NOTICE OF PREPARATION

TO:       State Clearinghouse
State Responsible Agencies
State Trustee Agencies
Other Public Agencies
Interested Organizations

FROM: Nicole D. Moore, LEED AP – Senior Planner
City of Stockton
345 N. El Dorado Street
Stockton, CA 95202
(209) 937-8561
Nicole.Moore@stocktonca.gov

SUBJECT: Notice of Preparation – South Stockton Commerce Center Project

EIR CONSULTANT
Steve McMurtry, Principal Planner
De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
Phone: (916) 580-9818

An Initial Study has been prepared for the proposed project and is attached to this Notice of Preparation (NOP). The Initial Study lists those issues that will require detailed analysis and technical studies that will need to be evaluated and/or prepared as part of the Environmental Impact Report (EIR). The EIR will consider potential environmental effects of the proposed project to determine the level of significance of the environmental effect, and will analyze these potential effects to the detail necessary to make a determination on the level of significance.

Those environmental issues that have been determined to be less than significant will have a discussion that is limited to a brief explanation of why those effects are not considered potentially significant. In addition, the EIR may also consider those environmental issues which are raised by responsible agencies, trustee agencies, and members of the public or related agencies during the NOP process.

We need to know the views of your agency or organization as to the scope and content of the environmental information germane to your agency’s statutory responsibilities or of interest to your organization in connection with the proposed project. Specifically, we are requesting the following:

1. If you are a public agency, state whether your agency will be a responsible or trustee agency for the proposed project and list the permits or approvals from your agency that will be required for the project and its future actions;
2. Identify significant environmental effects and mitigation measures that you believe need to be explored in the EIR with supporting discussion of why you believe these effects may be significant;
3. Describe special studies and other information that you believe are necessary for the City of Stockton to analyze the significant environmental effects, alternatives, and mitigation measures you have identified;

4. For public agencies that provide infrastructure and public services, identify any facilities that must be provided (both on- and off-site) to provide services to the proposed project;

5. Indicate whether a member(s) from your agency would like to attend a scoping workshop/meeting for public agencies to discuss the scope and content of the EIR's environmental information; and

6. Provide the name, title, and telephone number of the contact person from your agency or organization that we can contact regarding your comments.

Due to the time limits mandated by State law, your response must be sent and received by the City of Stockton by the following deadlines:

- For responsible agencies, not later than 30 days after you receive this notice.
- For all other agencies and organizations, not later than 30 days following the publication of this Notice of Preparation. The 30-day review period begins September 30, 2020 and ends on October 30, 2020.

If we do not receive a response from your agency or organization, we will presume that your agency or organization has no response to make.

A responsible agency, trustee agency, or other public agency may request a meeting with the City of Stockton or its representatives in accordance with Section 15082(c) of the CEQA Guidelines. A public scoping meeting and neighborhood meeting will be held during the public review period as follows:

1. Virtual Scoping and Neighborhood Meeting: To obtain the call-in and access information please RFVP with Nicole Moore, Senior Planner at Nicole.Moore@stocktonca.gov.
Figure 1. Regional Location Map

LEGEND

- Project Location
- County Boundary
- City Area

Sources: CalAtlas; California County GIS Departments. Map date: July 20, 2020.
Figure 2. Vicinity Map

LEGEND

- Project Location
- City Limits
- Stockton
- Lathrop
- Manteca

Public Facilities
- Park
- Schools
- San Joaquin General Hospital

Stockton Metropolitan Airport
- Runway
- Primary Surface

Sources: San Joaquin County GIS. Map date: July 20, 2020.
Figure 3. Assessor's Parcel Map

Source: San Joaquin County GIS. Map date: July 20, 2020.
Figure 4. Aerial View of Project Site

LEGEND

Project Boundary

Sources: San Joaquin County GIS; ArcGIS Online World Imagery Map Service. Map date: July 20, 2020.
Figure 5. Existing General Plan Land Use

LEGEND
- Project Boundary
- Stockton Sphere of Influence
- Stockton City Limits
- Assessor Parcel

City of Stockton General Plan Land Use
- C - Commercial
- I - Industrial
- IN - Institutional
- OS/A - Open Space/Agriculture
- PR - Parks and Recreation

Sources: San Joaquin County GIS; City of Stockton GIS. Map date: July 20, 2020.
Figure 5. Existing Zoning Districts

Zoning Districts:
- RL - Residential Low
- RM - Residential Medium
- RH - Residential High
- IL - Industrial Limited
- CG - Commercial General
- OS - Open Space

LEGEND
- Project Boundary
- Stockton City Limits
- Assessor Parcel

Sources: San Joaquin County GIS; City of Stockton GIS. Map date: July 20, 2020.
Figure 7. Proposed Tentative Map

Figure 8. Proposed General Plan Land Use

SOUTH STOCKTON COMMERCE CENTER

LEGEND

- Project Boundary
- Stockton Sphere of Influence
- Stockton City Limits
- Assessor Parcel

City of Stockton General Plan Land Use

- C - Commercial
- I - Industrial
- IN - Institutional
- OS/A - Open Space/Agriculture
- PR - Parks and Recreation

Sources: San Joaquin County GIS; City of Stockton GIS. Map date: July 20, 2020.
Figure 9. Proposed Zoning Districts

Sources: San Joaquin County GIS; City of Stockton GIS. Map date: July 20, 2020.

Zoning Districts:
- RL - Residential Low
- RM - Residential Medium
- RH - Residential High
- IL - Industrial Limited
- CG - Commercial General
- PF - Public Facility
- OS - Open Space
November 17, 2020

Nicole Moore
Acting Planning Manager
City of Stockton
345 North El Dorado Street
Stockton, California 95202
Submitted via email: nicole.moore@stocktonca.gov

Dear Nicole Moore:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Notice of Preparation (NOP) for the South Stockton Commerce Center Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2020090561. The Project proposes the development of a maximum of 140,350 square feet of commercial uses and 6,091,551 square feet of industrial uses on a 437.45-acre site. The proposed Project is within the City of Stockton (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

Freight facilities, like the one proposed in the Project, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.¹ CARB has reviewed the NOP and is concerned about the air pollution and health risk impacts that would result should the City approve the Project.

I. The Project Would Increase Exposure to Air Pollution in Disadvantaged Communities

The Project, if approved, will expose nearby communities to elevated levels of air pollution. Residences are located south and west of the Project site, with the closest residences situated approximately 930 feet from the Project’s western boundary. In addition to residences, the Venture Academy Family of Schools is located within 2 miles of the Project. The communities near the Project are exposed to existing toxic diesel particulate matter (diesel PM) emissions from aircraft operations at the Stockton Metropolitan Airport and vehicular traffic along Interstate 5 (I-5) and State Route 99 (SR-99). Due to the Project’s proximity to residences and a school already burdened by multiple sources of air pollution, CARB is concerned with the potential cumulative health impacts associated with the construction and operation of the Project.

¹ With regard to greenhouse gas emissions from this project, CARB has been clear that local governments and project proponents have a responsibility to properly mitigate these impacts. CARB’s guidance, set out in detail in the Scoping Plan issued in 2017, makes clear that in CARB’s expert view, local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.
The State of California has placed additional emphasis on protecting local communities from the harmful effects of air pollution through the passage of Assembly Bill 617 (AB 617) (Garcia, Chapter 136, Statutes of 2017). AB 617 is a significant piece of air quality legislation that highlights the need for further emission reductions in communities with high exposure burdens, like those in which the Project is located. Diesel PM emissions generated during the construction and operation of the Project would negatively impact nearby communities, which are already disproportionately impacted by air pollution from aircraft operations at the Stockton Metropolitan Airport and vehicular traffic along I-5 and SR-99.

Through its authority under Health and Safety Code section 39711, the California Environmental Protection Agency (CalEPA) is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)). In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25 percent of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 3.0 (CalEnviroScreen). CalEnviroScreen uses a screening methodology to help identify California communities currently disproportionately burdened by multiple sources of pollution. The census tract containing the Project is within the top 5 percent for Pollution Burden\(^2\) and is considered a disadvantaged community; therefore, CARB urges the City to ensure that the Project does not adversely impact neighboring disadvantaged communities.

**II. The DEIR Should Quantify and Discuss the Potential Cancer Risks from On-site Transport Refrigeration Units**

Since the NOP states the proposed industrial uses could be used for cold storage, it is likely that trucks and trailers visiting the Project site would be equipped with transport refrigeration units (TRU).\(^3\) TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within the Project site. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near where these TRUs could be operating, would be exposed to diesel exhaust emissions that would result in a significant cancer risk.

CARB urges the City to model air pollutant emissions from on-site TRUs in the DEIR, as well as include potential cancer risks from on-site TRUs in the Project’s health risk assessment (HRA). The HRA prepared for the Project should account for all potential health risks from Project-related diesel PM emission sources such as backup

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\(^2\) Pollution Burden represents the potential exposure to pollutants and the adverse environmental conditions caused by pollution.

\(^3\) TRUs are refrigeration systems powered by integral diesel engines that protect perishable goods during transport in an insulated truck and trailer vans, rail cars, and domestic shipping containers.
generators, TRUs, and heavy-duty truck traffic, and include all the air pollutant reduction measures listed in Attachment A of this comment letter.

In addition to the health risks associated with operational emissions, health risks associated with construction emissions should also be included in the air quality section of the DEIR and the Project’s HRA. Construction of the Project would result in short-term diesel emissions from the use of both on-road and off-road diesel equipment. The Office of Environmental Health Hazard Assessment’s (OEHHA) guidance (2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments)\(^4\) recommends assessing cancer risks for construction projects lasting longer than two months. Since construction would very likely occur over a period lasting longer than two months, the HRA prepared for the Project should include health risks for existing residences near the Project site during construction.

The HRA prepared in support of the Project should be based on the latest OEHHA guidance. The HRA should evaluate and present the existing baseline (current conditions), future baseline (full build-out year, without the Project), and future year with the Project. The health risks modeled under both the existing and the future baselines should reflect all applicable federal, state, and local rules and regulations. By evaluating health risks using both baselines, the public and City planners will have a complete understanding of the potential health impacts that would result from the Project.

### III. Conclusion

To reduce the exposure of toxic diesel PM emissions in disadvantaged communities already disproportionally impacted by air pollution, the final design of the Project should include all existing and emerging zero-emission technologies to minimize diesel PM and oxides of nitrogen (NO\(_x\)) emissions, as well as the greenhouse gases that contribute to climate change. CARB encourages the City and applicant to implement the measures listed in Attachment A of this comment letter to reduce the Project’s construction and operational air pollution emissions.

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts, coupled with CARB’s limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB’s deliberate decision to substantively comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency’s findings and conclusions on any issues on which CARB does not substantively submit comments.

CARB appreciates the opportunity to comment on the NOP for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. Please include CARB on your State Clearinghouse list of selected State agencies that will receive the DEIR as part of the comment period. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist, via email at stanley.armstrong@arb.ca.gov.

Sincerely,

Richard Boyd
Assistant Division Chief
Transportation and Toxics Division

Attachment

cc: See next page.
cc: State Clearinghouse
    state.clearinghouse@opr.ca.gov

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ATTACHMENT A

Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers

The California Air Resources Board (CARB) recommends developers and government planners use all existing and emerging zero to near-zero emission technologies during project construction and operation to minimize public exposure to air pollution. Below are some measures, currently recommended by CARB, specific to warehouse and distribution center projects. These recommendations are subject to change as new zero-emission technologies become available.

Recommended Construction Measures

1. Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools.

2. Implement, and plan accordingly for, the necessary infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating on site. Necessary infrastructure may include the physical (e.g., needed footprint), energy, and fueling infrastructure for construction equipment, on-site vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.

3. In construction contracts, include language that requires all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits, such that, emission reductions achieved equal or exceed that of a Tier 4 engine.

4. In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during project construction be battery powered.

5. In construction contracts, include language that requires all heavy-duty trucks entering the construction site, during the grading and building construction phases be model year 2014 or later. All heavy-duty haul trucks should also meet CARB’s lowest optional low-oxides of nitrogen (NOx) standard starting in the year 2022.¹

¹ In 2013, CARB adopted optional low-NOx emission standards for on-road heavy-duty engines. CARB encourages engine manufacturers to introduce new technologies to reduce NOx emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model-year 2010 and later. CARB’s optional low-NOx emission standard is available at: https://www.arb.ca.gov/msprog/onroad/optionnox/optionnox.htm.
6. In construction contracts, include language that requires all construction equipment and fleets to be in compliance with all current air quality regulations. CARB is available to assist in implementing this recommendation.

**Recommended Operation Measures**

1. Include contractual language in tenant lease agreements that requires tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating on site.

2. Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with transport refrigeration units (TRU) or auxiliary power units. This requirement will substantially decrease the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate at the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged and can also be included in lease agreements.²

3. Include contractual language in tenant lease agreements that requires all TRUs entering the project site be plug-in capable.

4. Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.

5. Include contractual language in tenant lease agreements requiring all TRUs, trucks, and cars entering the project site be zero-emission.

6. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be zero-emission. This equipment is widely available.

7. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero-emission beginning in 2030.

² CARB’s technology assessment for transport refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at: https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf.
8. Include contractual language in tenant lease agreements that requires the tenant be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB’s Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,\(^3\) Periodic Smoke Inspection Program (PSIP),\(^4\) and the Statewide Truck and Bus Regulation.\(^5\)

9. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than five minutes while on site.

10. Include contractual language in tenant lease agreements that limits on-site TRU diesel engine runtime to no longer than 15 minutes. If no cold storage operations are planned, include contractual language and permit conditions that prohibit cold storage operations unless a health risk assessment is conducted, and the health impacts fully mitigated.

11. Include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.

12. Including language in tenant lease agreements, requiring the installing of vegetative walls\(^6\) or other effective barriers that separate loading docks and people living or working nearby.

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3. In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. CARB’s Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at: https://www.arb.ca.gov/cc/hdghg/hdghg.htm.

4. The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB’s PSIP program is available at: https://www.arb.ca.gov/enf/hdvip/hdvip.htm.

5. The regulation requires that newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model-year engines or equivalent. CARB’s Statewide Truck and Bus Regulation is available at: https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.

October 22, 2020

Nicole D. Moore
City of Stockton
345 N. El Dorado Street
Stockton, CA 95202

Dear Ms. Moore:

The California Department of Transportation appreciates the opportunity to review the Initial Study and Notice of Preparation of an Environmental Impact Report proposed South Stockton Commerce Center. The project includes 298 acres of industrial use, 11 acres of commercial use, 54 acres of open space, 41 acres of public facilities, and 19 acres of roadway right-of-way. The project site is located west of the 99 Frontage Road, east of Airport Way, and south of the Stockton Airport. The Department has the following comments:

1. The project will require a complete Transportation Impact Study to determine the proposed project’s near-term and long-term impacts to State highway facilities. This study must be submitted to Caltrans for review and comment prior to project approval. The study must include the following.

   a. A project description that includes a description and build years of each phase (if phasing) of the project improvements and ultimate buildout improvement.

   b. Trip generation for each zoning district shown on page 27 of the EIR.

   c. Highway Capacity Software (HCS) version 7 merge and diverge analysis and intersection operation analysis using Synchro/Simtraffic version 10 for the following interchanges ramps intersections.

   ▪ SR 99/Arch Road interchange
   ▪ SR 99/French Camp interchange
   ▪ I-5/Arch Airport Road interchange
   ▪ I-5/Roth Road interchange

   d. Provide Synchro/Simtraffic version 10 electronic files and hard copy of complete report of the TIS to include the following analysis scenarios. The years of each scenario should be specified

      ▪ Existing Conditions
      ▪ Project Only
      ▪ Existing Conditions plus Project
- Cumulative Conditions (Existing Conditions plus Other Approval and Pending Project without this project)
- Cumulative Conditions with this project

e. Provide figures to show traffic volumes for AM and PM Peak Hours for each of the scenarios listed in Comment 1d.
f. The LOS, control delays and 95th Percentile queue length should be based on Simtraffic 5 runs, four 15-minute intervals with 10-minute seeding period.

2. SB 743 is changing CEQA analysis of transportation impacts. It requires local land use projects to provide safe transportation systems, reduce per capita vehicle miles traveled (VMT), increase accessibility by mode share of bicycle, pedestrian, and transit travel, and reduce GHG emissions. VMT reduction is necessary to meet the statewide greenhouse gas (GHG) goals. Caltrans recommends VMT per capita thresholds that are 15% below existing regional VMT per capita.

3. The City should work with Caltrans Travel Forecasting Branch to provide updated traffic forecasting volumes for each phase (if phasing) of the project and ultimate buildout.

4. STAA Truck off-tracking analysis will be required at all interchanges, intersections, and ramps mentioned above. The analysis must show that off-tracking does not encroach onto opposing lanes, will not kink within the turning paths and allow 2 ft lateral clearance provided between the truck wheel paths and edge of pavement, dikes, or curbs.

5. This project requires the needed improvements to the highway and acquiring the appropriate STAA Terminal Access approvals. Terminal Access application procedures can be found at the following link: [http://www.dot.ca.gov/trafficops/trucks/ta-process.html](http://www.dot.ca.gov/trafficops/trucks/ta-process.html)

6. Caltrans encourages employees to use alternate modes of transportation such as buses, bicycles, and carpools to reach the property. Caltrans also encourages the inclusion of bicycle racks on the property and bus stops nearby.

7. A hydrology and hydraulic report is necessary to determine if grading would divert drainage from this proposed project and cause an increase in runoff to existing State facilities. The report will be required to include hydraulic calculations for both existing and proposed conditions, using 25-year storm events at the project site location. The calculations must identify the affected drainage inlets, the amount of flow being intercepted and spread width calculations. Many areas of the state right of way will not allow any additional drainage to be added to the existing flows. Please submit this report to Caltrans for review and comment prior to project approval.
If you have any questions or would like to discuss our comments in more detail, please contact Nicholas Fung at (209) 948-7190 or myself at (209) 941-1921.

Sincerely,

TOM DUMAS, CHIEF
OFFICE OF METROPOLITAN PLANNING
September 30, 2020

Nicole Moore
City of Stockton
345 N. El Dorado Street
Stockton, CA 95202

Re: 2020090561, South Stockton Commerce Center Project, San Joaquin County

Dear Ms. Moore:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, §15064.5 (b) [CEQA Guidelines §15064.5 (b)].) If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) [CEQA Guidelines §15064 (a)(1)].)

In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, “tribal cultural resources” (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2.) Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a).) AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015. If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, or on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). Both SB 18 and AB 52 have tribal consultation requirements. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC’s recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.
AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:**
   Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
   a. A brief description of the project.
   b. The lead agency contact information.
   c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (a)).
   d. A “California Native American tribe” is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).

2. **Begin Consultation Within 30 Days of Receiving a Tribe’s Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:**
   A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subsds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code § 21080.3.1(b)).
   a. For purposes of AB 52, “consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).

3. **Mandatory Topics of Consultation if Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
   a. Alternatives to the project.
   b. Recommended mitigation measures.
   c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).

4. **Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
   a. Type of environmental review necessary.
   b. Significance of the tribal cultural resources.
   c. Significance of the project’s impacts on tribal cultural resources.
   d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).

5. **Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code § 6254 (r) and § 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).

6. **Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency’s environmental document shall discuss both of the following:
   a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
   b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code § 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
7. **Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
   a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
   b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. **Recommend Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. **Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. **Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
    a. Avoidance and preservation of the resources in place, including, but not limited to:
       i. Planning and construction to avoid the resources and protect the cultural and natural context.
       ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
    b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
       i. Protecting the cultural character and integrity of the resource.
       ii. Protecting the traditional use of the resource.
       iii. Protecting the confidentiality of the resource.
    c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
    d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
    e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
    f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. **Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
    a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
    b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
    c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC’s PowerPoint presentation titled, “Tribal Consultation Under AB 52: Requirements and Best Practices” may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPA.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPA.pdf)
SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor’s Office of Planning and Research’s “Tribal Consultation Guidelines,” which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18’s provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a “Tribal Consultation List.” If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe. (Gov. Code § 65352.3 (a)(2)).

2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.

3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code § 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code § 5097.9 and § 5097.993 that are within the city’s or county’s jurisdiction. (Gov. Code § 65352.3 (b)).

4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
   a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
   b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor’s Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and “Sacred Lands File” searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

**NAHC Recommendations for Cultural Resources Assessments**

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. **Contact the appropriate regional California Historical Research Information System (CHRIS) Center** (http://chp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
   a. If part or all of the APE has been previously surveyed for cultural resources.
   b. If any known cultural resources have already been recorded or adjacent to the APE.
   c. If the probability is low, moderate, or high that cultural resources are located in the APE.
   d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. **If an archaeological inventory survey is required,** the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
   a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
   b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
   a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
   b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
   a. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
   b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
   c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

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

Sincerely,

Nancy Gonzalez-Lopez
Cultural Resources Analyst

cc: State Clearinghouse
October 3, 2020

Community Development Department
City of Stockton
425 N. El Dorado Street
Stockton, CA 95202 - 1997

RE: AB 52 Consultation Request for the Proposed Stockton Commerce Center (Project #P20-0024), Stockton, CA

Dear Nicole D. Moore,

Northern Valley Yokuts Tribe and Nototomne Cultural Preservation received a letter from the City of Stockton dated September 24, 2020, formally notifying us of a proposed project, the Stockton Commerce Center Project (APNs #177-110-040, -050; 177-100-030; 177-050-090; and 201-020-010 Project #P20-0024), in the City of Stockton and an opportunity to consult under AB 52. This letter is a notice that Northern Valley Yokuts Tribe and Nototomne Cultural Preservation would like to initiate consultation under AB 52.

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

This letter is also a formal request to allow Northern Valley Yokuts Tribe and Nototomne Cultural Preservation tribal representatives to observe and participate in all cultural resource surveys, including initial pedestrian surveys for the project. Please send us all existing cultural resource assessments, as well as requests for, and the results of, any records searches that may have been conducted prior to our first consultation meeting. If tribal cultural resources are identified within the project area, it is our policy that tribal monitors must be present for all ground disturbing activities. Finally, please be advised that our strong preference is to preserve tribal cultural resources in place and avoid them whenever possible. Subsurface testing and data recovery must not occur without first consulting with and receiving written consent from Northern Valley Yokuts Tribe and Nototomne Cultural Preservation.

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

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

Sincerely,

[Signature]
Katherine Erolinda Perez, Chairwoman
SJCOG, Inc. has reviewed the Notice of Preparation of an Initial Study/EIR for the South Stockton Commerce Center Project. This project consists of the development of industrial type projects in multiple phases to attract business to the City of Stockton and provide for local employment opportunities. The project also provides for a seamless expansion of the existing industrial area located in southeast Stockton. The development will consist of approximately 300 acres of industrial uses (building and parking areas); 41 acres of public facilities (storm basins and pump stations); creation of approximately 54 acres of open space (park area and avoidance of French Camp Slough); and build up to a maximum of 6,091,551 square feet of employment-generating industrial uses. The project site is located west of State Route 99 Highway and north of French Camp Road, Stockton (APN: 177-110-04, -5, 177-100-03, 177-050-09, 201-020-01).

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.

It should be noted that two important federal agencies (U.S. Army Corps of Engineers and the California Regional Water Quality Control Board) have not issued permits to the SJCOG and so payment of the fee to use the SJMSCP will not modify requirements that could be imposed by these two agencies. Potential waters of the United States [pursuant to Section 404 Clean Water Act] are believed to occur on the project site. 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.
This Project is subject to the SJMSCP. Per requirements of the SJMSCP, this project must seek coverage due to required Army Corp permitting and Section 7 consultation. This project is subject to a case-by-case review. This can be a 90 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.sjcog.org](http://www.sjcog.org)

If this project is approved by the Habitat Technical Advisory Committee and the SJCOG Inc. Board, the following process must occur to participate in the SJMSCP:

- 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 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.

- Receive your Certificate of Payment and release the required permit

If you have any questions, please call (209) 235-0600.
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: NOP of an IS/EIR for the South Stockton Commerce Project
Assessor Parcel #s: 177-110-04, -05, 177-100-03, 177-050-09, 201-020-01
T ________, R_______, Section(s): ______

Local Jurisdiction Contact: Nicole Moore

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.
Re: South Stockton Commerce Center Project Notice of Preparation and Initial Study

The Delta-Sierra Group has reviewed the Initial Study for the planned industrial development located off Airport Way immediately north of the confluence with French Camp Slough and the North Fork of Little John’s Creek. French Camp Slough continues through the southwestern part of the five parcels encompassing 437.45 acres of agricultural lands.

Setting

The five parcels are summarized below to help with understanding the discussion regarding General Plan Zoning Maps vs General Plan designations and a zone change designation. The information was obtained from San Joaquin County Assessors and City of Stockton Interactive Zoning Map¹. There seems to be some discrepancies between the addresses cited in the Initial Study and City of Stockton.

¹ https://stocktonca.mapgeo.io/datasets/properties?abuttersDistance=100&latlng=37.973764%2C-121.284422&themes=%22%5B%5C%22zoning%5C%22%5D%22&zoom=12
Stockton records (shown within parentheses). Additionally, there seems to be some discrepancies related to acreage sizes as illustrated below (shown within parentheses).

**Parcel Table**

<table>
<thead>
<tr>
<th>APN</th>
<th>Address</th>
<th>Acres</th>
<th>Land value ($) SJC</th>
<th>Current SJC assessed use</th>
<th>City Zone</th>
<th>City General Plan</th>
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<tbody>
<tr>
<td>77-110-040</td>
<td>6110 S. Airport Way</td>
<td>218.29</td>
<td>4,357,515 (221.54 ac)</td>
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<td>177-100-030</td>
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<td>76.03</td>
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<td>RH (Residential, High Density)</td>
<td>Industrial</td>
</tr>
</tbody>
</table>

The conversion of this especially important agricultural land not only will have an effect on local food security, as row crops are food crops, but will significantly affect existing flood buffering, wildlife habitat, and water infiltration. The environmental analysis of the no project alternative must characterize the positive attributes which will be lost, if developed as described in the Initial Study. Removing agricultural land removes the natural climate change attenuator that soils can serve also affecting the City’s ability to reduce carbon dioxide levels in the atmosphere through carbon sequestration.

The Draft Environmental Report must include a market analysis to investigate the need for up to 6,091,551 square feet of “employment-generating” industrial uses considering recently approved similar projects under development. This maximum square footage is based on the Floor Area Ratio (FAR) of 0.47 for industrial uses including general light industrial, industrial park, warehousing, mini-warehouse, high cube transitional and short-term storage warehouse, high-cube fulfillment center warehouse, high-cube parcel hub warehouse and light-cube cold storage warehouse. There is active recruiting for existing warehouse jobs in our area which pay $15-$20/hour ($600 to $800/week) for full time work.
Agricultural Land Mitigation

All of the existing land is in active agricultural uses and should require both City of Stockton Agricultural Land Mitigation (1:1) and San Joaquin County Habitat Mitigation based on SJCOG biological study to determine mitigation level. The City of Stockton Agricultural Land Mitigation program was not referenced as part of the environmental analysis.

"Agricultural land or farmland" for the purposes of Agricultural Land Mitigation Guidelines means important farmland, as defined by the California Department of Conservation's Farmland Monitoring and Mapping Program (FMMP) and as shown on the most recent available FMMP map of San Joaquin County. Important farmland includes prime farmland, farmland of statewide significance, and unique farmland.

Agricultural Land Mitigation Impact Fee - Central Valley Farmland Trust (CVFT): Under Municipal Code section 16-355.270, the City has the authority to establish a Public Facilities Fee Program (PFF) on new development. In 2003, City Council approved resolution #2003-04-03-0105, establishing the PFF schedule. In 2007, the City agreed (through Council resolution #2007-02-07-0079) to add Agricultural Land Mitigation Fee to its Public Facilities Fee Program. The Ag. Mitigation Fee is collected for all applicable new development projects that would result from the conversion of important farmland, as defined by California Department of Conservation, into urban uses. All Ag. Mitigation fees collected pursuant to the agreement should be remitted to Central California Farmland Trust (CVFT).

Important Farmland Categories according to the State of California Department of Conservation

For environmental review purposes under CEQA, the categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land constitute 'agricultural land' (Public Resources Code Section 21060.1). The remaining categories are used for reporting changes in land use as required for FMMP's biennial farmland conversion report. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

Prime Farmland (P)

Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields.
Farmland of Statewide Importance (S)
Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture.

Unique Farmland (U)
Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones in California.

Farmland of Local Importance (L)
Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee. In some counties, Confined Animal Agriculture facilities are part of Farmland of Local Importance (PDF), but they are shown separately.

Climate changes relating to global warming must be carefully considered especially relating to changes to precipitation patterns. Paved land has much higher runoff coefficients, as compared to the existing agricultural land use which has been shown to attenuate runoff and reduce flood risks. The draft EIR must include a full flood hazard analysis to the residential area downstream of the proposed outfall to French Camp Slough.

Governor Newsom recently issued Executive Order N 82-20 announced on October 7, 2020:\n
“The science is clear that, in our existential fight against climate change, we must build on our historic efforts in energy and emissions and focus on our lands as well. California’s beautiful natural and working lands are an important tool to help slow and avert catastrophic climate change, and today’s executive order provides important new tools to take on this existential threat.”

Agricultural land mitigation only ensures that some other agricultural land cannot be easily developed through a conservation easement. Agricultural land mitigation does not create new

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agricultural land. Once the land is developed it is unlikely ever to return to food production. The costs associated with the loss of food production land must be analyzed in the draft EIR.

The conversion of this land to non-agricultural uses will create additional development pressures on the surrounding farmland and this must be evaluated in the draft EIR.

**Air Quality**

The conversion of irrigated lands to paved industrial uses accessing SR-99, I-5, the Stockton Metropolitan Airport and rail lines is expected to potentially impact air quality in South Stockton. When considering mitigation measures please refer to the CARB Technical Advisory Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways\(^3\).

(Adjust Font size) When assessing the Project’s air pollution emissions from mobile sources use the emission factors found in CARB’s latest EMFAC2017. These emission factors were updated from 2014 to provide the best available estimates of emission along with other site-specific variables which will be difficult to determine since the project is conceptual. Please include purple monitor data when evaluating local air quality conditions in the vicinity. Please provide descriptions of all zoned uses for the projects including general light industrial, industrial park, warehousing, mini-warehouse, high cube transitional and short-term storage warehouse, high-cube fulfillment center warehouse, high-cube parcel hub warehouse and light-cube cold storage warehouse. Any development agreements that would limit the amount of various zoned uses must be fully disclosed with complete descriptions of associated air emissions scenarios.

Ultimately, “the lead agency will examine each of the environmental issues listed in the checklist… and decide whether the proposed project has the potential to have a significant impact”. This statement was found for each of the CEQA checklist type. The City of Stockton recently approved the conversion of agricultural land for a logistic center and made the finding that air quality will be improved.

If approved, a development agreement that is transferrable will be established without any defined project. Without a defined project it is very difficult to determine impacts which may result from development approved based on zoning. On previous similar projects there have been requests that a reasonable trip length for off-site heavy-heavy duty truck travel be used when analyzing emissions. The San Joaquin Valley AD will not be able to attain health based federal air quality standards without reductions in emissions from HHD which is the single largest source of NOX emissions in the San Joaquin Valley. Operational emissions for on-site sources must also be quantified.

**EPA Air Quality Status\(^4\)**

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<tr>
<th>pollutant</th>
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<th>nonattain</th>
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</table>

\(^3\) https://ww3.arb.ca.gov/ch/rd_technical_advisory_final.pdf

\(^4\) https://www3.epa.gov/airquality/greenbook/anayo_ca.html
Community air quality can be linked to vehicular emissions

The SJVAPCD 2018 PM 2.5 Plan identifies how reductions can be achieved, through implementation of the CARB Statewide Truck and Bus Regulation. The regulation will apply to all truck fleets operating within California, including any fleets that may be associated with the proposed project. As stated, the regulation will require conformance with the identified CARB near-zero truck NOx emission standard.

Again, evaluating impacts is challenging for a project that is not well defined. Recently, the City of Stockton used CalEEMod fleet mix defaults to estimate a project’s mobile source air pollutant emissions and was notified that the mileage used required revisions. When performing air emission analyses and traffic impact studies a reasonable estimate of heavy-duty truck trips commensurate with the proposed project’s size and location is necessary. Please be very clear and concise when disclosing the parameters used during emissions and traffic analyses.

Land use is within the City’s regulatory purview and while the City is not expected to enforce CARB or SJVAPCD standards the City’s choice to approve projects with intense trucking and rail components means that it is adding new sources – like an attractive nuisance – which will increase the exposure of our residents to pollution. Mitigation is needed to reduce the impact of the project and should be paid for by the developer not the residents of Stockton.

Transportation

The same issues with regard to evaluating impacts for a project that is not well defined will confound the environmental analysis particularly if it is difficult to ascertain the estimates used when performing the transportation analyses.

The EIR will describe existing and future transportation conditions and will analyze any potential conflicts with programs, plans, ordinances or policies addressing the circulation system. Potential impacts associated with site access, and on-site circulation will also be addressed in the EIR. A detailed vehicle mile traveled (VMT) analysis will be conducted to determine if the project would conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). The VMT analysis would be completed consistent with the Office of Planning and Research’s (OPR’s) Technical Advisory on Evaluating Transportation Impacts in CEQA.

If the City of Stockton uses a full build out for the general plan designations then it is likely that regardless of the VMT analysis which is to be undertaken, the City with find: Impact TRANS-1: Consistency with CEQA Guidelines Section 15064.3(b). Compared with existing land use designations, the project would generate less VMT and would therefore be consistent with CEQA Guidelines which is the language used in a similar logistic industrial center. The existing use of the property is the no project alternative and should be used to determine whether or not the project will have a significant impact. Additionally, please provide at your earliest convenience the VMT analysis which the City must be developing consistent with CEQA guidance:

By July 1, 2020, public agencies evaluating the impact of development projects are required to use vehicle miles traveled (VMT) to evaluate transportation impacts. This change removes the focus on traffic at intersections and roadways immediately around project sites. Instead,
the focus will be on how new development projects may influence the overall amount of automobile use.\(^5\)

The NOP did not specify what City of Stockton guidance would be used but it is likely not to be the Standards of the City’s Transportation Impact Guidelines used in the analysis of a similar project earlier this year.

**Tribal Cultural Resources**

Please incorporate a paid tribal representative to be present during land disturbance activities recognizing tribal sovereignty. Two local Tribes include the United Auburn Indian Community and the Northern Valley Yokuts which we are in communication with.

**Greenhouse Gas Reduction Requirements**

The City of Stockton Climate Action Plan adopted in 2014 included the following statement which is even more true now that our community suffers from the economic and emotional impacts relating to the Covid-19 pandemic:

> The CAP would require substantial effort on the part of the entire Stockton community, including residents and business, schools, the San Joaquin Regional Transit District, other public entities, and the Stockton municipal government at a time when residents, businesses, and public agencies are struggling to pay current bills, keep businesses open, and provide basic services. This plan, if fully implemented, would result in a 20% reduction in per capita GHG emission from 2005 to 2020.

> Many of the measures included in the CAP would result in long-term economic, environmental, health and other benefits for the City and its residents and businesses in addition to the expected GHG emission reductions.

Vegetation has been shown to be effective at reducing energy and air pollutant transport. Any vegetation associated with the project or subsequent development must be paid for and maintained by the applicant not the residents of Stockton.

Removing agricultural land removes the natural climate change attenuator that soils can serve and must be accounted when evaluating greenhouse gas emissions.

CEQA is clear that “uniformly applicable development policies or standards” need to be considered in the analysis of environmental effects and their significance and the need for additional mitigation measures. These additional measures are those required by the lead agency to protect public health and the environment that may be harmed as a result of the approval of the project. Relying on state guidance which was developed prior to the project and did not consider the project’s impact is not sufficient when parts of our community is unequally burdened by negative environmental impacts. All zip codes are not created equal.

This Project is not vital for our recovery and we hope that the draft environmental impact analysis will be sufficiently detailed so that the residents of Stockton can determine the document’s adequacy to describe the environmental costs associated with the project. Cost to Benefits ratio must be clearly described.

Please add the Delta-Sierra Group to your CEQA notification list. We became aware of the project through a CEQAnet link from a colleague. Please let us know if there is to be any public meeting

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regarding this project and when the draft environmental impact report becomes available to review.
If you have any questions you may contact me by email mebeth@outlook.com.

Sincerely,

Mary Elizabeth M.S., R.E.H.S.

Cc: Mother Lode Chapter
    Catholic Charities, Environmental Justice Stockton Diocese
    Restore the Delta
    Central California Asthma Collaborative
    Central Valley Air Quality Coalition
    Little Manilla Rising
    Environmental Justice Coalition for Water
October 30, 2020

Nicole Moore
City of Stockton
345 N. El Dorado Street
Stockton, CA, 95202

Project: Notice of Preparation for the South Stockton Commerce Center (SSCC)

District CEQA Reference No: 20200842

Dear Ms. Moore:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above from the City of Stockton (City) consisting of development of approximately 298 net acres for the development of mix use industrial and commercial uses, 95 acres for public facilities and open space areas, and 19 acres for road right-of-way (Project). The Project is located in the southern portion of the City of Stockton, south of and adjacent to the Stockton Airport, in Stockton, CA (APN 177-110-040, 177-100-030, 177-110-050, 201-020-010, and 177-050-090).

Project Scope

The Project consists of the expansions of an existing industrial area located in southeast Stockton. The expansion will include the development of approximately 300 acres of industrial uses to a maximum of 6,091,551 square feet, approximately 41 acres of public facilities (storm basins and pump stations), approximately 54 acres of open space for parks, approximately 19 acres for road right-of-way, and approximately 11 acres for commercial uses totaling a maximum of 140,350 square feet.

The District’s initial review of the Project concludes that emissions resulting from construction and/or operation of the Project may exceed the following thresholds of significance: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).
The District recommends that a more detailed preliminary review of the Project be conducted for the Project’s construction and operational emissions.

Other potential significant air quality impacts related to Toxic Air Contaminants (see information below under Health Risk Assessment), Ambient Air Quality Standards, Hazards and Odors, may require assessments and mitigation. More information can be found in the District’s Guidance for Assessing and Mitigating Air Quality Impacts at: https://www.valleyair.org/transportation/GAMAQI_12-26-19.pdf

The District offers the following comments:

1) **District Rule 9510 (Indirect Source Review)**

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM10 emissions associated with development and transportation projects from mobile and area sources associated with construction and operation of development projects. The rule encourages clean air design elements to be incorporated into development projects. In case the proposed development project clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions.

Accordingly, future development project(s) within the Project would be subject to District Rule 9510 if:

(1) Upon full build-out, the project would receive a project-level discretionary approval from a public agency and would equal or exceed any one of the following applicability thresholds:

- 50 dwelling units
- 2,000 square feet of commercial space;
- 25,000 square feet of light industrial space;
- 100,000 square feet of heavy industrial space;
- 20,000 square feet of medical office space;
- 39,000 square feet of general office space; or
- 9,000 square feet of educational space; or
- 10,000 square feet of government space; or
- 20,000 square feet of recreational space; or
- 9,000 square feet of space not identified above

(2) Or would equal or exceed any of the applicability thresholds in section 2.2 of the rule.
District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two (2.0) tons of NOx or two (2.0) tons of PM10.

In the case the future development project(s) are subject to District Rule 9510, an Air Impact Assessment (AIA) application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval.

Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.

The AIA application form can be found online at: http://www.valleyair.org/ISR/ISRFormsAndApplications.htm.

District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-6000 or by email at ISR@valleyair.org.

2) Regulation VIII (Fugitive PM10 Prohibitions)

As the Project is expected to generate fugitive dust during related construction activities, it will be subject to Regulation VIII requirements. Information on how to comply with Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/PM10/compliance_PM10.htm.

3) Project Related Criteria Pollutant Emissions

The District recommends that a more detailed preliminary review of the Project be conducted for the Project’s construction and operational emissions. The additional environmental review of the Project’s potential impact on air quality should consider the following items:

3a) Project Related Construction Emissions

Construction emissions are short-term emissions and should be evaluated separately from operational emissions. Equipment exhaust, as well as fugitive dust emissions should be quantified. For reference, the District’s annual criteria thresholds of significance for construction are listed above.
The District recommends that the City consider the use of the cleanest reasonably available off-road construction practices (i.e. eliminating unnecessary idling) and fleets, as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations as a mitigation measure to reduce Project related impacts from construction related exhaust emissions.

3b) Project Related Operational Emissions

Emissions from stationary sources and mobile sources should be analyzed separately. For reference, the District’s annual criteria thresholds of significance for operational emissions are listed in the Project Scope.

3c) Recommended Model

Project related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using CalEEMod (California Emission Estimator Model), which uses the most recent approved version of relevant Air Resources Board (ARB) emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

3d) Project Related Operational Emissions– Truck Routing

Truck routing involves the path/roads heavy-duty trucks take to and from their destination. The air emissions from heavy-duty trucks can impact residential communities and sensitive receptors.

The District recommends the City consider evaluating heavy-duty truck routing patterns to help limit emission exposure to residential communities and sensitive receptors. More specifically, this measure would assess current truck routes, in consideration of the number and type of each vehicle, destination/origin of each vehicular trip, time of day/week analysis, vehicle miles traveled and emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT, GHG emissions, and air quality.

3e) Project Related Operational Emissions– Cleanest Available Truck

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from heavy-heavy duty (HHD) Trucks, the single largest source of NOx emissions in the San Joaquin Valley. The District recently adopted the 2018 PM2.5 Plan, which includes significant new reductions from HHD Trucks, including emissions reductions by
2023 through the implementation of the California Air Resources Board (CARB) Statewide Truck and Bus Regulation, which requires truck fleets operating in California to meet the 2010 0.2 g/bhp-hr NOx standard by 2023. Additionally, to meet the federal air quality standards by the 2020 to 2024 attainment deadlines, the District’s Plan relies on a significant and immediate transition of heavy duty truck fleets to zero or near-zero emissions technologies, including the near-zero truck standard of 0.02 g/bhp-hr NOx established by the California Air Resources Board.

Development projects have the potential to create a large volume of heavy-duty truck traffic as heavy-duty trucks travel to-and-from the project location at longer trip distances for building material distribution. Since the project may exceed the District significance thresholds, the District recommends that the following mitigation measures be considered by the City for inclusion in the Environmental Impact Report (EIR) for project related operational emissions.

- Advise fleets associated with Project operational activities to utilize the cleanest available HHD truck technologies, including zero and near-zero (0.02 g/bhp-hr NOx) technologies as feasible.
- Advise all on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) to utilize zero-emissions technologies as feasible.
- Advise fleets associated with future development projects to be subject to the best practices (i.e. eliminating unnecessary idling).

In addition, the District recommends that the City include mitigation measures to reduce project related operational impacts through incorporation of design elements, for example, increased energy efficiency, reducing vehicle miles traveled, etc. More information on mitigation measures can be found on the District’s website at: http://www.valleyair.org/transportation/ceqa_idx.htm.

3f) **Project Related Operational Emissions– Reduce Idling of Heavy Duty Trucks**

The goal of this strategy is to limit the potential for localized PM2.5 and toxic air quality impacts associated with failure to comply with the state’s Heavy Duty anti-idling regulation (e.g limiting vehicle idling to specific time limits). The diesel exhaust from excessive idling has the potential to impose significant adverse health and environmental impacts. Therefore, efforts to ensure compliance of the anti-idling regulation, especially near sensitive receptors, is important to limit the
amount of idling within the community, which will result in community air quality benefits.

3g) Project Related Operational Emissions– Electric On-Site Off-Road and On-Road Equipment

Since the Project consists of industrial uses, it may have the potential to result in increased use of off-road equipment (i.e. forklifts) and/or on-road equipment (i.e. mobile yard trucks with the ability to move materials). The District recommends the City advise the project proponent to utilize electric or zero emission off-road and on-road equipment used on-site for this Project.

4) Health Risk Screening/Assessment

A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TAC’s) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAC’s are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. List of TAC’s identified by OEHHA/CARB can be found at: https://ww2.arb.ca.gov/resources/documents/carb-identified-toxic-air-contaminants

The District recommends the Project be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAC emissions.

i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using CAPCOA’s updated methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed.

For your convenience, the District’s prioritization calculator can be found at: http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITYZATION%20RMR%202016.XLS.

ii) The District recommends a refined HRA for projects that result in a prioritization score of 10 or greater. Prior to performing an HRA, it is recommended that the Project proponent contact the District to review the proposed modeling protocol.
The Project would be considered to have a significant health risk if the HRA demonstrates that the Project related health impacts would exceed the Districts significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices, and would trigger all feasible mitigation measures. The District recommends that Projects that result in a significant health risk not be approved.

For HRA submittals, please provide the following information electronically to the District for review:

- HRA AERMOD model files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodology.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: hramodeler@valleyair.org; or
- The District can be contacted at (559) 230-6000 for assistance; or

5) **Voluntary Emission Reduction Agreement**

If the Project is expected to have a significant impact, the District recommends the EIR also include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for this Project.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate Project specific emissions by providing funds for the District’s incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-specific regional impacts on air quality can be fully mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural
irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-specific regional emissions have been mitigated to less than significant. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the Draft EIR includes an assessment of the feasibility of implementing a VERA.

6) Health Impact Discussion

As required by the decision in Sierra Club v. County of Fresno (2018) 6 Cal.4th 502, a reasonable effort to discuss relevant specifics regarding the connection between potential adverse air quality impacts from the Project with the likely nature and magnitude of potential health impacts may be required. If the potential health impacts from the Project cannot be specifically correlated, explain what is known and why, given scientific constraints, potential health impacts cannot be translated.

7) Ambient Air Quality Analysis

An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the ambient air quality standards. The District recommends that an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

If an AAQA is performed, the analysis should include emissions from both Project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance is available online at the District’s website www.valleyair.org/ceqa.
8) **Cumulative Air Impacts**

In addition to the discussions on the topics identified above, the District recommends the EIR also include a discussion of whether the Project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment. More information on the District’s attainment status can be found online by visiting the District's website at: http://valleyair.org/aqinfo/attainment.htm.

9) **District Rule 9410 (Employer Based Trip Reduction)**

The Project may be subject to District Rule 9410 (Employer Based Trip Reduction) if the Project would result in employment of 100 or more “eligible” employees. District Rule 9410 requires employers with 100 or more “eligible” employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about how District Rule 9410 can be found online at: www.valleyair.org/tripreduction.htm.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

10) **Other District Rules and Regulations**

The Project may also be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District’s Small Business Assistance (SBA) Office at (209) 557-6446.
11) **District Comment Letter**

The District recommends that a copy of the District’s comments be provided to the Project proponent.

If you have any questions or require further information, please contact Eric McLaughlin by e-mail at Eric.McLaughlin@valleyair.org or by phone at (559) 230-5808.

Sincerely,

For Arnaud Marjollet  
Director of Permit Services

AM: em
Central Valley Regional Water Quality Control Board

30 October 2020

Nicole D. Moore
City of Stockton
345 North El Dorado Street
Stockton, CA 95202

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, SOUTH STOCKTON COMMERCE CENTER PROJECT, SCH#2020090561, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse’s 30 September 2020 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Notice of Preparation for the Draft Environmental Impact Report for the South Stockton Commerce Center Project, located in San Joaquin County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

   Basin Plan
   The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State’s water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

   The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of
Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

**Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

**II. Permitting Requirements**

**Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
Phase I and II Municipal Separate Storm Sewer System (MS4) Permits

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act

1 Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.
Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage
under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.


For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit
If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit
If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/help/permit/

If you have questions regarding these comments, please contact me at (916) 464-4856 or Nicholas.White@waterboards.ca.gov.

Nicholas White
Water Resource Control Engineer

cc: State Clearinghouse unit, Governor’s Office of Planning and Research, Sacramento
November 24, 2020

Nicole D. Moore  
Acting Current Planning Manager  
City of Stockton  
345 N. El Dorado Street  
Stockton, CA 95202

RE: Notice of Preparation for the South Stockton Commerce Center Project  
(SCH # 2020090561)

Dear Ms. Moore:

Thank you for the opportunity to provide comments on the City of Stockton’s Notice of Preparation (NOP) for the South Stockton Commerce Center (Project). The NOP and Initial Study detail that the Project will create an expansive industrial zone, with six million square feet of approved industrial land uses. The City seeks comments regarding environmental concerns from the implementation of the proposed Project. Given the Project’s setting near a community of color that already suffers some of the worst pollution in the State, we submit these comments for the City’s consideration as it prepares the draft environmental impact report (EIR).

I. THE PROJECT SITE IS LOCATED IN ONE OF THE MOST POLLUTED AREAS OF THE STATE.

The Project will create a Tentative Map that allows for construction of up to 6,091,551 square feet of industrial uses—equivalent to more than 105 football fields—on approximately 437 acres of vacant and agricultural land. Thousands of parking spaces will be created for the thousands of diesel trucks and passenger vehicles that will travel to and from these buildings once constructed. A Site Plan is not currently proposed for the Project, so more specific information on the extent of the development and its impacts is unavailable at this time.

The surrounding area already deals with one of the highest pollution burdens in California and the Project will further exacerbate this pollution without adequate mitigation.

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1 The Attorney General submits these comments pursuant to his independent power and duty to protect the environment and natural resources of the State. (See Cal. Const., art. V, § 13; Gov. Code, §§ 12511, 12600–12; D’Amico v. Bd. of Medical Examiners (1974) 11 Cal.3d 1, 14–15.)
Northeast of the Project site is the San Joaquin County Regional Sports Complex, which includes a four-field softball complex, four soccer fields, concession stands, and picnic areas. To the west of the Project site is the unincorporated community of French Camp, which includes rural homes, an elementary school, San Joaquin General Hospital, and several places of worship. According to the 2018 American Community Survey, French Camp has a population of 3,857, of which 60% identify as Latinx.

This community already is exposed to significant pollution in the surrounding area, including highways, railroad tracks, an airport, and agriculture. According to CalEnviroScreen 3.0, CalEPA’s screening tool that ranks each census tract in the state for pollution and vulnerability, the Project’s census tract ranks worse than 100 percent of the rest of the state for pollution burden. This census tract is in the 82nd percentile for particulate matter pollution and in the top ten percent for exposure to pesticides, solid wastes, impaired water, drinking water, and groundwater threats.

The San Joaquin Valley region fails to meet federal and state attainment standards for ozone and PM$_{2.5}$. The larger Stockton region is home to many disadvantaged census tracts and includes a community recently designated by the California Air Resources Board (CARB) for its Community Air Protection Program under Assembly Bill 617. The AB 617 community is approximately 2.5 miles from the Project and this broader community will experience the negative impacts of air pollution caused by this large industrial development. If adequate mitigation is not implemented, the Project will contribute to the significant air pollution burdens that local communities already bear.

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6 San Joaquin Valley Air Pollution Control District, Ambient Air Quality Standards & Valley Attainment Status, https://valleyair.org/aqinfo/attainment.htm (last visited November 9, 2020).
II. THE CITY MUST COMPREHENSIVELY EVALUATE THE PROJECT’S ENVIRONMENTAL IMPACTS, INCLUDING CUMULATIVE IMPACTS.

The purpose of CEQA is to ensure that a lead agency fully evaluates, discloses, and, whenever feasible, mitigates a project’s significant environmental effects. An EIR serves as an “informational document” that informs the public and decisionmakers of the significant environmental effects of a project and ways in which those effects can be minimized. CEQA requires an EIR to include “enough detail to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.” In the context of air quality analysis, an EIR must “make[] a reasonable effort to substantively connect a project’s air quality impacts to likely health consequences.”

Industrial developments of this size typically involve significant air quality impacts from diesel trucks and passenger vehicles. Where the development includes refrigerated uses, these air quality impacts are even greater. Cold storage warehouses require diesel trucks with transport refrigeration units (TRUs), which emit significantly higher levels of toxic diesel particulate matter (PM), nitrogen oxides (NOx), and greenhouse gas emissions than trucks without TRUs. In an area where air pollution burden already high, the increase in air pollutant emissions caused by construction and facility operations will be substantial.

The City’s EIR should analyze the full environmental impacts of the Project, which will add a considerable number of diesel truck trips, and their attendant air pollution, to this already overburdened area. That includes the Project’s impact on the sensitive receptors, including the nearby sports park and unincorporated community. The area is a non-attainment area for ozone and particulate matter and Project operations will increase emissions of those pollutants.

The City also must sufficiently relate pollutant data to specific adverse human health effects in the Project’s EIR. In Friant Ranch, the California Supreme Court found a project’s air quality impact analysis to be inadequate under CEQA because its “general description of symptoms that are associated with exposure” “fail[ed] to indicate the concentrations at which such pollutants would trigger the identified symptoms” and did not provide the public with an “idea of the health consequences that result when more pollutants are added to a nonattainment basin.” The Project’s EIR can avoid this problem by detailing the existing conditions and projecting the impact that additional pollution will have on the community.

9 CEQA Guidelines, § 15121, subd. (a).
11 Ibid. at p. 510.
12 Ibid. at p. 519.
For instance, studies have shown that increases in near-roadway air pollution are associated with reduced lung function in non-asthmatic children. Exposure may be particularly harmful during the first year of life, resulting in decreased lung function into adolescence. Increased NO\textsubscript{x} emissions are also associated with an increased risk of developing asthma. Human health is not the only potential impact from Project-generated air emissions. Chronic exposure to air pollution may negatively influence children’s cognitive processing and memory. Since the Project is expected to increase truck traffic near the county’s sports complex, the EIR should be particularly careful to account for the Project’s cumulative impacts on children.

III. **The City Should Consider All Feasible Measures To Mitigate Significant Project Impacts**

CEQA requires a lead agency to adopt all feasible mitigation measures that minimize the significant environmental impacts of a project. The lead agency is expected to develop mitigation in an open public process, and mitigation measures must be fully enforceable and nondeferrable. To the extent the EIR determines the Project will have significant environmental impacts—especially any affecting sensitive receptors—the City should consider robust mitigation measures to avoid or limit those impacts.

For example, possible air quality mitigation measures could include:

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17. Pub. Resources Code, § 21100, subd. (b)(3).


19. CEQA Guidelines, § 15126.4

20. For more in-depth information about potential air quality mitigation measures near high volume roadways, see CARB’s Technical Advisory on the topic and, more generally, the CARB
Establishing and enforcing truck routes that avoid sensitive receptors;
- Limiting operation and construction days and times;
- Requiring the use of zero-emission or all-electric, plug-in capable TRUs for warehouses with cold storage capability;
- Establishing fleet requirements for warehouse tenants and carriers serving tenants, such as requiring the exclusive use of zero-emission delivery trucks and vans and requiring any Class 8 trucks entering the site use zero-emissions technology or meet CARB’s lowest optional NOx emissions standard;
- Requiring installation of indoor air filtration and climate control at the warehouse to reduce-impacts on workers;
- Requiring electric vehicle charging infrastructure for both cars and trucks necessary to support zero-emission vehicles and equipment on site;
- Requiring all trucks and trailers entering the site be in compliance with all current air quality regulations;
- Requiring and enforcing no idling policies;
- Requiring the use of electric-powered yard equipment onsite;
- Requiring that all construction equipment meet Tier 4 emission standards;
- Constructing new or improved transit stops, sidewalks, bicycle lanes, crosswalks, and traffic control or traffic safety measures, such as speed bumps or speed limits;
- Improving vegetation and tree canopy in and around the Project site;
- Requiring methods to reduce employee vehicle traffic, such as van shuttles, transit and carpool incentives, and bicycle parking and facilities for employees;
- Requiring installation of solar panels with backup energy storage on each building roof area with a capacity that matches the maximum allowed for distributed solar connections to the grid;
- Adhering to California green building standards; and
- Constructing the warehouse to meet Leadership in Energy and Environmental Design standards.

Mitigation measures like these have been adopted by similar projects throughout California. The Attorney General’s Office would be happy to provide any assistance it can as the City considers how best to mitigate the Project’s environmental impacts.

IV. CONCLUSION

This Project’s EIR affords the City the opportunity to serve its constituents by transparently evaluating, disclosing, and mitigating the environmental impacts of this proposed Project. When implemented well, CEQA builds public trust and promotes sustainable development that will serve the local community for years to come. The Project will result in a large expansion of industrial uses in southern Stockton, along with those uses’ environmental impacts. In drafting the EIR, we urge the City to evaluate the Project’s impacts.

Handbook, which offers more mitigation ideas. Both are available at https://www.arb.ca.gov/ch/landuse.htm. The mitigation measures included here are focused on air quality; however, additional mitigation measures may be necessary for traffic, noise, or other significant impacts.
comprehensively, particularly those affecting the many nearby sensitive receptors. CEQA requires full disclosure and mitigation of significant environmental impacts prior to project approval.

Please do not hesitate to contact me if you have any questions or would like to discuss these issues further.

Sincerely,

[Signature]

JESSICA WALL
Deputy Attorney General

For XAVIER BECERRA
Attorney General
Appendix:

A satellite image of the Project site (in red) with icons depicting the elementary school and park in the surrounding area.
Dear Ms. Moore:

INITIAL STUDY AND NOTICE OF PREPARATION FOR THE SOUTH STOCKTON COMMERCE CENTER PROJECT, SCH# 2020090561

The Department of Conservation’s (Department) Division of Land Resource Protection (Division) has reviewed the Initial Study and Notice of Preparation for the South Stockton Commerce Center Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administrers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the project’s potential impacts on agricultural land and resources.

Project Description

The Project proposes to develop in multiple phases, a planned industrial type project that will attract businesses to the City of Stockton and provide for local employment opportunities. The project includes a Tentative Map for the 437.45-acre site to create 13 development lots, two basin lots, one park lot, one open space lot, and one sewer pump station lot. Development includes approximately 300 acres for industrial uses (building and parking areas); approximately 41 acres for public facilities (storm basins and pump stations); and approximately 54 acres of open space (park area and avoidance of French Camp Slough). The project site is currently designated as Prime Farmland, and Farmland of Statewide Importance by the Department of Conservation’s Farmland Mapping and Monitoring Program.¹

Department Comments

Although conversion of agricultural land is often an unavoidable impact under CEQA analysis, feasible alternatives and/or feasible mitigation measures must be considered. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation under CEQA. Rather, the criterion is feasible mitigation that lessens a project's impacts. As stated in CEQA statute, mitigation may also include, "Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."²

The conversion of agricultural land represents a permanent reduction in the State's agricultural land resources. As such, the Department advises the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the loss of agricultural land. Conservation easements are an available mitigation tool and considered a standard practice in many areas of the State. The Department highlights conservation easements because of their acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation.

Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

A source that has proven helpful for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

http://www.calandtrusts.org/resources/conserving-californias-harvest/

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

Conclusion

The Department recommends further discussion of the following issues:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Proposed mitigation measures for all impacted agricultural lands within the proposed project area.

Thank you for giving us the opportunity to comment on the Initial Study and Notice of Preparation for the South Stockton Commerce Center Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber
Conservation Program Support Supervisor
NOTICE OF PREPARATION AND INITIAL STUDY

FOR THE

SOUTH STOCKTON COMMERCE CENTER PROJECT

SEPTEMBER 2020

Prepared for:

Community Development Department
City of Stockton
345 N. El Dorado Street
Stockton, CA 95202

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818
NOTICE OF PREPARATION AND INITIAL STUDY

FOR THE

SOUTH STOCKTON COMMERCE CENTER PROJECT

SEPTEMBER 2020

Prepared for:

Community Development Department
City of Stockton
345 N. El Dorado Street
Stockton, CA 95202

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818
NOTICE OF PREPARATION

TO: State Clearinghouse
FROM: Nicole D. Moore, LEED AP – Acting Current Planning Manager
      City of Stockton
      345 N. El Dorado Street
      Stockton, CA 95202
      (209) 937-8561
      Nicole.Moore@stocktonca.gov

STATE RESPONSIBLE AGENCIES
STATE TRUSTEE AGENCIES
OTHER PUBLIC AGENCIES
INTERESTED ORGANIZATIONS

SUBJECT: Notice of Preparation – South Stockton Commerce Center Project

EIR CONSULTANT
Steve McMurtry, Principal Planner
De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
Phone: (916) 580-9818

An Initial Study has been prepared for the proposed project and is attached to this Notice of Preparation (NOP). The Initial Study lists those issues that will require detailed analysis and technical studies that will need to be evaluated and/or prepared as part of the Environmental Impact Report (EIR). The EIR will consider potential environmental effects of the proposed project to determine the level of significance of the environmental effect, and will analyze these potential effects to the detail necessary to make a determination on the level of significance.

Those environmental issues that have been determined to be less than significant will have a discussion that is limited to a brief explanation of why those effects are not considered potentially significant. In addition, the EIR may also consider those environmental issues which are raised by responsible agencies, trustee agencies, and members of the public or related agencies during the NOP process.

We need to know the views of your agency or organization as to the scope and content of the environmental information germane to your agency's statutory responsibilities or of interest to your organization in connection with the proposed project. Specifically, we are requesting the following:

1. If you are a public agency, state whether your agency will be a responsible or trustee agency for the proposed project and list the permits or approvals from your agency that will be required for the project and its future actions;

2. Identify significant environmental effects and mitigation measures that you believe need to be explored in the EIR with supporting discussion of why you believe these effects may be significant;
3. Describe special studies and other information that you believe are necessary for the City of Stockton to analyze the significant environmental effects, alternatives, and mitigation measures you have identified;

4. For public agencies that provide infrastructure and public services, identify any facilities that must be provided (both on- and off-site) to provide services to the proposed project;

5. Indicate whether a member(s) from your agency would like to attend a scoping workshop/meeting for public agencies to discuss the scope and content of the EIR's environmental information; and

6. Provide the name, title, and telephone number of the contact person from your agency or organization that we can contact regarding your comments.

Due to the time limits mandated by State law, your response must be sent and received by the City of Stockton by the following deadlines:

- For responsible agencies, not later than 30 days after you receive this notice.
- For all other agencies and organizations, not later than 30 days following the publication of this Notice of Preparation. The 30-day review period begins September 30, 2020 and ends on October 30, 2020.

If we do not receive a response from your agency or organization, we will presume that your agency or organization has no response to make.

A responsible agency, trustee agency, or other public agency may request a meeting with the City of Stockton or its representatives in accordance with Section 15082(c) of the CEQA Guidelines. A public scoping meeting and neighborhood meeting will be held during the public review period as follows:

1. Virtual Scoping and Neighborhood Meeting: To obtain the call-in and access information please RFVP with Nicole Moore, Acting Current Planning Manager at Nicole.Moore@stocktonca.gov.

Please send your response to Nicole Moore – Acting Current Planning Manager at the City of Stockton, 345 N. El Dorado Street Stockton, CA 95202. If you have any questions, please contact Nicole Moore – Acting Current Planning Manager at (209) 937-8561 or via email at: Nicole.Moore@stocktonca.gov.
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INITIAL STUDY CHECKLIST

PROJECT TITLE
South Stockton Commerce Center

LEAD AGENCY NAME AND ADDRESS
City of Stockton
345 N. El Dorado Street
Stockton, CA 95202

CONTACT PERSON AND PHONE NUMBER
Nicole D. Moore, LEED-AP – Acting Current Planning Manager
City of Stockton
345 N. El Dorado Street
Stockton, CA 95202
Phone: (209) 937-8561
Email: Nicole.Moore@stocktonca.gov

PROJECT SPONSOR’S NAME AND ADDRESS
Ryan Van Groningen
Five Corners Group, LLC
15100 S. Jack Tone Road
Manteca, CA 95336
Phone: (209) 982-5248

PURPOSE OF THE INITIAL STUDY
An Initial Study (IS) is a preliminary analysis which is prepared to determine the relative environmental impacts associated with a proposed project. It is designed as a measuring mechanism to determine if a project will have a significant adverse effect on the environment, thereby triggering the need to prepare an Environmental Impact Report (EIR). This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the proposed project may have a significant effect upon the environment.

PROJECT LOCATION AND SETTING

PROJECT LOCATION
The proposed Project site is comprised of 437.45 acres located in the southern portion of the City of Stockton, south of and adjacent to the Stockton Airport. The Project site is located west of the 99 Frontage Road and State Route (SR) 99 and east of Airport Way. The Union Pacific Railroad (UPRR) extends south from Airport Way bisecting the western portion of the site. French Camp Sough extends southeast from Airport Way bisecting the southwestern portion of the site. It continues east under the UPRR and then south across the southwestern portion of the site, before continuing south off-site. Figures 1 and 2 show the Project’s regional location and vicinity.
The Project site is made up of five assessor parcels (APN’s), which are listed in Table 1, and are displayed on Figure 3.

**Table 1: Parcels Within the Project Area**

<table>
<thead>
<tr>
<th>APN</th>
<th>Address</th>
<th>Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>177-110-040</td>
<td>6110 S. Airport Way</td>
<td>218.29</td>
</tr>
<tr>
<td>177-100-030</td>
<td>7070 S. Airport Way</td>
<td>76.03</td>
</tr>
<tr>
<td>177-110-050</td>
<td>6122 S. Airport Way, Stockton</td>
<td>3.27</td>
</tr>
<tr>
<td>201-020-010</td>
<td>9091 S. State Route 99</td>
<td>75.07</td>
</tr>
<tr>
<td>177-050-090</td>
<td>8606 S. Airport Way</td>
<td>64.79</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>437.45</strong></td>
</tr>
</tbody>
</table>

**Existing Site Uses**
The Project site is comprised of active agricultural fields. The majority of the fields produce watermelons, with a walnut orchard located in the eastern portion of the site. Figure 4 shows aerial imagery of the current existing site uses within the Project site.

**Existing Surrounding Uses**
The Project site is primarily bounded by lands within the County to the north, east and south. Lands within the City of Stockton are located to the west. Uses within the surrounding area include the following:

- North – Rydberg Creek, Army National Guard and Stockton Airport are located to the north. These uses are located within the County.
- East – Agricultural lands, 99 Frontage Road and SR 99.
- South – Agricultural lands and Duck and Lone Tree Creeks.
- West – The UPPR, Airport Way, and agricultural lands.

**Stockton General Plan Land Use and Zoning Designations**

**General Plan Land Use Designations**
The Envision Stockton 2040 General Plan Land Use Map (Figure 2-8) designates the Project site as Industrial, Commercial, and Open Space/Agriculture. Figure 5 depicts the Envision 2040 Stockton General Plan land use designations for the Project site and the surrounding areas. The General Plan contains the following standards to guide development for these land uses:

**Industrial (I):** This designation allows for a wide variety of industrial uses, including uses with nuisance or hazardous characteristics, warehousing, construction contractors, light manufacturing, offices, Retail Sales, service businesses, public and quasi-public uses, and other similar and compatible uses. Residential uses are prohibited. The maximum FAR for industrial uses is 0.6.

**Commercial (C):** This designation allows for a wide variety of retail, service, and commercial recreational uses; business, medical, and professional offices; residential uses; public and quasi-public uses; and other similar and compatible uses. Community or regional commercial centers
as well as freestanding commercial establishments are permitted. In addition, limited industrial uses are allowed, provided that they are indoors and compatible with surrounding uses. The maximum FAR ranges differ based on the geographic area. Outside the Greater Downtown, the maximum FAR is 0.3.

**Open Space/Agriculture (OS/A):** This designation allows for agriculture, parks, single-family residential units, farm worker housing, wetlands, wildlife reserves, and other similar and compatible uses and structures related to the primary use of the property for preservation of natural resources or agriculture. Lands under this designation are intended to remain unincorporated and under the jurisdiction of San Joaquin County. The minimum parcel size is 40 acres, maximum density is 1 dwelling unit per parcel, and maximum FAR is 0.01. The Open Space/Agriculture land use designation within the Project area is currently located near the French Camp Slough, and this area would not be altered by the proposed Project.

**ZONING DESIGNATIONS**

The Project site is zoned IL (Industrial, Light), CG (Commercial, General), and OS (Open Space).¹ Figure 6 depicts the City’s zoning districts for the Project site and the surrounding areas. Below is a general description of the zoning districts within the Project site.

**IL (Industrial, Limited) District:** This zone is applied to areas appropriate for light manufacturing uses that may generate more nuisance impacts than acceptable in commercial zoning districts and whose operations are totally conducted indoors. Includes retail stores and ancillary office uses. The IL zoning district is consistent with the industrial land use designation of the General Plan.

**CG (Commercial, General) District:** This zone is applied to areas appropriate for a wide variety of general commercial uses, including retail, personal and business services; commercial recreational uses; and a mix of office, commercial, and/or residential uses. The CG zoning district is consistent with the commercial land use designation of the General Plan.

**OS (Open Space) District:** This zone is applied to areas of the City with open space resources, including agricultural lands, wetlands, wildlife reserves, and other sensitive natural resources; passive recreational areas such as golf courses; or natural hazards. Structural uses are limited to those which support the maintenance and/or use of the open space area. The OS zoning district is consistent with the open space and agricultural land use designations of the General Plan.

**Surrounding General Plan Designations**

Within San Joaquin County, lands to the north and east of the Project site are designated Public (P/F) and lands to the south are designated Urban Reserve (A/UR) and General (A/G). Within the City, lands to the west are designated Industrial. The City’s General Plan also designates land to

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¹ The Stockton Zoning Map (last revised June 29, 2020) identifies the zoning for APN 177-050-09 as CG (Commercial), RM (Residential Medium-Density), and RH (Residential High-Density). However, City of Stockton Ordinance No. 2019-07-16-1501-02 (adopted July 16, 2019, effective August 15, 2019) rezoned APN 177-050-09 to IL (Industrial-Limited) and CG (Commercial), consistent with the Industrial and Commercial General Plan Land Use Designations.
the east and south (within unincorporated San Joaquin County) as Industrial and Open Space/Agriculture. The City of Stockton and San Joaquin County General Plan land use designations for the Project site and surrounding areas are shown on Figure 6.

**PROJECT DESCRIPTION**

**PROJECT OBJECTIVES**

Consistent with CEQA Guidelines Section 15124(b), a clear statement of objectives and the underlying purpose of the proposed Project shall be discussed. The principal objective of the proposed Project is the approval and subsequent implementation of the South Stockton Commerce Center (SSCC) Project (the proposed Project). The quantifiable objectives of the proposed Project include the development of approximately 437-acres of land which will include: industrial, commercial, open space, public facilities, and public roadway right-of-way land uses, as described below.

The Project area aims to develop in multiple phases, a well-planned industrial type project that will attract businesses to the City of Stockton and provide for local employment opportunities. The Project also provides for a seamless expansion of the existing industrial area located in southeast Stockton, in the vicinity of the Stockton Airport, and will create the opportunity to create rail served parcels from the adjacent Union Pacific rail line.

The quantifiable objectives of the proposed SSCC Project include the following:

- Development of approximately 300 acres of industrial uses (building and parking areas);
- Development of approximately 41 acres of public facilities (storm basins and pump stations);
- Creation of approximately 54 acres of open space (park area and avoidance of French Camp Slough); and
- Build up to a maximum of 6,091,551 square feet of employment-generating industrial uses.

The following objectives have been identified for the proposed SSCC Project:

- Employment Opportunities: Provide for local and regional employment opportunities that take advantage of the Project area’s high level of accessibility, allow for the expansion of the City’s economic base, help create a jobs/housing balance, and reduce the commute for regional residents.
- Improve Circulation: Create safe access to the industrial area by constructing an overpass of the Union Pacific Railroad line.
- Enhance Transportation: Create the ability to develop rail service to the three largest parcels within the SSCC Project Area, if needed.
- Public Facilities and Services: Provide infrastructure and services that meet City standards and integrate with existing and planned facilities.
- Phasing: Establish a logical phasing plan designed to ensure that each phase of development would include necessary public improvements required to meet City standards.
PROJECT CHARACTERISTICS
The SSCC Project proposes a Tentative Map for the 437.45-acre site to create 13 development lots, two basin lots, one park lot, one open space lot, and one sewer pump station lot. Of the 13 development lots, 12 will be for development of a mix of industrial uses and one will be for development of commercial uses.

More specifically, the SSCC Project Tentative Map proposes approximately 298 net acres of limited industrial uses. Although a Site Plan is not currently proposed, for planning purposes a conceptual site plan was prepared to establish a target Floor Area Ratio (FAR) that was used to generate the maximum square footage of building area for the Tentative Map and for purposes of environmental review. Based on a FAR of .47, a maximum of 6,091,551 square feet of industrial type land uses could be developed throughout the site. Table 1, SSCC Land Use Summary, identifies the land uses and associated development potential.

The SSCC Tentative Map also proposes approximately 11 acres of general commercial uses located between Airport Way and the UPRR right-of-way. Similar to the industrial uses, a Site Plan is not currently proposed; however, based on a FAR of .30, a maximum of 140,350 square feet of commercial land uses could be developed in this area; refer to Table 2.

### Table 2: SSCC Land Use Summary

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Acreage (Net)</th>
<th>Total Square Feet Per Land Use</th>
<th>Floor Area Ratio</th>
<th>Maximum Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>11</td>
<td>467,834</td>
<td>.30</td>
<td>140,350</td>
</tr>
<tr>
<td>Industrial</td>
<td>298</td>
<td>12,960,747</td>
<td>.47</td>
<td>6,091,551</td>
</tr>
<tr>
<td>Open Space</td>
<td>54</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Public Facilities (Storm Basins, Outfall and Pump Stations)</td>
<td>41</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Roadway Right of Way</td>
<td>19</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>TOTAL</td>
<td>423</td>
<td>--</td>
<td>--</td>
<td>6,231,901</td>
</tr>
</tbody>
</table>

For purposes of the environmental analysis, a range of industrial uses is assumed. These uses include general light industrial, industrial park, warehousing, mini-warehouse, high-cube transload and short-term storage warehouse, high-cube fulfillment center warehouse, high-cube parcel hub warehouse, and high-cube cold storage warehouse.

The project proposes approximately 54 acres of open space area within the site, which will include approximately seven acres of park space located east of the UPRR and south of the future Commerce Drive (refer to the Circulation Improvements discussion below). The Project anticipates development of a passive park with shade structures and picnic tables for use by employees and visitors within the site.

Approximately 41 acres of the site will be for public facilities uses to serve the development, including storm basins, outfall, and pump stations; refer to the Utilities and Planned Infrastructure Improvements discussion below. The Project proposes to locate a sewer pump lot (0.28 acres) at the northeast corner of Airport Way and future Commerce Drive, within the portion of the site designated Commercial.
Approximately 19 acres of the site will consist of the proposed west-east road right-of-way (referred to as Commerce Drive), which will provide connections to the SR 99 Frontage Road and Airport Way; refer to the Circulation Improvements discussion below.

The remaining approximately 14 acres of the site will be identified as remainder areas, and are not identified for development, therefore these 14 acres are not listed in Table 2.

**GENERAL PLAN AMENDMENT AND REZONE**

Although the proposed SSCC Project is consistent with the site’s existing General Plan and Zoning designations, due to limitations caused by the floodway along French Camp Slough and the location of drive entrances for surrounding developments, the alignment of the future Commerce Drive requires a General Plan Amendment and Rezone of the two areas between Airport Way and the Union Pacific Railroad right-of-way. As seen on Figures 5 and 6, these areas are currently designated Commercial and Industrial and are zoned CG and IL, respectively. The current boundaries of the designations will be modified to be consistent with the future Commerce Drive right-of-way center line. The area to the north of the Commerce Drive right-of-way centerline will be designated Commercial and zoned CG and the area to the south of the Commerce Drive right-of-way centerline will be designated Industrial and zoned IL. Figure 8 and Figure 9 show the proposed boundary modifications to the General Plan land use designations and Zoning districts for these two areas.

**CIRCULATION IMPROVEMENTS**

The Project proposes a west-east trending primary road referred to as Commerce Drive that will provide access to Airport Way to the west and the 99 Frontage Road to the east. A grade separated crossing over the UPRR right-of-way will be constructed to accommodate the primary access road and avoid conflicts with the UPRR rail line.

The majority of Commerce Drive is proposed to have a 78-foot right-of-way with one 16-foot traffic lane in each direction, and a 16-foot center turn lane. Five-foot landscaped areas would separate the traffic lanes from the 8-foot sidewalks on both the north and south sides of the road.

As Commerce Drive approaches the intersection with Airport Way, the right-of-way will be reduced to 77 feet 5 inches and provide one 16-foot westbound traffic lane, a 16-foot left turn lane, a 14-foot eastbound traffic lane, and a 16-foot eastbound traffic lane. Five-foot landscaped areas and 8-foot sidewalks would continue to be provided on both the north and south sides of the road.

The grade separated crossing over the UPRR right-of-way will be 40-feet with one 16-foot travel lane in each direction. An eight-foot pedestrian walkway will be provided on the north side of the overcrossing.

As part of the Project, a 10-foot wide right-of-way dedication will be provided along Airport Way, adjacent to the Project site.
The Project also proposes to potentially include rail service to up to three large parcels (parcels 2, 3, and 4) within the Project site. A potential railroad spur line would extend east from the UPRR along the Project site’s northern edge providing rail access to the parcels.

The 99 Frontage Road will provide access to the Arch Road and SR 99 Interchange. Airport Way will provide access to both the French Camp/Arch Road and Interstate 5 Interchange and the French Camp and the SR 99 Interchange.

Utilities and Planned Infrastructure Improvements
The construction of infrastructure improvements will be required to accommodate development of the proposed Project, as described below. It should be noted that the potential environmental impacts associated with off-site infrastructure improvements associated with the larger Tidewater Crossing Project, which included the SSCC Project site, were analyzed as part of the Tidewater Crossing Project Environmental Impact Report (SCH No. 2005122101) certified on October 28, 2008. Thus, the SSCC Project environmental analysis will focus on the proposed on-site improvements.

Potable Water. The Project proposes a 24-inch water line to be located within the proposed Commerce Drive right-of-way. The proposed water line will connect to the existing City of Stockton water main in Airport Way and the future City of Stockton water main in 99 Frontage Road, identified as part of the Tidewater Crossing Project. The City is extending existing water lines from Arch Airport Road along 99 Frontage Road to proposed Commerce Drive.

Wastewater. As stated above, a sewer pump station is proposed to be located at the northeast corner of Airport Way and the future Commerce Drive. A sewer line (ranging from 8 to 21 inches) will be located within the proposed Commerce Drive right-of-way. Within the western portion of Parcel 2, the sewer line within the Commerce Drive right-of-way will shift north outside of the Commerce Drive right-of-way into Parcel 2 and extend west along the southern edge of Parcel 1, continuing under the UPRR right-of-way. West of the UPRR right-of-way, the sewer line will extend into the proposed Commerce Drive right-of-way. The sewer line within the Commerce Drive right-of-way will connect to a proposed 36-inch sewer line within Airport Way. The sewer line within Airport Way will extend to the intersection of Industrial Drive and Airport Way and connect to an existing 66-inch sewer pipe.

It should be noted that as part of a separate development project associated with the Tidewater Area, a Sewer Master Plan is currently being prepared that will provide the engineering detail related to the construction of future force mains within Airport Way and the proposed sewer pump station.

Storm Drain. The Project proposes to construct two storm drain detention basins to provide flood control. The primary basin will be approximately 28 acres located within the northwest corner of the Project site, east of the UPRR right-of-way. The Project proposes to construct a storm drainage flood channel generally along the northern edge of Parcels 3, 4 and 5. The drainage channel will connect to a proposed outfall to the detention basin, generally located within the northeast area of the basin. A storm drain (ranging from 15 to 84 inches) is proposed
within the proposed Commerce Drive right-of-way. The storm drain will extend from Commerce Drive along the southern and western edges of Parcel 1 and connect to the proposed outfall to the detention basin. The proposed outfall and a storm drain pump station are proposed to be located generally within the southwest area of the basin.

The secondary basin will be approximately 13 acres, located west of the UPRR right-of-way, between the future Commerce Drive and French Camp Slough. The proposed storm drain in Commerce Drive will connect to the proposed outfall to the detention basin, generally located within the northeast area of the basin. An outfall from the basin to French Camp Slough will also be constructed (exact size and location to be determined).

**DEVELOPMENT AGREEMENT**

The proposed project includes a request for approval of a Development Agreement (DA) governing the relationship between the City of Stockton and the SSCC Applicant, or its successors. A primary purpose of the DA may be to regulate development density and intensity over an extended period of time; however, the DA would not increase the maximum density or development intensity. The DA will also be used to establish other agreements between the City/Applicant (or its successors) related to the project. Such other agreements may include, but are not limited to, commitments to project entitlements and development standards as well as any other administrative and/or financial relationships that may be defined during the review of the initial application or subsequent applications related to developing the project.

**REQUESTED ENTITLEMENTS AND OTHER APPROVALS**

The City of Stockton will be the Lead Agency for the proposed project, pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), Section 15050. Actions that would be required from the City include, but are not limited to the following:

- Certification of the EIR;
- Adoption of the Mitigation Monitoring and Reporting Program;
- Approval of City of Stockton General Plan Amendment
- Approval of City of Stockton Zoning Map Amendment
- Approval of Tentative and Final maps;
- Approval of Improvement Plans;
- Approval of Grading Plans;
- Approval of Building Permits;
- Approval of Site Plan Review;
- Approval of Design Review;
- Approval of Completeness Review;
- Approval of Development Agreement;
- Issuance of grading, encroachment, and building permits;
- City review and approval of Project utility plans;
OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (E.G., PERMITS, ETC.)
The following agencies may be required to issue permits or approve certain aspects of the proposed project. Other governmental agencies that may require approval include, but are not limited to, the following:

- Union Pacific Railroad – Encroachment Permit for the sewer line and Easement for the proposed overpass;
- California Department of Fish and Wildlife – Streambed Alteration Agreement pursuant to Section 1602 of the California Fish and Game Code;
- United States Army Corps. Of Engineers (USACE) – Permitting of federal jurisdictional areas pursuant to Section 404 of the Clean Water Act.
- Central Valley Regional Water Quality Control Board (CVRWQCB) – Storm Water Pollution Prevention Plan (SWPPP) approval prior to construction activities pursuant to the Clean Water Act;
- CVRWQCB – Water quality certification pursuant to Section 401 of the Clean Water Act;
- San Joaquin Valley Air Pollution Control District (SJVAPCD) – Approval of construction-related air quality permits;
- San Joaquin Valley Air Pollution Control District (SJVAPCD) – As an industrial development, the Project may be subject to Indirect Source Review (ISR) by the SJVAPCD. The storm drain pump station may require an Authority to Construct and Permit to Operate;
- French Camp McKinley Fire District – Plan check of the site plan and roadway improvements for adequate emergency vehicle access and fire flow capabilities;
- Central Valley Flood Protection Board (CVFPB) – Approval of the storm drainage flood channel;
- CVRWQCB – Permitting of State jurisdictional areas, including French Camp Slough, pursuant to the Porter-Cologne Water Quality Act;
- San Joaquin County Flood Control and Water Conservation District – Approval of the proposed storm basins, outfall and pump stations;
- Sacramento & San Joaquin Drain District (SSJDD) – Approval for construction of an outfall; and
- San Joaquin Council of Governments (SJCOG) – Issuance of incidental take permit under the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP).
Figure 1. Regional Location Map

LEGEND

- Project Location
- County Boundary
- City Area

Sources: CalAtlas; California County GIS Departments. Map date: July 20, 2020.
Figure 2. Vicinity Map

LEGEND
- Project Location
- City Limits
- Stockton
- Lathrop
- Manteca
- Public Facilities
  - Park
  - Schools
  - San Joaquin General Hospital
- Stockton Metropolitan Airport
  - Runway
  - Primary Surface
- Sources: San Joaquin County GIS. Map date: July 20, 2020.
Source: San Joaquin County GIS. Map date: July 20, 2020.
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Figure 4. Aerial View of Project Site

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Figure 5. Existing General Plan Land Use

LEGEND
- Project Boundary
- Stockton Sphere of Influence
- Stockton City Limits
- Assessor Parcel

City of Stockton General Plan Land Use
- C - Commercial
- I - Industrial
- IN - Institutional
- OS/A - Open Space/Agriculture
- PR - Parks and Recreation

Sources: San Joaquin County GIS; City of Stockton GIS. Map date: July 20, 2020.
Figure 5. Existing Zoning Districts

Sources: San Joaquin County GIS; City of Stockton GIS. Map date: July 20, 2020.

LEGEND
- Project Boundary
- Stockton City Limits
- Assessor Parcel

Zoning Districts
- RL - Residential Low
- RM - Residential Medium
- RH - Residential High
- IL - Industrial Limited
- CG - Commercial General
- PF - Public Facility
- OS - Open Space

SOUTH STOCKTON COMMERCE CENTER
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Figure 7. Proposed Tentative Map

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Figure 8. Proposed General Plan Land Use

LEGEND

- Project Boundary
- Stockton Sphere of Influence
- Stockton City Limits
- Assessor Parcel

City of Stockton General Plan Land Use
- C - Commercial
- I - Industrial
- IN - Institutional
- OS/A - Open Space/Agriculture
- PR - Parks and Recreation

Sources: San Joaquin County GIS; City of Stockton GIS. Map date: July 20, 2020.
Figure 9. Proposed Zoning Districts

LEGEND
- Project Boundary
- Stockton City Limits
- Assessor Parcel

Zoning Districts
- RL - Residential Low
- RM - Residential Medium
- RH - Residential High
- IL - Industrial Limited
- CG - Commercial General
- PF - Public Facility
- OS - Open Space

Sources: San Joaquin County GIS; City of Stockton GIS. Map date: July 20, 2020.
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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

<table>
<thead>
<tr>
<th></th>
<th>Aesthetics</th>
<th></th>
<th>Agriculture and Forestry Resources</th>
<th></th>
<th>Air Quality</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>Biological Resources</td>
<td>X</td>
<td>Cultural Resources</td>
<td>X</td>
<td>Energy</td>
</tr>
<tr>
<td>X</td>
<td>Geology and Soils</td>
<td>X</td>
<td>Greenhouse Gas Emissions</td>
<td>X</td>
<td>Hazards and Hazardous Materials</td>
</tr>
<tr>
<td>X</td>
<td>Hydrology and Water Quality</td>
<td>X</td>
<td>Land Use and Planning</td>
<td></td>
<td>Mineral Resources</td>
</tr>
<tr>
<td>X</td>
<td>Noise</td>
<td>X</td>
<td>Population and Housing</td>
<td>X</td>
<td>Public Services</td>
</tr>
<tr>
<td>X</td>
<td>Recreation</td>
<td>X</td>
<td>Transportation</td>
<td>X</td>
<td>Tribal Cultural Resources</td>
</tr>
<tr>
<td>X</td>
<td>Utilities and Service Systems</td>
<td></td>
<td>Wildfire</td>
<td>X</td>
<td>Mandatory Findings of Significance</td>
</tr>
</tbody>
</table>

DETERMINATION

On the basis of this initial evaluation:

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

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

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

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

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

Signature

Date
EVALUATION INSTRUCTIONS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impact to less than significance

EVALUATION OF ENVIRONMENTAL IMPACTS

In each area of potential impact listed in this section, there are one or more questions which assess the degree of potential environmental effect. A response is provided to each question using one of the four impact evaluation criteria described below. A discussion of the response is also included.

- Potentially Significant Impact. This response is appropriate when there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries, upon completion of the Initial Study, an EIR is required.

- Less than Significant With Mitigation Incorporated. This response applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The Lead Agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.

- Less than Significant Impact. A less than significant impact is one which is deemed to have little or no adverse effect on the environment. Mitigation measures are, therefore, not necessary, although they may be recommended to further reduce a minor impact.

- No Impact. These issues were either identified as having no impact on the environment, or they are not relevant to the Project.
ENVIRONMENTAL CHECKLIST

This section of the Initial Study incorporates the most current Appendix "G" Environmental Checklist Form, contained in the CEQA Guidelines. Impact questions and responses are included in both tabular and narrative formats for each of the environmental topic areas.

I. AESTHETICS – EXCEPT AS PROVIDED IN PUBLIC RESOURCES CODE SECTION 21099, WOULD THE PROJECT:

<table>
<thead>
<tr>
<th>Impact Questions</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

RESPONSES TO CHECKLIST QUESTIONS

Responses a-d): It has been determined that the potential impacts on aesthetics caused by the proposed project will require a more detailed analysis in the EIR. As such, the lead agency will examine each of the environmental issues listed in the checklist above in the EIR and will decide whether the proposed project will have a potentially significant impact on aesthetics. At this point, a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will provide a discussion of viewsheds, proximity to scenic roadways and scenic vistas, existing lighting standards, thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to reduce impacts on aesthetics. This section of the EIR will identify applicable General Plan policies that protect the visual values located along public roadways and surrounding land uses, and will also address the potential for the project to substantially degrade the visual character or quality of public views of the site and its surroundings. The analysis will address any proposed design and landscaping plans developed by the applicant and provide a narrative description of the anticipated changes to the visual characteristics of the project area as a result of project
implementation and the conversion of the existing on-site land uses. The analysis will also address potential impacts associated with light spillage onto adjacent properties during nighttime activities.
II. AGRICULTURE AND FORESTRY RESOURCES -- WOULD THE PROJECT:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526)?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Result in the loss of forest land or conversion of forest land to non-forest use?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**RESPONSES TO CHECKLIST QUESTIONS**

**Responses a), e):** It has been determined that the potential impacts on agricultural resources caused by the proposed project will require a more detailed analysis in the EIR. As such, the lead agency will examine each of the environmental issues listed in the checklist above in the EIR and will decide whether the proposed project will have a potentially significant impact on agriculture resources. At this point, a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered *potentially significant* until a detailed analysis is prepared in the EIR.

The EIR will describe the character of the region’s agricultural lands, including maps of prime farmlands, other important farmland classifications, and protected farmland (including Williamson Act contracts). The County Agricultural Commissioner’s Office and the State Department of Conservation will be consulted and their respective plans, policies, laws, and regulations affecting agricultural lands will be presented within the analysis.

The EIR will include thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to offset the loss of agricultural lands as a result of project implementation.

**Responses b), c), d):** The project site is not under a Williamson Act contract. There are no forest resources or zoning for forest lands located on the project site, or within the City of Stockton. This CEQA topic is not relevant to the proposed project and does not require further analysis.
III. AIR QUALITY -- WOULD THE PROJECT:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?</td>
<td>X</td>
<td></td>
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</tr>
</tbody>
</table>

RESPONSES TO CHECKLIST QUESTIONS

Responses a-d): Based on the current air quality conditions in the air basin it has been determined that the potential impacts on air quality caused by the proposed project will require a detailed analysis in the EIR. As such, the lead agency will examine each of the environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact on air quality. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will include an air quality analysis that presents the methodology, thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to reduce impacts on air quality. The project site is located within the jurisdiction of the SJVAPCD. The air quality analysis will include the following:

- Regional air quality and local air quality in the vicinity of the project site will be described. Meteorological conditions in the vicinity of the project site that could affect air pollutant dispersal or transport will be described. Applicable air quality regulatory framework, standards, and significance thresholds will be discussed.

- Short-term (i.e., construction) increases in regional criteria air pollutants will be quantitatively assessed. The ARB-approved CalEEMod computer model will be used to estimate regional mobile source and particulate matter emissions associated with the construction of the proposed project.

- Long-term (operational) increases in regional criteria air pollutants will be quantitatively assessed for area source, mobile sources, and stationary sources. The ARB-approved CalEEMod computer model will be used to estimate emissions
associated with the proposed project. Exposure to odorous or toxic air contaminants will be assessed through a screening method as recommended by the SJVAPCD.

- Local mobile-source CO concentrations will be assessed through a CO screening method as recommended by the SJVAPCD.

- A Health Risk Assessment (HRA) will be prepared to determine the potential public health risks from existing emissions from nearby rail and other toxic air sources, as well as the potential for the project to cause new public health risks from project-related traffic.
IV. BIOLOGICAL RESOURCES -- WOULD THE PROJECT:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td></td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</td>
<td></td>
<td>X</td>
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</tr>
<tr>
<td>c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
<td></td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td></td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td></td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
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</tbody>
</table>

RESPONSES TO CHECKLIST QUESTIONS

Responses a-f: Based on the documented special status species, sensitive natural communities, wetlands, and other biological resources in the region, it has been determined that the potential impacts on biological resources caused by the proposed project will require a detailed analysis. As such, the lead agency will examine each of the environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact on biological resources. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will provide a summary of local biological resources, including descriptions and mapping of plant communities, the associated plant and wildlife species, and sensitive biological resources known to occur, or with the potential to occur in the project vicinity. The project site will be surveyed for wetlands and other waters that are regulated under federal and state law. The
analysis will conclude with a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented in order to reduce impacts on biological resources and to ensure compliance with the federal and state regulations.
V. CULTURAL RESOURCES -- WOULD THE PROJECT:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</td>
<td>X</td>
<td></td>
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<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>X</td>
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</tbody>
</table>

RESPONSES TO CHECKLIST QUESTIONS

Responses a-c): Based on known historical and archaeological resources in the region, and the potential for undocumented underground cultural resources in the region, it has been determined that the potential impacts on cultural resources caused by the proposed project will require a detailed analysis in the EIR. As such, the lead agency will examine each of the three environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact on cultural resources. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will include an overview of the prehistory and history of the area, the potential for surface and subsurface cultural resources to be found in the area, the types of cultural resources that may be expected to be found, a review of existing regulations and policies that protect cultural resources, an impact analysis, and mitigation that should be implemented in order to reduce potential impacts to cultural resources. In addition, the CEQA process will include a request to the Native American Heritage Commission for a list of local Native American groups that should be contacted relative to this project. The CEQA process will also include consultation with any Native American groups that have requested consultation with the City of Stockton.
VI. ENERGY -- WOULD THE PROJECT:

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</td>
<td>X</td>
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</tbody>
</table>

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Based on the proposed project and anticipated uses, it has been determined that the potential impacts associated with energy resources will require a detailed analysis in the EIR. As such, the lead agency will examine each of the environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact on energy. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will include an evaluation of the energy consumption (e.g., electricity, oil, and natural gas) and provide a discussion of the potential energy impacts of the proposed project with particular emphasis on its potential to result in wasteful, inefficient, or unnecessary consumption of energy resources during construction and operation. An analysis of the project’s potential to conflict with or obstruct a plan for renewable energy or energy efficiency will also be addressed.
**VII. GEOLOGY AND SOILS -- WOULD THE PROJECT:**

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
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</tr>
<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
<td>X</td>
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<tr>
<td>ii) Strong seismic ground shaking?</td>
<td></td>
<td>X</td>
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<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
<td></td>
<td>X</td>
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<tr>
<td>iv) Landslides?</td>
<td></td>
<td>X</td>
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<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
<td></td>
<td></td>
<td>X</td>
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</tr>
<tr>
<td>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>

**RESPONSES TO CHECKLIST QUESTIONS**

**Responses a-d), f):** It has been determined that the potential impacts from geology and soils will require a detailed analysis in the EIR. As such, the lead agency will examine each of the environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact from geology and soils. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered **potentially significant** until a detailed analysis is prepared in the EIR.
The EIR will include a review of existing geotechnical reports, published documents, aerial photos, geologic maps and other geological and geotechnical literature pertaining to the site and surrounding area to aid in evaluating geologic resources and geologic hazards that may be present. The EIR will include a description of the applicable regulatory setting, a description of the existing geologic and soils conditions on and around the project site, an evaluation of geologic hazards, a description of the nature and general engineering characteristics of the subsurface conditions within the project site, and the provision of findings and potential mitigation strategies to address any geotechnical concerns or potential hazards. The potential for paleontological resources to occur with the area will also be assessed.

This section will provide an analysis including thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to reduce impacts associated with geology and soils.

**Response e):** The proposed project would connect to the municipal sewer system for wastewater disposal. Septic tanks or septic systems are not proposed as part of the project. As such, this CEQA topic is not relevant to the proposed project and does not require further analysis.
VIII. GREENHOUSE GAS EMISSIONS -- WOULD THE PROJECT:

<table>
<thead>
<tr>
<th>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
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</table>

<table>
<thead>
<tr>
<th>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
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</table>

**RESPONSES TO CHECKLIST QUESTIONS**

**Responses a), b):** Implementation of the proposed project could generate greenhouse gases (GHGs) from a variety of sources, including but not limited to vehicle trips, vehicle idling, electricity consumption, water use, and solid waste generation. It has been determined that the potential impacts from greenhouse gas emissions by the proposed project will require a detailed analysis in the EIR. As such, the lead agency will examine each of the environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact from greenhouse gas emissions. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will include a greenhouse gas emissions analysis pursuant to the requirements of federal, state, regional and local laws and regulations. The analysis will follow the California Air Pollution Control Officers Association (CAPCOA) white paper methodology and recommendations presented in Climate Change & CEQA, which was prepared in coordination with the California Air Resources Board and the Governor’s Office of Planning and Research as a common platform for public agencies to ensure that GHG emissions are appropriately considered and addressed under CEQA. This analysis will consider a regional approach toward determining whether GHG emissions are significant, and will present mitigation measures to reduce impacts. The discussion and analysis will include quantification of GHGs generated by the project as well as a qualitative discussion of the project’s consistency with any applicable state and local plans to reduce the impacts of climate change.

The EIR will provide an analysis including the methodology, thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to reduce impacts associated with greenhouse gas emissions.
IX. HAZARDS AND HAZARDOUS MATERIALS -- WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

Responses a-f: It has been determined that the potential impacts from hazards and/or hazardous materials by the proposed project will require a detailed analysis in the EIR. As such, the lead agency will examine each of the environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact from hazards and/or hazardous materials. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will include a review of existing environmental site assessments and any other relevant studies for the project site to obtain a historical record of environmental conditions. The environmental hazards evaluation will include a review of hazardous site databases. A site reconnaissance will be performed to observe the site and potential areas of interest. The potential
for project implementation to introduce hazardous materials to and from the area during construction and operation will be assessed. If environmental conditions are identified, mitigation measures, as applicable, will be identified to address the environmental conditions.

This section will provide an analysis including the methodology, thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to reduce impacts associated with hazards and hazardous materials.

**Response g):** The project site and surrounding area are not located within an area identified as a fire hazard severity zone by the Fire Hazard Severity Zones Maps prepared by Cal Fire. Further, the Envision Stockton 2040 General Plan states that risk of wildfire in the Planning Area is considered relatively low. This is a less than significant impact, and no additional analysis of this CEQA topic is warranted.

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X. HYDROLOGY AND WATER QUALITY -- **W**OULD THE **P**ROJECT:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.</td>
<td>X</td>
<td></td>
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<tr>
<td>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</td>
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<td></td>
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</tr>
<tr>
<td>i) result in substantial erosion or siltation on- or offsite?</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?</td>
<td>X</td>
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<tr>
<td>iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</td>
<td>X</td>
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<tr>
<td>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</td>
<td>X</td>
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<tr>
<td>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</td>
<td>X</td>
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</tbody>
</table>

**RESPONSES TO CHECKLIST QUESTIONS**

**Responses a-e):** It has been determined that the potential impacts on hydrology and water quality caused by the proposed project will require a detailed analysis in the EIR. As such, the lead agency will examine each of the potentially significant environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact on hydrology and water quality. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered *potentially significant* until a detailed analysis is prepared in the EIR.

The EIR will present the existing FEMA flood zones, levee protection improvements, reclamation districts, and risk of flooding on the project site and general vicinity. The applicable reclamation district will be consulted during the preparation of the EIR. The Project drainage study/calculations and proposed improvement plans will be reviewed and the onsite hydrology
and hydraulic calculations for existing and proposed conditions will be summarized. Some of the specific items to be reviewed include: land use classification; acreage calculations; runoff coefficients; time of concentration; and methodology. Calculations will be reviewed for reasonableness and consistency with the site plan and with the City’s master plans.

The EIR will evaluate the potential construction and operational impacts of the proposed project on water quality. This section will describe the surface drainage patterns of the project area and adjoining areas, and identify surface water quality in the project area based on existing and available data. This section will identify 303D listed impaired water bodies in the vicinity of the project site. Conformity of the proposed project to water quality regulations will also be discussed. Mitigation measures will be developed to incorporate Best Management Practices (BMPs), consistent with the requirements of the Central Valley Regional Water Quality Control Board (CVRWQCB) to reduce the potential for site runoff.

This section will provide an analysis including the methodology, thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to reduce impacts associated with hydrology and water quality.
XI. LAND USE AND PLANNING -- WOULD THE PROJECT:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>a) Physically divide an established community?</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>X</td>
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</table>

**Responses to Checklist Questions**

**Response a-b:** It has been determined that the potential land use and planning impacts caused by the proposed project will require a detailed analysis in the EIR. As such, the lead agency will examine each of these environmental issues in the EIR and will decide whether the proposed project has the potential to have a significant impact. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will include a detailed discussion of the project entitlements as it relates to the existing General Plan, Zoning Code, and other local regulations. The local, regional, state, and federal jurisdictions potentially affected by the project will be identified, as well as their respective plans, policies, laws, and regulations, and potentially sensitive land uses. The proposed project will be evaluated for consistency the City of Stockton General Plan, the Zoning Ordinance, the Airport Land Use Compatibility Plan (ALUCP) for Environments of Stockton Metropolitan Airport (2018), the San Joaquin County’s Aviation System – Airport Land Use Compatibility Plan (2018), and other local planning documents. Planned development and land use trends in the region will be identified based on currently available plans. Reasonably foreseeable future development projects within the region will be noted, and the potential land use impacts associated with the project will be presented.

This section will provide an analysis including the thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to ensure consistency with the existing and planned land uses.
XII. MINERAL RESOURCES -- WOULD THE PROJECT:

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<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

RESPONSES TO CHECKLIST QUESTIONS

Response a), b): According to the 2040 General Plan Update and Utility Master Plan Supplements Environmental Impact Report prepared for the Envision Stockton 2040 General Plan, the Plan Area, including the project site, has been classified as a MRZ-1 zone, signifying that it is in an area where the California Geological Survey (CGS) has determined that little likelihood exists for the presence of mineral resources. Given this finding, the likelihood that implementation of the proposed project would result in the loss of availability of a known valuable mineral resource or the loss of availability of a locally important mineral resource recovery site is considered low. Additionally, impacts to mineral resources as a result of General Plan buildout (including development of the Project site with Industrial uses) were analyzed in the General Plan EIR. For these reasons, the impacts related to mineral resources would be less than significant and no additional analysis of this CEQA topic is warranted.
XIII. NOISE -- WOULD THE PROJECT:

<table>
<thead>
<tr>
<th>Would the Project</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>X</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>X</td>
<td></td>
<td></td>
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</tbody>
</table>

RESPONSES TO CHECKLIST QUESTIONS

Responses a-c): Based on existing and projected noise levels along roadways and adjacent rail lines, and the potential for noise generated during project construction and operational activities, it has been determined that the potential impacts from noise caused by the proposed project will require a detailed analysis in the EIR. As such, the lead agency will examine each of the potentially significant environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact from noise. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will include a noise study. The noise study will identify the noise level standards contained in the City of Stockton General Plan Noise Element which are applicable to this project, as well as any state and federal standards. The EIR will address the existing noise environment (including the UPRR activities), and an analysis of stationary noise generated by the project, including proposed loading docks, parking lots, and any proposed mechanical equipment. The EIR will also analyze mobile noise generated by the project, including on-site truck circulation, traffic noise, and rail noise (as the proposed project would include extension of the railroad spur line east from the UPRR along the Project site’s northern edge providing rail access to the parcels). Noise and vibration impacts associated with construction of the project at existing sensitive receptors in the project vicinity will also be addressed. The study will present appropriate and practical recommendations for noise control aimed at reducing any noise impacts.

The EIR will include thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to reduce impacts associated with noise.
XIV. POPULATION AND HOUSING -- WOULD THE PROJECT:

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<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
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<tbody>
<tr>
<td>a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
<td>X</td>
<td></td>
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<tr>
<td>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
<td>X</td>
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</table>

RESPONSES TO CHECKLIST QUESTIONS

Response a): It has been determined that the potential population and housing impacts caused by the proposed project will require a detailed analysis in the EIR. As such, the lead agency will examine the potentially significant environmental issue listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact. At this point a definitive impact conclusion for the environmental topic will not be made, rather it is considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will include a detailed discussion of existing population and housing trends within the city. Relevant policies related to the location and intensity of housing development and population growth will be summarized and addressed. The proposed project characteristics, including the potential to induce substantial unplanned population growth, both directly and indirectly, will be analyzed. The proposed project will be evaluated for consistency the City of Stockton General Plan, the Zoning Ordinance, and other local planning documents as they pertain to planned growth and development.

This section will provide an analysis including the thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to ensure population and housing consistency with the existing and planned land uses.

Response b): The project site is currently undeveloped and does not contain any existing housing that would be displaced. Development of the site, as proposed, would not displace substantial numbers of existing people or housing. No impact would occur and no additional analysis of this CEQA topic is warranted.
XV. PUBLIC SERVICES:

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<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
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<tbody>
<tr>
<td>a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</td>
<td></td>
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</tr>
<tr>
<td>i) Fire protection?</td>
<td>X</td>
<td></td>
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<tr>
<td>ii) Police protection?</td>
<td>X</td>
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<tr>
<td>iii) Schools?</td>
<td>X</td>
<td></td>
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<tr>
<td>iv) Parks?</td>
<td>X</td>
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<tr>
<td>v) Other public facilities?</td>
<td>X</td>
<td></td>
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</table>

**RESPONSES TO CHECKLIST QUESTIONS**

**Responses a) i- v:** Implementation of the proposed project would result in increased demand for police, fire protection, schools, parks, and other public facilities in the area. It has been determined that the potential impacts from increased demands on public services caused by the proposed project will require a detailed analysis in the EIR. As such, the lead agency will examine each of the environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact on public services. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered *potentially significant* until a detailed analysis is prepared in the EIR.

During the preparation of the EIR, the public service providers will be consulted in order to determine existing service levels in the project areas. This would include documentation regarding existing staff levels, equipment and facilities, current service capacity, existing service boundaries, and planned service expansions. Master plans from such public service providers and City policies, programs, and standards associated with the provision of public services will be presented in the EIR.

The EIR will provide an analysis including the thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented reduce impacts associated with public services.
XVI. RECREATION -- WOULD THE PROJECT:

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<th>Less Than Significant with Mitigation Incorporation</th>
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<tbody>
<tr>
<td>a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
<td>X</td>
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<tr>
<td>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
<td>X</td>
<td></td>
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</tbody>
</table>

RESPONSES TO CHECKLIST QUESTIONS

Response a), b): Implementation of the proposed project could result in increased demand for parks, and other recreational facilities in the area. It has been determined that the potential impacts from increased demands to recreation facilities caused by the proposed project will require a detailed analysis in the EIR. As such, the lead agency will examine each of these environmental issues listed in the checklist above in the EIR, and will decide whether the proposed project has the potential to have a significant impact on recreational facilities. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered *potentially significant* until a detailed analysis is prepared in the EIR.

During the preparation of the EIR, the recreational facilities and services will be analyzed to determine existing service levels in the project areas. This would include documentation regarding existing and future facility needs, current service capacity, and planned service expansions. City policies, programs, and standards associated with the provision of public services will be presented in the EIR.

The EIR will provide an analysis including the thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented reduce impacts associated with public services.
XVII. TRANSPORTATION -- WOULD THE PROJECT:

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<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
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</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?</td>
<td>X</td>
<td></td>
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<tr>
<td>b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?</td>
<td>X</td>
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<tr>
<td>c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td>X</td>
<td></td>
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<tr>
<td>d) Result in inadequate emergency access?</td>
<td>X</td>
<td></td>
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</table>

**RESPONSES TO CHECKLIST QUESTIONS**

**Responses a-d:** The proposed project includes the development of uses that will involve new trips on existing and planned roadways within the area, requiring a detailed analysis in the EIR. As such, the EIR will examine each of the environmental issues listed in the checklist above in the EIR and will determine whether the proposed project has the potential to have a significant transportation impact. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is conducted in the EIR.

The potential transportation impacts will be analyzed using methods outlined in the City of Stockton Guidelines for Transportation Impact Studies. The EIR will describe existing and future transportation conditions and will analyze any potential conflicts with programs, plans, ordinances or policies addressing the circulation system. Potential impacts associated with site access, and on-site circulation will also be addressed in the EIR. A detailed vehicle miles traveled (VMT) analysis will be conducted to determine if the project would conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). The VMT analysis would be completed consistent with the Office of Planning and Research's (OPR’s) Technical Advisory on Evaluating Transportation Impacts in CEQA.

The project proposes a west-east trending primary road that will provide access to Airport Way to the west and the 99 Frontage Road to the east. A grade separated crossing over the Union Pacific railroad right of way will be constructed to accommodate the primary access road and avoid conflicts with the rail line. Additionally, potential improvements will be reviewed to determine intersection geometrics required to serve all modes of travel. The potential for the project to substantially increase hazards due to a geometric design feature will be analyzed as part of the EIR.

Impacts to the bicycle, pedestrian, rail, and transit facilities and services will be also evaluated, including planned regional bicycle connections and the need for enhanced transit service and
transit stops in coordination with the San Joaquin Regional Transit District. Significant impacts will be identified in accordance with the established criteria. Mitigation measures will be identified to lessen the significance of impacts where feasible.

The EIR will provide an analysis including the thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to reduce impacts associated with transportation.
XVIII. TRIBAL CULTURAL RESOURCES

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<tbody>
<tr>
<td>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</td>
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<tr>
<td>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?</td>
<td>X</td>
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<tr>
<td>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American tribe.</td>
<td></td>
<td>X</td>
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</table>

Responses to Checklist Questions

Responses a), b): Based on known tribal cultural resources in the region, and the potential for undocumented underground tribal cultural resources in the region, it has been determined that the potential impacts on tribal cultural resources caused by the proposed project will require a detailed analysis in the EIR. As such, the lead agency will examine the environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact on tribal cultural resources. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will include an overview of the prehistory and history of the area, the potential for surface and subsurface tribal cultural resources to be found in the area, the types of tribal cultural resources that may be expected to be found, a review of existing regulations and policies that protect cultural resources, an impact analysis, and mitigation that should be implemented in order to reduce potential impacts to tribal cultural resources. In addition, the CEQA process will include a request to the Native American Heritage Commission for a list of local Native American groups that should be contacted relative to this project. Pursuant to AB 52 and SB 18, the CEQA process will also include consultation with any Native American groups that have requested consultation with the City of Stockton.
XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:

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<tbody>
<tr>
<td>a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?</td>
<td></td>
<td>X</td>
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<tr>
<td>b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple years?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
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<tr>
<td>c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?</td>
<td></td>
<td>X</td>
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<tr>
<td>d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</td>
<td></td>
<td>X</td>
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<tr>
<td>e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</td>
<td></td>
<td>X</td>
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</table>

Responses to Checklist Questions

Responses a-e): Implementation of the proposed project would result in increased demands for utilities to serve the project. As such, the EIR will examine each of the environmental issues listed in the checklist above in the EIR and will decide whether the proposed project has the potential to have a significant impact to utilities and service systems. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.

The EIR will analyze wastewater, water, and storm drainage infrastructure, as well as other utilities (i.e. solid waste, gas, electric, etc.), that are needed to serve the proposed project. The wastewater assessment will include a discussion of the proposed collection and conveyance system, treatment methods and capacity at the treatment plants, disposal location(s) and methods, and the potential for recycled water use for irrigation. The EIR will analyze the impacts associated with on-site and off-site construction of the conveyance system, including temporary impacts associated with the construction phase. The proposed infrastructure will be presented. This will likely include a system of gravity pipes, pump station(s), and a forcemain(s). The EIR will provide a discussion of the wastewater treatment plants that are within proximity to the project site, including current demand and capacity at these plants. The analysis will discuss the disposal methods and location, including environmental impacts and permit requirements associated with disposal of treated wastewater.
The storm drainage assessment will include a discussion of the proposed drainage collection system including impacts associated with on-site and off-site construction of the storm drainage system. The EIR will identify permit requirements and mitigation needed to minimize and/or avoid impacts. The EIR will include an assessment for consistency with City Master Storm Drain Plan.

The EIR will analyze the impacts associated with on-site and off-site construction of the water system, including temporary impacts associated with the construction phase. The EIR will also identify permit requirements and mitigation needed to minimize and/or avoid impacts, and will present the proposed infrastructure as provided by the project site engineering reports. A Water Supply Assessment will be required for the project to assess the availability of water supplies to serve the project.

The EIR will also address solid waste collection and disposal services for the proposed project. This will include an assessment of the existing capacity and project demands. The assessment will identify whether there is sufficient capacity to meet the project demands.

The EIR will provide thresholds of significance, a consistency analysis, cumulative impact analysis, and a discussion of feasible mitigation measures that should be implemented to reduce impacts associated with utilities and service systems.
XX. WILDFIRE – IF LOCATED IN OR NEAR STATE RESPONSIBILITY AREAS OR LANDS CLASSIFIED AS VERY HIGH FIRE HAZARD SEVERITY ZONES, WOULD THE PROJECT:

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<tr>
<th>Question</th>
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</thead>
<tbody>
<tr>
<td>a) Substantially impair an adopted emergency response plan or emergency evacuation plan?</td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff post-fire slope instability, or drainage changes?</td>
<td></td>
<td></td>
<td>X</td>
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</table>

RESPONSES TO CHECKLIST QUESTIONS

Responses a-d): The project site and surrounding area are not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. This CEQA topic is not relevant to the proposed project and does not require further analysis.

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XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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<tbody>
<tr>
<td>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
<td>X</td>
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<tr>
<td>b) Does the project have impacts that are individually limited, but cumulatively considerable? (&quot;Cumulatively considerable&quot; means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</td>
<td>X</td>
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<tr>
<td>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td>X</td>
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Responses to Checklist Questions

Responses a-c): It has been determined that the potential for the proposed project to: degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of a rare or endangered plant or animal; eliminate important examples of the major periods of California history or prehistory; create cumulatively considerable impacts; or adversely affect human beings will require more detailed analysis in an EIR. As such, the EIR will examine each of these environmental issues in the EIR and will decide whether the proposed project has the potential to have a significant impact on these environmental issues. At this point a definitive impact conclusion for each of these environmental topics will not be made, rather all are considered potentially significant until a detailed analysis is prepared in the EIR.
REPORT PREPARERS

This document was prepared by De Novo Planning Group, Inc. of El Dorado Hills under the direction of the City of Stockton. De Novo Planning Group staff participating in document preparation included the following:

- Steve McMurtry, Principal Planner
- Starla Barker, AICP, Principal Planner

REFERENCES


City of Stockton. Legislation Text. Consideration of a Zoning Map Amendment for Approximately 391.23 acres located south of Arch Airport-Sperry Road between Tidewater Southern Railroad Track and French Camp Road (APN 177-050-05, 09, 25 and 177-100-07 and 35) Application No. P18-0046, Tidewater Crossing Project, April 4, 2019.


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SOUTH STOCKTON COMMERCE CENTER EIR
SCOPING MEETING

October 26, 2020

(held on-line via WebEx)

De Novo Planning Group
To receive input from the public and interested agencies on the environmental issues that the Draft Environmental Impact Report (EIR) should address.

To enhance public participation as part of the project’s review under the California Environmental Quality Act (CEQA).

Today’s meeting is NOT intended as a forum to discuss the merits or design of the proposed project.
What is an EIR?

- An informational document describing the anticipated environmental effects of implementing a project, as required by CEQA.
- Acts as a forum for public participation in the environmental review process.
- An EIR includes Mitigation Measures to reduce potential adverse environmental impacts.
- An EIR does not advocate or promote the project.
**Size**: 437.45 acres

**APNs**: 177-110-040, 177-100-030, 177-110-050, 177-050-090, 201-020-010

**Location**: Located in the southern portion of the City of Stockton, south of and adjacent to the Stockton Airport. Located west of the SR 99 Frontage Road and SR 99 and east of Airport Way. UPRR extends south from Airport Way bisecting the western portion of the site.

**Existing Uses**: active agricultural fields (majority of the fields produce watermelons), with a walnut orchard located in the eastern portion of the site.
Project Description

• The Tentative Map includes: 13 development lots, two basin lots, one park lot, one open space lot, and one sewer pump station lot.

• Of the 13 development lots, **12 will be for development of a mix of industrial uses** and **1 will be for development of commercial uses**. The Tentative Map proposes approximately 298 net acres of limited industrial uses and 11 net acres of commercial uses.

• Based on a FAR of 0.47, a **maximum of 6,091,551 square feet of industrial type land uses could be developed throughout the site**. Based on a FAR of 0.30, a **maximum of 467,834 square feet of commercial type land uses could be developed on the commercial development lot**.
Entitlements Requested

- Certification of the EIR;
- Adoption of the Mitigation Monitoring and Reporting Program;
- Approval of City of Stockton General Plan Amendment;
- Approval of City of Stockton Zoning Map Amendment;
- Approval of Tentative and Final maps;
- Future approval of Final Maps and Improvement Plans;
- Future approval of Grading Plans;
- Future approval of Building Permits;
- Future approval of Site Plan Review;
- Future approval of Design Review;
- Future approval of Completeness Review;
- Future approval of Development Agreement;
- Future issuance of grading, encroachment, and building permits;
- Future City review and approval of Project utility plans.

De Novo Planning Group
ISSUES TO BE ADDRESSED IN THE EIR

The following environmental topics identified in Appendix G of the State CEQA Guidelines will be analyzed in the EIR:

• Aesthetics
• Agriculture and Forestry Resources
• Air Quality
• Biological Resources
• Cultural and Tribal Resources
• Greenhouse Gas Emissions and Energy
• Hazards and Hazardous Materials
• Hydrology and Water Quality
• Land Use and Planning
• Noise
• Population and Housing
• Public Services and Recreation
• Transportation and Circulation
• Cumulative and Growth Inducing Impacts
NOTICE OF PREPARATION

- Public review period ends on October 30, 2020
- Comments can be submitted:
  - Today (orally or in writing)
  - By email
  - By mail

De Novo Planning Group
Next Steps

- Public Draft EIR
  - 45-day public review and comment period
- Final EIR
  - Written responses to comments, and any changes made to the Draft EIR
- Certify the EIR
- City to consider the project applications
SCHEDULE

• Notice of Preparation – Public Review
  • September 30 to October 30, 2020
• Public Scoping Meeting
  • October 26, 2020
• Notice of Availability – Draft EIR Public Review (45 days)
  • TBD (Estimated Winter 2020)
• Release Final EIR
  • TBD (Estimated Late Spring 2021)
• Public Hearings – EIR Certification/Project Consideration
  • TBD (Estimated Late Spring/Early Summer 2021)
The IS-NOP is available for review at the City of Stockton. An electronic copy can be emailed to you if requested.

Comments can be sent to Nicole Moore at:
Nicole.Moore@StocktonCA.gov

Or:

Nicole Moore, Senior Planner
City of Stockton
345 N. El Dorado Street
Stockton, CA 95202

De Novo Planning Group
PUBLIC NOTICE
PREPARATION, SCOPING MEETING AND NEIGHBORHOOD MEETING
FOR THE SOUTH STOCKTON COMMERCE CENTER (P20-0024)

The City of Stockton intends to prepare an Environmental Impact Report (EIR) for the South Stockton Commerce Center (hereafter "Project") pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines. Section 15062 of the CEQA Guidelines requires the City to prepare this Notice of Preparation (NOP) to provide to the Office of Planning and Research, responsible and related agencies, and other interested parties with sufficient information describing the Project and its potential environmental effects. The City made the determination to prepare an EIR following a preliminary review of the Project. Pursuant to CEQA Guidelines Section 15302(a), because an EIR is needed an initial study has not been prepared. Probable environmental effects of the Project are described in the attached Project summary.

As specified by the CEQA Guidelines, the NOP will be circulated for a 30-day review period. The comment period runs from Wednesday, September 30, 2020, to Friday, October 30, 2020. The City welcomes public input during the review period. In the event the City has not received either a response or a well-justified request for additional time by a responsible agency by the end of the review period, the City may presume that the responsible agency has no response (CEQA Guidelines Section 15062(b)).

During this time of local health concerns, a virtual scoping and neighborhood meeting for this project will be held virtually on Monday, October 26, 2020 from 6:30 pm to 7:30 pm. You can participate in the live meeting by going to www.webex.com. The meeting number is 133 964 5700; the meeting password is Ez2SwCpgjGQ. If you prefer to email your comments, those can be sent to Nicole.Moore@stocktonca.gov. You may also call to discuss the project with Nicole Moore at (209) 957-8165.

PROJECT TITLE: South Stockton Commerce Center
CITY PROJECT FILE #: P20-0024
PROJECT DESCRIPTION/LOCATION: The project site, consisting of five properties, is in the City of Stockton City Limits (Figures 1 through 9). The 437-acre South Stockton Commerce Center property, consisting of Assessor’s Parcel Numbers (APNs) 177-110-040, 177-103-030, 177-110-050, 201-020-010, and 177-000-000, is located east of Airport Way and south of the Stockton Metropolitan Airport and Stimson Road. The project will require City of Stockton approvals of a General Plan Amendment, Zoning Map Amendment, Development Agreement, and Tentative Map.

If you have any questions regarding this matter or would like to submit comments on behalf of your agency/organization or as an individual, please submit your comments to the City’s Project Manager at City of Stockton, Community Development Department, Attention: Nicole Moore, LEED-AP, 345 N El Dorado St, Stockton, CA 95202 (209-957-8165 or Nicole.Moore@stocktonca.gov).

ELIZA R. GARZA, CMC
CITY CLERK
CITY OF STOCKTON

#207931 9/30/20

I declare under penalty of perjury that the foregoing is true and correct.
Executed on September 30, 2020 In Stockton California

[Signature]
Delilah Little, The Record

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