet of the find, and the ODS shall: (a) notify the City of Stockton and United Auburn Indian Community; and (b) retain a qualified cultural resources specialist to assess the significance of the find. If the discovery concerns human remains, Mitigation Measure CULT-2 shall apply

TCR-3: The assessment required by Mitigation Measure TCR-2 shall include full participation by the United Auburn Indian Community including, but not limited to, the tribe’s ability to observe and participate in all on-site data-gathering activities.

TCR-4: If the City of Stockton determines that a Tribal Cultural Resources are present and that the project would result a substantial adverse change to them, it shall consult the United Auburn Indian Community on appropriate mitigation measures. Said consultation shall include, but not be limited, consideration of those mitigation measures listed at CEQA §21084.3. The ODS shall, in turn, implement those measures to the satisfaction of the City of Stockton.
<table>
<thead>
<tr>
<th>Potential Impact</th>
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<th>Mitigation Measures</th>
<th>Significance After Mitigation Measures</th>
</tr>
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<tbody>
<tr>
<td><strong>3.19 UTILITIES AND SERVICE SYSTEMS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a, e) Wastewater Systems</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>b, d) Water Systems and Supply</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>c) Stormwater Systems</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>f, g) Solid Waste Services</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td><strong>3.20 WILDFIRE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Emergency Response and Emergency Evacuation Plans</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>b) Exposure of Project Occupants to Pollutants</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>c) Installation and Maintenance of Infrastructure</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>d) Risks from Runoff, Post-Fire Slope Instability, or Drainage Changes</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td><strong>3.21 MANDATORY FINDINGS OF SIGNIFICANCE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Findings on Biological and Cultural Resources</td>
<td>PS</td>
<td>Implement mitigation measures in Sections 3.4 and 3.5 above.</td>
<td>LS</td>
</tr>
<tr>
<td>b) Findings on Individually Limited but Cumulatively Considerable Impacts</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
<tr>
<td>c) Findings on Adverse Effects on Human Beings.</td>
<td>LS</td>
<td>None required</td>
<td></td>
</tr>
</tbody>
</table>
3.0 COMMENTS ON THE ENVIRONMENTAL DOCUMENT AND LEAD AGENCY RESPONSES TO COMMENTS

The City of Stockton received one comment letter regarding the Draft (IS/MND) for the Elderberry Residential Project, from the San Joaquin Council of Governments (SJCOG). The comment letter and the City’s response to the comment are shown on the following pages.

The SJCOG comment repeated information included in the Public Review Draft IS//MND and did not involve any substantive issues or concerns related to the project or its environmental impacts. As a result, no revisions to the IS/MND are required, and recirculation of the document is not necessary.
SJCOG, Inc.

355 East Weber Avenue ● Stockton, CA 95202 ● (209) 235-0400 ● FAX (209) 235-0428

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ)
ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Jenny Liaw, City of Stockton, Community Development Department
From: Laurel Boyd, SJCOG, Inc.
Date: August 9, 2019

- Local Jurisdiction Project Title: Elderberry Residential Project
Assessor Parcel Number(s): 198-210-14, -19, -21
Local Jurisdiction Project Number: GPA-18-22, REZ-18-23
Total Acres to be converted from Open Space Use: Unknown
Habitat Types to be Disturbed: Urban Habitat Land
Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Ms. Liaw:

SJCOG, Inc. has reviewed the project referral for the Elderberry Residential Project. This project consists of: a) tentative map to subdivide a 17.8 acre site into 43 residential lots and five (5) non-residential lots for an entry/private street/non-exclusive access, common open space area, community center, and existing cell tower site; b) Planned Development Permit to develop the southern 6.6 acres of the overall site (south of Villa Point Drive) into a gated senior single-family residential community with recreational center, common open space, and private street; and c) Design Review for single-story single family homes. The project is located at 10789 Lower Sacramento Road (APN 084-040-05, -07, 08).

The City of Stockton is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP); Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

This Project is subject to the SJMSCP. This can be up to a 30 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package.

http://www.sjcos.org

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey prior to any ground disturbance
- SJMSCP Incidental take Minimization Measures and mitigation requirement:

  1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
  2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
  3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
     a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
     b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
     c. Dedicate land in lieu of fees, either as conservation easements or fee title; or
     d. Purchase approved mitigation bank credits.
  4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
     a. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or

COMMENT NO. 1
SJCOG, INC
b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States (pursuant to Section 404 Clean Water Act), it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas (pursuant to Section 404 and 401 of the Clean Water Act respectively) and permits would be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0600.
S J C O G, Inc.
San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

555 East Weber Avenue ● Stockton, CA 95202 ● (209) 235-0600 ● FAX (209) 235-0438

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Other:

FROM: Laurel Boyd, SJCOG, Inc.

DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE __________ FOR THIS PROJECT

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:

   1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
   2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
   3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
      a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
      b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
      c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
      d. Purchase approved mitigation bank credits.
   4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
      a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
      b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
      c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: Elderberry Residential Project
Assessor Parcel #: 084-040-05_07_08
T _____, R _____, Section(s): _____

Local Jurisdiction Contact: Jenny Law

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.
CITY OF STOCKTON RESPONSE TO LETTER #1

SAN JOAQUIN COUNCIL OF GOVERNMENTS

The SJCOG comments that the project will be subject to the San Joaquin County Multi-Species Open Space and Conservation Plan (SJMSCP) and provides recommendations for participation in the Plan. The comment restates information provided in the City’s IS/MND, the IS/MND notes in Section 3.4 that participation in the Plan is, like most new development in The City of Stockton is required as a condition of development approval. No further response to this comment is necessary.
4.0 ERRATA

This section would ordinarily contain corrections and additions to the Public Review Draft IS/MND of July 12, 2019 that may have been identified by City staff or that are needed to respond to public and agency comments on the Draft IS/MND. However, as described in Section 3.0, no substantive public or agency comments were received, and no staff revisions to the IS/MND have been identified. Therefore, no revisions to the IS/MND are needed.
APPENDIX A
PUBLIC REVIEW MATERIAL
CITY OF STOCKTON
PUBLIC NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION/PUBLIC MEETING

(Pursuant to Public Resources Code Sections 21092 and 21092.3 and Cal. Code of Regulations Title 14, Sections 15072, 15073 and 15087)

The City of Stockton Community Development Department has completed, independently reviewed, and analyzed the following Initial Study/Proposed Mitigated Negative Declaration:

1. THE INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION FOR THE UNIVERSITY OF THE PACIFIC STUDENT HOUSING USE PERMIT PROJECT (P15-343) An Initial Study/Proposed Mitigated Negative Declaration for property located on the south side of Brookside Road, approximately 500 feet east of Pershing Avenue, for a Use Permit to allow the construction of a 381-bed (142-unit) student housing project in two four-story buildings on the approximately 4.1-acre project site.

A copy of the Initial Study/Proposed Mitigated Negative Declaration may be reviewed and/or obtained at the following address http://www.stocktongov.com/planningengineering:

Community Development Department
Planning Division
345 North El Dorado Street
Stockton, CA 95202

Any written comments on this document must be received at this same address no later than October 27, 2015 by 4:30 p.m. Further information may be obtained by contacting the City Planning Division at (209) 937-8266.

The Planning Commission will consider the Proposed Mitigated Negative Declaration/Initial Study at their meeting of November 12, 2015 at 6:00 p.m. in the Council Chambers, second floor, City Hall, 425 North El Dorado Street. Anyone wishing to be heard on the issue may appear before the City Planning Commission at the time of the public meeting.

All proceedings before the City Planning Commission are conducted in English. The City of Stockton does not furnish interpreters and if one is needed, it shall be the responsibility of the person needing one.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public meeting.

DAVID KWONG, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT

AFFIDAVIT OF FILING AND POSTING
I declare that on the date stamped above, I received and posted this notice as required by California Public Resources Code Section 21092.3. Said notice will remain posted for 30 days from the filing date.

Signature

Posting Period Ending Date: 11/10/15
CITY OF STOCKTON
PUBLIC NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION/PUBLIC MEETING
(Pursuant to Public Resources Code Sections 21092 and 21092.3 and
Cal. Code of Regulations Title 14, Sections 15072, 15073 and 15087)

The City of Stockton Community Development Department has completed, independently reviewed, and
analyzed the following Proposed Mitigated Negative Declaration/Initial Study:

1. THE INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION FOR THE
UNIVERSITY OF THE PACIFIC STUDENT HOUSING USE PERMIT PROJECT (P15-343)
An Initial Study/Proposed Mitigated Negative Declaration for property located on the south
side of Brookside, approximately 500 feet east of Pershing Avenue, for a Use Permit to
allow the construction of a 381-bed (142-unit) student housing project in two four-story
buildings on the approximately 4.1-acre project site.

A copy of the Proposed Negative Declaration/Initial Study may be reviewed and/or obtained at the following
address http://www.stocktongov.com/planningengineering:

Community Development Department
Planning Division
345 North El Dorado Street
Stockton, CA 95202

Any written comments on this document must be received at this same address no later than
October 27, 2015 by 4:30 p.m. Further information may be obtained by contacting the City Planning
Division at (209) 937-8266.

The Planning Commission will consider the Proposed Negative Declaration or Mitigated Negative
Declaration/Expanded Initial Study at their meeting of November 12, 2015 at 6:00 p.m in the Council
Chambers, second floor, City Hall, 425 North El Dorado Street. Anyone wishing to be heard on the issue may
appear before the City Planning Commission at the time of the public meeting.

All proceedings before the City Planning Commission are conducted in English. The City of Stockton does
not furnish interpreters and if one is needed, it shall be the responsibility of the person needing one.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone
else raised at the public hearing described in this notice, or in written correspondence delivered to the
Planning Commission, at, or prior to, the public meeting.

DAVID KWONG, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF STOCKTON
ENVIRONMENTAL DOCUMENT TRANSMITTAL LETTER

October 6, 2015

TO: (See Attached List) FROM: Lead Agency
City of Stockton
c/o Community Development Dept.
Planning Division
345 North El Dorado Street
Stockton, CA 95202

SUBJECT: PUBLIC REVIEW OF THE INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION FOR THE UNIVERSITY OF THE PACIFIC STUDENT HOUSING USE PERMIT PROJECT (P15-343)

An Initial Study/Proposed Mitigated Negative Declaration, for property located on the south side of Brookside Road, approximately 500 feet east of Pershing Avenue, for a Use Permit to allow the construction of a 381-bed (142-unit) student housing project in one four-story building on the approximately 4.1-acre project site.

Enclosed is a copy of the Public Notice of Intent to Adopt (NOI) for the above-named environmental document. A copy of the environmental document, with applicable attachments, is also being transmitted to each "Responsible", "Trustee", and other public agencies included on the attached list, as applicable.

The remaining agencies, organizations, and individuals on the attached list are receiving only this transmittal letter and the NOI. Public agencies may obtain a free copy of the above-named environmental document at the above-noted Lead Agency address. Private individuals, organizations, and corporations may purchase a copy of the environmental document for a fee of $15.00. If mailing is requested, please remit an additional fee of $5.00 for postage and handling. Checks should be made payable to the City of Stockton and any written orders must identify the project title and document identification number, as noted above.

Any written comments regarding the above-named environmental document must be received at the Lead Agency address no later than October 27, 2015 by 4:30 p.m. If no comments are received by the date indicated, it will be assumed that the document is acceptable. Further information may be obtained by contacting Planning Manager Richard Larrouy of the Community Development Department, Planning Division at (209) 937-8266.

DAVID KWONG, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT

By: Richard Larrouy
Planning Manager Richard Larrouy

Date: October 6, 2015

Enclosures

DK:RL
Cesar Chavez Library
Attn: Reference Dept.

City Attorney
Attn: Lori Asuncion
City Hall

Community Dev. Dept.
Building Division
CDD

Community Dev. Dept.
Engineering Services: McDowell
CDD

Municipal Utilities Dept.
Ann Okubo
City Hall

Municipal Utilities Dept.
John Wotila

Planning Commission (10)
*** HOLD FOR LATER DISTRIBUTION ***

Police Dept
Attn: Erin Mettler
City Hall

Public Works
Eric Alvarez

North Valley Yokut Tribe
Katherine Perez
P.O. Box 717
Linden, CA 95236

The Record
P.O. Box 889
Stockton, CA 95201

San Joaquin Regional Transit District (SJRTD)
Planning Division
P.O. Box 201010
Stockton, CA 95201

Planning Department
1810 E. Hazelton Ave.
Stockton, CA 95205

Public Health Services, Attn. Bill Mitchell
Environmental Health Division
1601 E. Hazelton Ave.
Stockton, CA 95205
UOP UP Housing Project P15-343

SJCO Enwf NOA ✓ NOI ✓ NOP □ Tech □
San Joaquin County Assessor
24 South Hunter Street, Room 303
Stockton, CA 95202

SJCO Enwf NOA ✓ NOI ✓ NOP □ Tech □
Sheriff’s Department
7000 Michael Canlis Blvd.
French Camp, CA 95231

SJCO Enwf NOA ✓ NOI ✓ NOP □ Tech □
Tax Collector
500 E. Main Street
Stockton, CA 95202

SPECIAL Enwf NOA ✓ NOI ✓ NOP □ Tech □
San Joaquin Valley Air Pollution Control District
CEQA ISR
1990 E. Gettysburg Ave.
Fresno, CA 93726

STATE Enwf NOA ✓ NOI ✓ NOP □ Tech □
Caltrans
District 10
P O Box 2048
Stockton, CA 95201

UTILITY Enwf NOA ✓ NOI ✓ NOP □ Tech □
Comcast
6505 Tam O’Shanter Drive
Stockton, CA 95210

UTILITY Enwf NOA ✓ NOI ✓ NOP □ Tech □
PG&E-Stockton Division
Land Department
4040 West Lane
Stockton, CA 95204
NOTICE IS HEREBY GIVEN, in compliance with California Environmental Quality Act (CEQA) §15072, to responsible agencies, trustee agencies, interest groups and the general public that the City of Stockton proposes to adopt a Mitigated Negative Declaration for the Elderberry Residential project. (Application No. P18-0146). The Initial Study prepared for the project identifies potentially significant environmental effects under the topics of biological resources, cultural resources, geology and soils, noise, public services, and tribal cultural resources. However, all potentially significant environmental effects may be reduced below applicable thresholds of significance through mitigation measures. The Initial Study/Mitigated Negative Declaration (IS/MND) is available for review at the Permit Center, 345 N. El Dorado Street, Stockton, CA 95202 or http://www.stocktonca.gov/environmental.

PROJECT DESCRIPTION: The project proposes: a) tentative map to subdivide a 17.8-acre site into 43 residential lots and five (5) non-residential lots for an entry/private street/non-exclusive access, common open space area, community center, and existing cell tower site; b) Planned Development Permit to develop the southern 6.6 acres of the overall site (south of Villa Point Drive) into a gated senior single-family residential community with recreational center, common open space, and private street; and c) Design Review for single-story single-family homes.

PROJECT LOCATION: The project is located at 10789 Lower Sacramento Road (APN 084-040-05, 07, and 08).

CEQA DOCUMENT REVIEW PERIOD: Pursuant to CEQA Guidelines §15073 and 15105, the IS/MND public review period during which written comments will be accepted extends from July 12, 2019 through July 31, 2019.

PLANNING COMMISSION MEETING DATE/TIME: To be determined.

MEETING LOCATION: City Council Chambers, City Hall, 425 N. El Dorado Street, Stockton, CA

FOR MORE INFORMATION: You may contact Jenny Liaw, Senior Planner at (209) 937-8316 or jenny.liaw@stocktonca.gov.
ELDERBERRY RESIDENTIAL PROJECT MAP TO SUBDIVIDE A 17.8 ACRE SITE INTO 43 LOTS

PROJECT APPLICANT NAME
CITY OF STOCKTON

PROJECT APPLICANT ADDRESS
425 NORTH EL DORADO ST
CITY STOCKTON
STATE CA
ZIP CODE 95202

CHECK APPLICABLE FEES:
- Environmental Impact Report (EIR) $3,271.00
- Mitigated/Negative Declaration (MND)/(ND) $2,354.75
- Certified Regulatory Program (CRP) document - payment due directly to CDFW $1,112.00

PAYMENT METHOD:
- Cash
- Credit
- Check
- Other

TOTAL RECEIVED $0.00

SIGNATURE
Kelley McHugh, Deputy

AGENCY OF FILING PRINTED NAME AND TITLE

RECEIPT NUMBER:
39-07112019-215

STATE CLEARINGHOUSE NUMBER (If applicable)
39-07112019-215
CITY OF STOCKTON
NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION / PUBLIC MEETING

ELDERBERRY RESIDENTIAL PROJECT

NOTICE IS HEREBY GIVEN, in compliance with California Environmental Quality Act (CEQA) §15072, to responsible agencies, trustee agencies, interest groups and the general public that the City of Stockton proposes to adopt a Mitigated Negative Declaration for the Elderberry Residential project. (Application No. P18-0146). The Initial Study prepared for the project identifies potentially significant environmental effects under the topics of biological resources, cultural resources, geology and soils, noise, public services, and tribal cultural resources. However, all potentially significant environmental effects may be reduced below applicable thresholds of significance through mitigation measures. The Initial Study/Mitigated Negative Declaration (IS/MND) is available for review at the Permit Center, 345 N. El Dorado Street, Stockton, CA 95202 or http://www.stocktonca.gov/environmental.

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PLANNING COMMISSION MEETING DATE/TIME: To be determined.

MEETING LOCATION: City Council Chambers, City Hall, 425 N. El Dorado Street, Stockton, CA

FOR MORE INFORMATION: You may contact Jenny Liaw, Senior Planner at (209) 937-8316 or jenny.liaw@stocktonca.gov.