

CITY OF STOCKTON
FINAL INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

FOR THE

AIRPORT WAY/SPERRY ROAD
COMMERCIAL PROJECT
4607 South Airport Way
Stockton, CA

City of Stockton
Project File No: P17-0013

January 26, 2018

CITY OF STOCKTON
Community Development Department
345 N. El Dorado Street
Stockton, CA 95202
209-937-8444

Prepared by:

BASECAMP ENVIRONMENTAL
115 S. School Street, Suite 14
Lodi, CA 95240
209-224-8213



CITY OF STOCKTON
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ARCO STATION PROJECT
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1.0 INTRODUCTION TO FINAL IS/MND

The project applicant proposes to construct an ARCO fueling station and AMPM convenience store on an approximately 2-acre site at the intersection of South Airport Way and Sperry Road. The fueling station would provide 16 pumps for dispensing gasoline and diesel fuel to passenger vehicles and light-duty trucks. An adjacent building approximately 3,764 square feet in size would contain a convenience store. A freestanding automated car wash structure would be constructed adjacent to the convenience store building. The project applicant also proposes to construct a three-bay cardlock diesel fueling station for heavy-duty trucks.

There would be 32 parking spaces on the project site. Access would be provided from Sperry Road and South Airport Way. The project would connect to existing water, wastewater and storm drainage lines and electrical, gas and communication utilities in the surrounding streets.

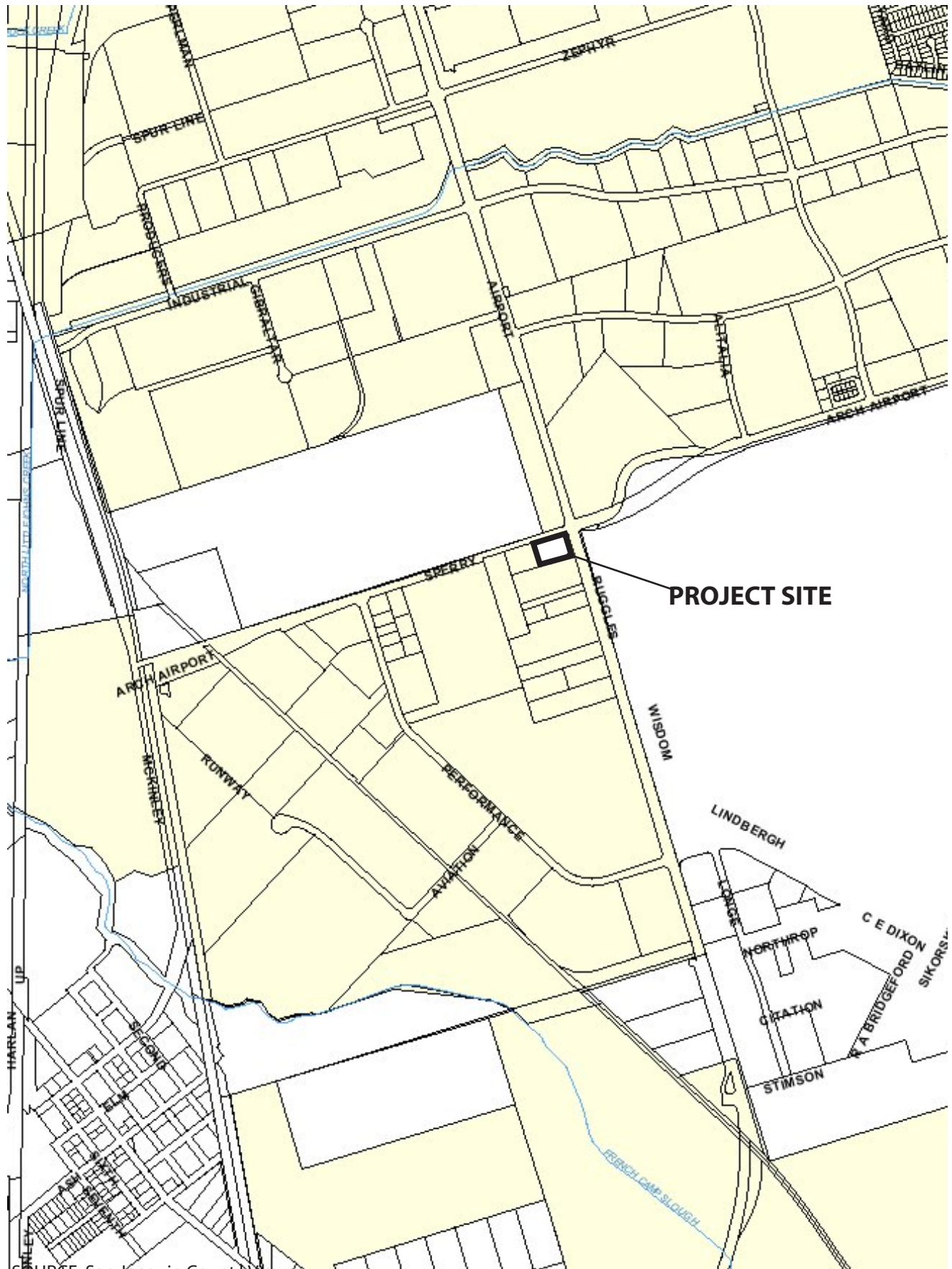
The project is subject to the California Environmental Quality Act. The City of Stockton prepared an Initial Study and proposed Mitigated Negative Declaration for the project (Draft IS/MND), which was circulated for public and agency review during a 30-day comment period extending from December 18, 2017, until January 16, 2018. The Draft IS/MND is available for public review at the Stockton Department of Community Development at 345 N El Dorado Street, Stockton, CA 95202 or online at:

<http://www.stocktongov.com/government/departments/communityDevelop/cdPlanEnv.html>

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

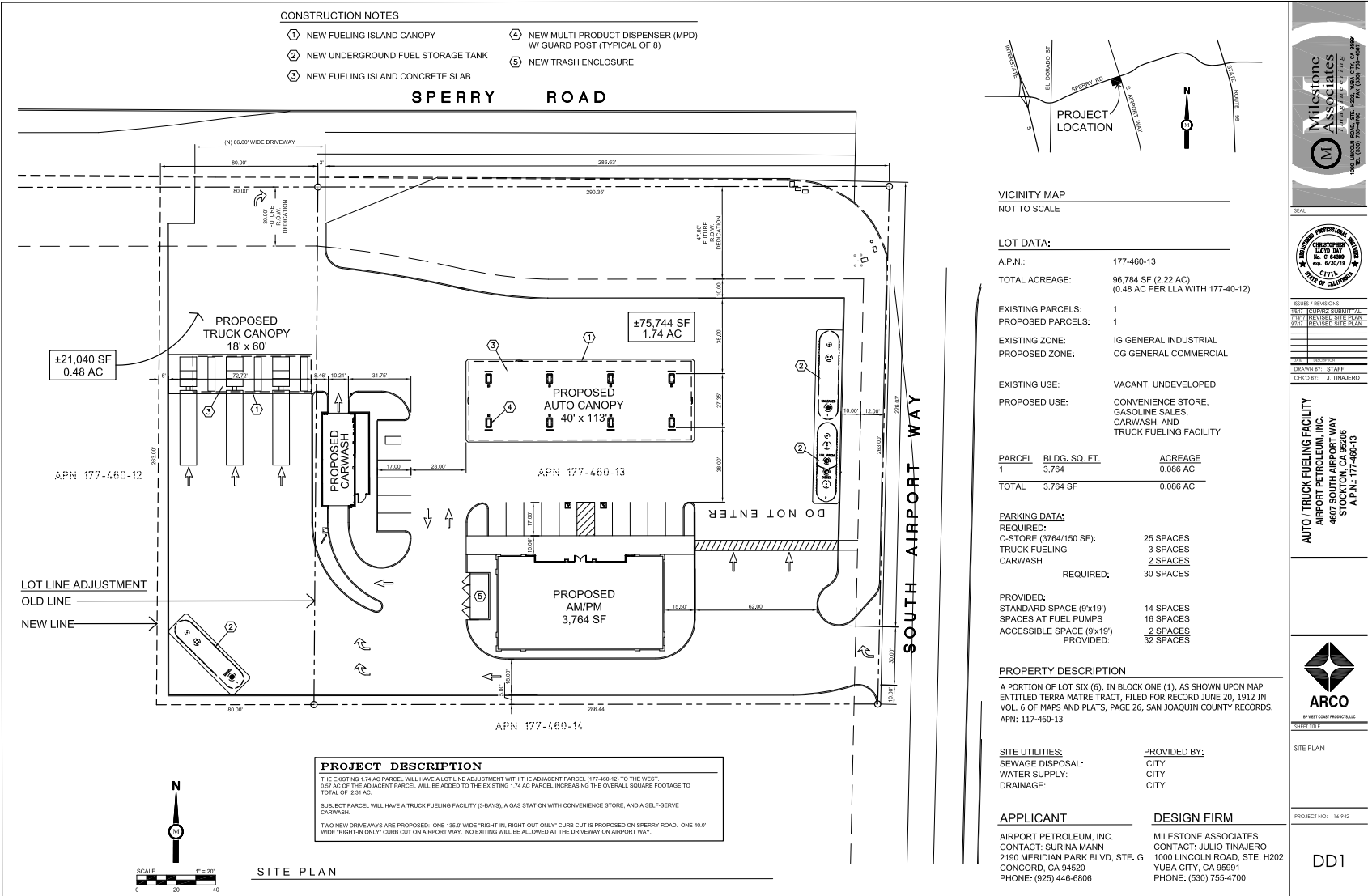
The Final IS/MND, when combined with the Draft IS/MND, constitutes the complete environmental review document for the Airport Way/Sperry Road Commercial project. The Final IS/MND will be considered by the City of Stockton Planning Commission before the Commission makes its decision on the project. The project is scheduled for consideration by the Planning Commission on February 08, 2018.





SOURCE: San Joaquin County Viewer





2.0 SUMMARY TABLE

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

The potential environmental impacts of the proposed project are summarized in the left-most column of this table. The level of significance of the impact is indicated in the second column, mitigation measures proposed to minimize the impacts are shown in the third column, and the significance of the impact, after mitigation measures are applied, is shown in the fourth column.

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
3.1 AESTHETICS			
a) Scenic Vistas	NI	None required	
b) Scenic Resources	NI	None required	
c) Visual Character and Quality	LS	None required	
d) Light and Glare	LS	None required	
3.2 AGRICULTURE AND FORESTRY RESOURCES			
a) Agricultural Land Conversion	NI	None required	
b) Agricultural Zoning and Williamson Act	NI	None required	
c, d) Forest Land Conversion and Zoning	NI	None required	
e) Indirect Conversion of Farmland of Forest Land	NI	None required	
3.3 AIR QUALITY			
a) Air Quality Plan Consistency	LS	None required	
b) Violation of Air Quality Standards	LS	None required	
c) Cumulative Emissions	LS	None required	
d) Exposure of Sensitive Receptors to Pollutants	LS	None required	
e) Odors	NI	None required	

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
3.4 BIOLOGICAL RESOURCES			
a) Special-Status Species	PS	BIO-1: The ODS shall mitigate for the proportionate loss of potential wildlife habitat from the project site by applying for coverage and implementing Incidental Take Minimization Measures (ITMMs) as required by the adopted San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP).	LS
b) Riparian and Other Sensitive Habitats	NI	None required	
c) Wetlands	NI	None required	
d) Fish and Wildlife Movement	NI	None required	
e) Local Biological Requirements	NI	None required	
f) Conflict with Habitat Conservation Plans	PS	Mitigation Measure BIO-1.	LS
3.5 CULTURAL RESOURCES			
a, b) Historical and Archaeological Resources	PS	CULT-1: If any subsurface cultural or paleontological resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist or paleontologist, as appropriate, can examine these materials and make a determination of their significance. If the resource is determined to be significant, recommendations shall be made on further mitigation measures to reduce potential effects on the resource to a level that would be less than significant. Such measures could include 1) preservation in place or 2) excavation, recovery and curation by qualified professionals. The Stockton CDD shall be notified of any find, and the ODS shall be responsible for retaining	LS

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
		qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the CDD, consistent with the requirements of the CEQA Guidelines.	
c) Paleontological Resources and Unique Geological Features	PS	Mitigation Measure CULT-1.	LS
d) Human Burials	LS	None required	
3.6 GEOLOGY AND SOILS			
a-1) Fault Rupture Hazards	NI	None required	
a-2, 3) Seismic Hazards	LS	None required	
a-4) Landslides	NI	None required	
b) Soil Erosion	PS	GEO-1: The ODS shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) for the project and file a Notice of Intent (NOI) with the State Water Resources Control Board prior to commencement of construction activity, in compliance with the Construction General Permit. The SWPPP shall be available on the construction site at all times. The ODS shall incorporate an Erosion Control Plan consistent with all applicable provisions of the SWPPP within the site development plans. The ODS shall submit the SWRCB Waste Discharger's Identification Number (WDID) to the City prior to approval of development or grading plans.	LS
c) Geologic Instability	NI	None required	

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
d) Expansive Soils	PS	GEO-2: A site-specific, design-level geotechnical study shall be completed for the project site before a grading permit is issued. The study shall identify potential geotechnical issues related to project development, including the presence of expansive soils in the construction area, and recommend design and construction features to reduce the potential impact of these issues on project facilities. Geotechnical design recommendations included in the study shall be incorporated in the project design and implemented during project construction.	LS
e) Adequacy of Soils for Wastewater Disposal	NI	None required	
3.7 GREENHOUSE GAS EMISSIONS			
a) Project GHG Emissions and Consistency with GHG Reduction Plans	PS	<p>GHG-1: The project shall implement the following Best Management Practices to reduce greenhouse gas emissions, as set forth in the City of Stockton's Climate Action Plan:</p> <p>a) A bicycle rack shall be provided to accommodate bicycle traffic (BMP-19).</p> <p>b) The project shall exceed Title 24 energy efficiency standards by at least 15% (BMP-39).</p> <p>c) The project shall install LED bulbs or lighting that is Energy Star-certified in at least 50% of outdoor lighting fixtures (BMP-45).</p> <p>d) The project will install low-flow water fixtures consistent with State and City water conservation requirements (BMP-50).</p>	LS

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
		e) The project shall implement recycling systems as part of its solid waste disposal, in coordination with the solid waste collection franchise providing service to the project site (BMP-56).	
3.8 HAZARDS AND HAZARDOUS MATERIALS			
a, b) Hazardous Material Transport, Use, and Potential Release	LS	None required	
c) Hazardous Materials Releases near Schools	NI	None required	
d) Hazardous Materials Sites	NI	None required	
e) Public Airport Operations	LS	None required	
f) Private Airstrip Operations	NI	None required	
g) Emergency Response and Evacuations	LS	None required	
h) Wildland Fire Hazards	LS	None required	
3.9 HYDROLOGY AND WATER QUALITY			
a, f) Surface Waters and Water Quality	PS	<p>HYDRO-1: The ODS shall submit a Storm Water Quality Control Criteria Plan that shall include post-construction Best Management Practices as required by Title 13 of the SWQCCP. The Storm Water Quality Control Criteria Plan will be reviewed and approved by the Stockton Municipal Utilities Department prior to the Certificate of Occupancy.</p> <p>HYDRO-2: The ODS shall execute a Maintenance Agreement with the City for stormwater BMPs prior to receiving a Certificate of Occupancy. The ODS must</p>	LS

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
		<p>remain the responsible party and provide funding for the operation, maintenance and replacement costs of the proposed treatment devices built for the subject property.</p> <p>HYDRO-3: The ODS shall comply with any and all requirements of, and pay all associated fees as required by, the City's Storm Water Pollution Prevention Program as set forth in its NPDES Storm Water Permit.</p>	
b) Groundwater Supplies and Recharge	LS	None required	
c, d, e) Drainage Patterns and Runoff	LS	None required	
g) Residences in 100-Year Floodplain	NI	None required	
h) Other Structures in 100-Year Floodplain	LS	None required	
i) Dam and Levee Failure Hazards	NI	None required	
j) Seiche, Tsunami, and Mudflow Hazards	NI	None required	
3.10 LAND USE AND PLANNING			
a) Division of Established Community	NI	None required	
b) Conflicts with Plans, Policies and Regulations Mitigating Environmental Effects	LS	None required	
c) Conflict with Habitat Conservation Plans	NI	None required	
3.11 MINERAL RESOURCES			
a, b) Availability of Mineral Resources	NI	None required	

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
3.12 NOISE			
a) Exposure to Noise Exceeding Local Standards	LS	None required	
b) Groundborne Vibrations	NI	None required	
c) Permanent Increase in Ambient Noise	LS	None required	
d) Temporary or Periodic Increase in Ambient Noise	LS	None required	
e) Public Airport Operations Noise	NI	None required	
f) Private Airstrip Operations Noise	NI	None required	
3.13 POPULATION AND HOUSING			
a) Population Growth Inducement	NI	None required	
b, c) Displacement of Housing or People	NI	None required	
3.14 PUBLIC SERVICES			
a) Fire Protection	PS	SERV-1: The ODS shall incorporate access, water supply and other fire suppression and emergency access/response needs in the proposed project design. SERV-2: The ODS shall install fire hydrants and water distribution facilities that will provide fire flows that are adequate to support the City's existing ISO rating and that conform to adopted Building Code Fire Safety Standards for all of the uses proposed on the project site.	LS
b) Police Protection	PS	SERV-3: The ODS shall pay Public Facility Fees to defray	LS

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
		capital facilities costs associated with expanding law enforcement.	
		SERV-4: The ODS shall coordinate with the Stockton Police Department as required to establish adequate security and visibility of the construction site.	
c) Schools	NI	None required	
d, e) Parks and Other Public Facilities	NI	None required	
3.15 RECREATION			
a, b) Recreational Facilities	NI	None required	
3.16 TRANSPORTATION/TRAFFIC			
a) Conflict with Transportation Plans, Ordinances and Policies	PS	<p>TRANS-1: The ODS shall make a fair-share contribution to funding the following improvements to the South Airport Way and Sperry Road intersection:</p> <ul style="list-style-type: none"> • Widen the southbound approach to include two exclusive left-turn lanes, one exclusive through lane, and one combined through/right-turn lane. • Widen the westbound approach to include one exclusive left-turn lane, three exclusive through lanes, and one “free” right-turn lane. • Widen the northbound approach to include one exclusive left-turn lane, two exclusive through lanes, and one exclusive right-turn lane. • Widen the eastbound approach to include two exclusive 	LS

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
		left-turn lanes, two exclusive through lanes, and one combined through/right-turn lane.	
		The Stockton Public Works Department shall determine the fair-share contribution of the ODS to these improvements.	
b) Conflict With Congestion Management Program	PS	Mitigation Measure TRANS-1.	LS
c) Air Traffic Patterns	NI	None required	
d) Traffic Hazards	PS	TRANS-2: The ODS shall install, or contribute to the cost of installing, a barrier on Sperry Road from the intersection with South Airport Way west to the end of the project site frontage to prevent vehicles from making left turns from Sperry Road to the project site. The type of barrier shall be approved by the Stockton Public Works Department, which shall also determine the contribution of the ODS to the cost of installation if necessary. The mitigation measure may be incorporated as part of the improvements required by Mitigation Measure TRANS-1.	LS
e) Emergency Access	NI	None required	
f) Conflict with Non-vehicular Transportation Plans	LS	None required	
3.17 UTILITIES AND SERVICE SYSTEMS			
a, e) Wastewater Systems	LS	None required	
b, d) Water Systems and Supply	LS	None required	
c) Stormwater Systems	LS	None required	

TABLE 1-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance Before Mitigation Measures	Mitigation Measures	Significance After Mitigation Measures
f, g) Solid Waste Services	LS	None required	
3.18 MANDATORY FINDINGS OF SIGNIFICANCE			
a) Findings on Biological and Cultural Resources	PS	Mitigation measures in Sections 3.4 and 3.5 above.	LS
b) Findings on Individually Limited but Cumulatively Considerable Impacts	PS		LS
c) Findings on Adverse Effects on Human Beings	PS	Mitigation measures in Sections 3.6 and 3.16 above.	LS

3.0 COMMENTS ON THE ENVIRONMENTAL DOCUMENT AND LEAD AGENCY RESPONSES TO COMMENTS

The City of Stockton received three comments from agencies or the public regarding the Draft (IS/MND) for the UOP Student Housing Project.

1. San Joaquin Council of Governments (Habitat)
2. San Joaquin Council of Governments (Transportation)
3. San Joaquin County Environmental Health Department



S J C O G, Inc.

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

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

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

To: Kanoa Kelly, City of Stockton, Community Development Department

From: Laurel Boyd, SJCOG, Inc.

Date: January 2, 2018

Local Jurisdiction Project Title: Notice of Intent to Adopt an IS/Mitigated Neg. Dec for an ARCO Station

Assessor Parcel Number(s): 177-460-12, -13

Local Jurisdiction Project Number: P17-0013

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Agriculture (C34) Habitat Land

Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Mr. Kelly:

SJCOG, Inc. has reviewed the project referral for the Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration for an Arco Station. This project consists of an ARCO fueling station on approximately 2.0 acres at the intersection of South Airport Way and Sperry Road. The fueling station would provide 16 pumps for dispensing gasoline and diesel fuel to passenger vehicles and light-duty trucks. An adjacent building approximately 3,764 square feet in size would contain a convenience store. A freestanding automated car wash structure would be constructed adjacent to the convenience store building. The applicant also proposes to construct a three-bay cardlock diesel fueling station for heavy-duty trucks. There would be 32 parking spaces on the project site. The project site is located at the intersection of South Airport Way and Sperry Road, Stockton (APN: 177-460-12, -13).

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

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

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

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

COMMENT NO. 1

San Joaquin Council of Governments

2 | S J C O G , I n c .

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

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

If you have any questions, please call (209) 235-0600.

COMMENT NO. 1

San Joaquin Council of Governments

3 | S J C O G , I n c .

**S J C O G , I n c .***San Joaquin County Multi-Species Habitat Conservation & Open Space Plan*

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

SJMSCP HOLD

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

FROM: Laurel Boyd, SJCOG, Inc.

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

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

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

Project Title: Notice of Intent to Adopt an IS/Mitigated Neg. Dec for the Arco Gas Station Project

Applicant: City of Stockton

Assessor Parcel #s: 177-460-12, -13

T _____, R _____, Section(s): _____

Local Jurisdiction Contact: Kanoa Kelly

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.

COMMENT NO. 1

San Joaquin Council of Governments

LETTER 1
SAN JOAQUIN COUNCIL OF GOVERNMENTS

RESPONSE:

The San Joaquin Council of Governments (SJCOG) letter notes that the City of Stockton is a signatory to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and that the project is covered by the SJMSCP. The letter also notes that participation in the SJMSCP is voluntary. As documented in the IS/MND, the project will be required to participate in the SJMSCP, including compliance with the requirements outlined in the SJCOG letter.

The SJCOG letter does not comment on the analysis or conclusions in the project IS/MND. Since no comments on the IS/MND were received, no response to SJCOG or further action by the Lead Agency is required other than actions related to SJMSCP compliance.

The letter attaches an “SJMSCP Hold,” which should apply to the project applicant. It states that the landowner/developer for the project, incorrectly identified as the City of Stockton, has requested coverage under the SJMSCP. It is anticipated that the project applicant will request coverage under the Plan as required, but has not done so at this time.



SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202 • P 209.235.0600 • F 209.235.0438 • www.sjcog.org

San Joaquin County Airport Land Use Commission/ Congestion Management Agency

Katherine Miller
CHAIR

Robert Rickman
VICE CHAIR

Andrew T. Chesley
EXECUTIVE DIRECTOR

Member Agencies
CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF
SAN JOAQUIN

January 8, 2018

Kanoa Kelley
Community Development Department
345 North El Dorado Street
Stockton, CA 95202

Re: P17-0013 MND

Dear Kanoa Kelley,

The San Joaquin Council of Governments (SJCOC), acting as the Airport Land Use Commission (ALUC) and Congestion Management Agency (CMA), has reviewed Initial Study/Mitigated Negative Declaration (IS/MND), Site Plan, and Rezoning Map for an ARCO fueling station and convenience store, car wash, and truck fueling station at 4607 South Airport Way, Stockton (APN: 177-460-13).

CONGESTION MANAGEMENT AGENCY'S REVIEW

SJCOC adopted the 2016 Update to the Regional Congestion Management Program (RCMP) (http://www.sjcog-rcmp.org/literature_231152/2016_RCMP_Update_Adopted_Report) on March 24, 2016). Chapter 6 of the RCMP describes the updated Land Use Analysis Program, including Tier 1 and Tier 2 review/analysis requirements, analysis methods, impact significance criteria, and mitigation.

The IS/MND states that the project is expected to generate 648 vehicle trips per day (pg. 3-53), which exceeds the RCMP threshold for Tier 2 Review of 500 total daily trips. The IS/MND identified a potentially significant impact to the intersection of Airport Way and Sperry Road, which is on the RCMP transportation network, and identified a fair share contribution to the City of Stockton Public Facilities Fee for improvements to this intersection as a mitigation measure (pg. 3-53). SJCOC supports the identified mitigation measures and requests, consistent with the Regional Transportation Impact Fee (RTIF) Program, that a mitigation measure be added to require a contribution to the RTIF Program (<http://www.sjcog.org/118/Regional-Transportation-Impact-Fee-RTIF>).

AIRPORT LAND USE COMMISSION'S REVIEW

Based on the 2016 Stockton Metropolitan Airport Land Use Compatibility Plan (ALUCP) (<http://www.sjcog.org/DocumentCenter/View/1318>), this project is located within the Inner Approach/Departure Zone of the Stockton Metropolitan Airport. The Initial Study notes, "The ALUCP lists several land uses that are prohibited in the Inner Approach/Departure Zone for safety reasons. Fueling stations and convenience stores are not among the prohibited uses." (p. 3-35) SJCOC agrees and notes that the proposed project is compatible with the adopted ALUCP.

Please note SJCOC is currently in the process of updating the ALUCP. The proposed updates will

2A

2B

2A

include the prohibition of gas stations and truck fueling stations within this Safety Zone for consistency with Caltrans guidance. The proposed updates will be subject to review and approval by the Airport Land Use Commission, expected in early 2018.

SJCOG recommends this Initial Study be presented to Robert Fiore of Caltrans Division of Aeronautics for review, at robert.fiore@dot.ca.gov.

SJCOG would like to provide standards and project design conditions that comply with the Airport Land Use Compatibility Plan as a reference guide.

1. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:
 - a. Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs).
 - b. Sources of dust, steam, or smoke which may impair pilot visibility.
 - c. Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.
 - d. Occupied structures must be soundproofed to reduce interior noise to 45 decibel(dB) according to State guidelines.
 - e. Within the airport's influence area, ALUC review is required for any proposed object taller than 100 feet above ground level (AGL).
2. Regardless of location within San Joaquin County, ALUC review is required in addition to Federal Aviation Administration (FAA) notification in accordance with Code of Federal Regulations, Part 77, (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>) for any proposal for construction or alteration under the following conditions:
 - a. If requested by the FAA.
 - b. Any construction or alteration that is more than 200 ft. AGL at its site.
 - c. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:
 - i. 100 to 1 for a horizontal distance of 20,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 ft.
 - ii. 50 to 1 for a horizontal distance of 10,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway no more than 3,200 ft.
 - iii. 25 to 1 for a horizontal distance of 5,000 ft. of the nearest take off and landing area of a public use heliport
 - d. Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
 - e. Any construction or alteration located on a public use airport or heliport regardless of height or location.

2C

Thank you again for the opportunity to comment. Please contact CMA and ALUC staff Travis Yokoyama (209-235-0451 or yokoyama@sjcog.org) if you have any questions or comments.

Sincerely,

A handwritten signature in blue ink that reads "Travis Yokoyama". The signature is fluid and cursive, with the first name "Travis" and last name "Yokoyama" clearly legible.

Travis Yokoyama

LETTER:2**CENTRAL VALLEY COUNCIL OF GOVERNMENTS****RESPONSE: 2A**

This comment notes that the project would make a substantial contribution to traffic on CMP streets and should therefore be subject to payment of RTIF mitigation fees. The City of Stockton will require the payment of RTIF fees as a condition of project approval.

RESPONSE: 2B

The initial paragraph of this comment acknowledges that the findings of the Initial Study are correct with respect to the compatibility of proposed land uses with the adopted ALUCP. No response is required.

The second paragraph notes that the SJCOG is now considering an update to the ALUCP that will, if adopted, prohibit gas stations and truck fueling stations within the Safety Zone. The comment indicates that the referenced update will be subject to review and approval by the ALUC in early 2018.

The City notes that the project proponent submitted applications for development of the project site in mid-2016; the original applications included a quick-serve restaurant on the site. In response to prior comments from the SJCOG, which noted that the proposed quick-serve restaurant was not a compatible use in the safety zone, the proponent revised its project applications and the environmental review documents reflect removal of the restaurant and its replacement with the truck fueling facility. Both of the currently proposed uses are considered compatible uses within the subject safety zone. The IS/MND reflects this existing condition, which is also acknowledged by the SJCOG. Both the City of Stockton and the project proponent have been responsive to prior input from the SJCOG by making substantial changes in the proposed use of the property.

RESPONSE: 2C

This comment identifies development standards that should be applied to the project. The City will consider these requirements and incorporate them into the project conditions of approval as appropriate. The project does not involve any design elements that would trigger additional ALUC review as discussed in Item 2.



Environmental Health Department

Linda Turkatte, REHS, Director

Kasey Foley, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Rodney Estrada, REHS

Willy Ng, REHS

Muniappa Naidu, REHS

January 2, 2018

RECEIVED

JAN - 8 2018

CITY OF STOCKTON
PERMIT CENTER / PLANNING DIV.

City of Stockton
Community Development Director
Permit Center
345 N El Dorado St
Stockton, CA 95202

Subject: Public Review Draft Initial Study Mitigated Negative Declaration P17-0013

The San Joaquin County Environmental Health Department (EHD) has the following comments for consideration:

- A. Submit two (2) hardcopy sets, or one (1) electronic version, of food facility plans to the Environmental Health Department for review and approval prior to issuance of building permit(s) (California Retail Food Code, Article 1, 114380). The fee will be based on the current schedule at the time of payment.
- B. Open, pump, and backfill the septic tank, seepage pit or excavation under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4). The septic permit number 68-877 indicates there is a septic tank on site.

Should you have any questions, please contact Steven Shih, at (209) 468-9850 or sshih@sjcehd.com.

Rodney Estrada, REHS
Program Coordinator

COMMENT NO. 3

San Joaquin Environmental Health Department

LETTER 3**SAN JOAQUIN COUNTY ENVIRONMENTAL HEALTH DEPARTMENT****RESPONSE:**

The San Joaquin County Environmental Health Department (EHD) notes that before approval and issuing of building permits, EHD will need to review plans for the food facilities included in the project. Additionally, EHD also notes that inspection of the existing septic tank and open, pump and backfill of the septic tank on the project site will be necessary in accordance with San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4.

The San Joaquin County EHD letter does not comment on the analysis or conclusions in the project IS/MND. Since no comments on the IS/MND were received, no response to EHD or further action by the Lead Agency is required.

4.0 ERRATA

This section contains corrections and additions to the Draft IS/MND of December 18, 2017. These changes include information added to the IS/MND made in response to public and agency comments on the Draft IS/MND as well as any changes made independently by City of Stockton in response to staff input. The changes to the Draft IS/MND are listed below in detail. None of these changes would involve substantial modifications to the project or to the potentially significant environmental effects identified in the Draft IS/MND. As a result, the overall conclusions of the IS/MND have not been modified; no new or substantially more severe environmental effects than were addressed in the Draft IS/MND have been identified, and there is no need for substantial changes to mitigation measures or additional mitigation measures.

The following changes to the Draft IS/MND of December 18, 2017 are made by the adoption of this Final IS/MND.

The first paragraph of the Airport Hazards section on page 3-34 of the Public Review Draft IS/MND is revised to read as follows:

There are no private airstrips in the vicinity. The project site is near the Stockton Metropolitan Airport, a public airport used for both passenger and cargo flights. As noted in Chapter 1.0, Introduction, the SJCOG adopted an updated Airport Land Use Compatibility Plan (ALUCP) for the Stockton Airport in May 2016. SJCOG indicates that it is in the process of again updating the ALUCP; the SJCOG estimates that the ALUCP update will be completed and ready for consideration by the Airport Land Use Commission in early 2018..

The first paragraph of “a, b) Hazardous Material Transport, Use and Potential Release” near the bottom of page 3-34 of the Public Review Draft IS/MND is revised to read as follows:

The project involves two fueling stations, which would require the transport, storage and dispensing of gasoline and diesel fuels. Gasoline is flammable and contains toxic substances such as benzene (see C(3), Air Quality). Diesel fuel is combustible, having a higher flash point than gasoline. The fuels would be stored in underground tanks, the installation of which would be subject to the UST program. The project also would be required to submit a Hazardous Material Business Plan that addresses the on-site use and storage of fuels. The Stockton Fire Department, San Joaquin County Environmental Health and the San Joaquin Valley Air Pollution Control District have responsibility for inspecting fuel storage and dispensing systems for safety and control of vapor emissions.

APPENDIX A
MITIGATION AGREEMENT

CITY OF STOCKTON
ADMINISTRATIVE DRAFT CEQA, FINDINGS AND
MITIGATION MONITORING/REPORTING PROGRAM

FOR THE

AIRPORT WAY/SPERRY ROAD
COMMERCIAL PROJECT
4607 South Airport Way
Stockton, CA

City of Stockton
Project File No: P17-0013

January 26, 2018

Prepared for:

CITY OF STOCKTON
Community Development Department
345 N. El Dorado Street
Stockton, CA 95202
209-937-8444

CITY OF STOCKTON
ADMINISTRATIVE DRAFT CEQA, FINDINGS AND
MITIGATION MONITORING/REPORTING PROGRAM

FOR THE

AIRPORT WAY/SPERRY ROAD
COMMERCIAL PROJECT

4607 South Airport Way
Stockton, CA

City of Stockton
Project File No: P17-0013

January 26, 2018

Prepared for:

CITY OF STOCKTON
Community Development Department
345 N. El Dorado Street
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209-937-8266

Prepared by:

BASECAMP ENVIRONMENTAL
115 S. School Street, Suite 14
Lodi, CA 95240
209-224-8213

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1.0 INTRODUCTION

This document sets forth the findings of the City of Stockton Planning Commission and/or City Council (City) relating to the Airport Way/Sperry Road Commercial Project. This document also describes the Mitigation Monitoring/Reporting Program (MMRP) for the project. The project site is located at the intersection of South Airport Way and Sperry Road on approximately a 2-acre site in Stockton, California. The primary source document for the project findings and MMRP is the Initial Study/Mitigated Negative Declaration for the Airport Way/Sperry Road Commercial Project (P17-0013) (the IS/MND"). When referenced as such, the IS/MND includes both the Public Review Draft of the IS/MND (December 18, 2017) and the Final IS/MND (January 26, 2018) for the project, as well as any documents, which have been incorporated into those documents by reference.

1.1 CEQA REVIEW OF PROPOSED PROJECT

The Airport Way/Sperry Road project involves City approval of Project File No. P17-0013. The project applicant proposes to construct an ARCO fueling station and AMPM convenience store on an approximately 2-acre site at the intersection of South Airport Way and Sperry Road. The fueling station would provide 16 pumps for dispensing gasoline and diesel fuel to passenger vehicles and light-duty trucks. An adjacent building approximately 3,764 square feet in size would contain a convenience store. A freestanding automated car wash structure would be constructed adjacent to the convenience store building. The project applicant also proposes to construct a three-bay cardlock diesel fueling station for heavy-duty trucks.

There would be 32 parking spaces on the project site. Access would be provided from Sperry Road and South Airport Way. The project would connect to existing water, wastewater and storm drainage lines and electrical, gas and communication utilities in the surrounding streets.

As the proposed project involves the potential to result in significant environmental effects as defined by CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared by consultants, subject to the independent review and approval of City of Stockton staff. The Draft IS/MND identified significant and/or potentially significant environmental effects that could occur in conjunction with the proposed project. The Draft IS/MND also identified several mitigation measures, which would reduce the significant or potentially significant environmental effects to a "less than significant" level.

Prior to public and agency review of the Draft IS/MND, the project applicant, on behalf of any future owners, applicants, developers and/or successors-in-interest, entered into a Mitigation Agreement with the City of Stockton. The Mitigation Agreement attaches all of the mitigation measures identified in the IS/MND to the proposed project as binding conditions of approval. The Mitigation Agreement also provides that any other mitigation measures, which may be imposed on the project by responsible and/or trustee agencies, and/or by City of Stockton advisory and final decision-making bodies, will also be binding on the project.

The IS/MND was circulated for agency and public review in December of 2017 and January 2018. Three agency comments were received on the IS/MND, and each comment is responded to in

Section 3.0 Comments on The Environmental Document. It is anticipated that the Final IS/MND will be adopted by the City, in conjunction with this document, prior to taking action on the project.

1.2 CEQA REQUIREMENTS REGARDING FINDINGS

When an Environmental Impact Report (EIR) has been prepared for a project, CEQA requires that, prior to project approval, the Lead Agency make specified findings related to each of the significant or potentially significant environmental effects considered in the EIR. Findings are not required by CEQA when the agency proposes to adopt a Negative Declaration. In the interest of public disclosure, however, it is the policy of the City of Stockton to make findings with respect to the environmental effects addressed in an Initial Study/Mitigated Negative Declaration. The City's findings for Negative Declarations parallel the EIR findings requirements set forth in CEQA Guidelines Section 15091. All of the potentially significant effects of the project were reduced to less than significant by proposed mitigation measures.

CEQA findings must as a rule be based upon substantial evidence. The substantial evidence in this case consists of the information, analysis and mitigation measures described in the Draft IS/MND, as well as any other information incorporated into the IS/MND by reference. A copy of the Final IS/MND is available for review at the Stockton Permit Center, 345 North El Dorado Street, Stockton, CA. Specific references to supporting information for each finding are provided in Column 4 of the findings and mitigation monitoring table, following.

1.3 CEQA REQUIREMENTS REGARDING MITIGATION MONITORING AND REPORTING

To ensure that mitigation measures included in a Mitigated Negative Declaration are actually implemented, CEQA requires the adoption of a mitigation monitoring or reporting program (CEQA Guidelines Section 15074). Specifically, the Guidelines require that the lead agency:

" . . . adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects."

These requirements are met collectively by the Mitigation Monitoring/Reporting Table shown in Section 2.0 of this document. The table lists all of the potential environmental effects of the project that were identified in the Draft IS/MND, identifies all of the mitigation measures that address these effects, and identifies the entities that would be responsible for implementing, and monitoring implementation of, the mitigation measures.

1.4 ORGANIZATION OF THIS DOCUMENT

This document is divided into two chapters. Chapter 1.0 is this Introduction, which provides background information and CEQA requirements related to the project. Chapter 2.0 presents the Mitigation Monitoring/Reporting Program and findings of fact for the project in the form of a table. The table lists all mitigation measures applicable to the project, identifies implementation responsibilities, sets forth the City's finding with regard to the disposition of each impact, and establishes the rationale for each finding. The final page of the table sets forth the City's Mitigation Reporting Program for the project.

2.0 MITIGATION MONITORING/REPORTING PROGRAM AND FINDINGS

The following table summarizes the environmental effects that could result from approval of the proposed project. The table identifies 1) each environmental effect and its significance prior to mitigation, 2) how each significant environmental effect would be mitigated, 3) the responsibility for implementation of each mitigation measure, 4) the responsibility for monitoring of the mitigation measures, if the project is approved, 5) the City's finding with respect to each significant environmental effect, and 6) the City's rationale for that finding. The table follows the same sequence as the impact analysis in the IS/MND. Reporting actions required to ensure that the mitigation measures are implemented are described on the last page of the table.

The City's findings with respect to the project are listed in the last column of the table, for each of the significant effects identified by the IS/MND. Codes used to identify the significance of each environmental effect after mitigation measures are applied, and the City's finding with respect to each effect, are summarized on the first page of the table. For the purposes of this document:

- A "Significant" environmental effect is a substantial adverse change in the environment (CEQA Guidelines Section 15382),
- A "Potentially Significant" effect is one which is likely, but not certain, to cause future substantial adverse changes to the environment,
- A "Cumulatively Significant" effect is a substantial adverse change in the environment that is the result of cumulative development in the City of Stockton,
- A "Significant and Unavoidable" effect is one for which there is no known or feasible mitigation, and
- A "Not Significant" effect is one that may be adverse, but is not substantial, or has been rendered so as the result of mitigation measures.

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
1. AESTHETICS			
a) Effects on Scenic Vistas. There are no significant or potentially significant impacts in this issue area.			
b) Effects on Scenic Resources. There are no significant or potentially significant impacts in this issue area.			
c) Effects on Visual Character and Quality. There are no significant or potentially significant impacts in this issue area.			
d) Project Effects on Light and Glare. There are no significant or potentially significant impacts in this issue area.			
2 AGRICULTURE AND FORESTRY RESOURCES			
a) Conversion of Agricultural Land. There are no significant or potentially significant impacts in this issue area.			
b) Conflicts with Agricultural Zoning and Williamson Act. There are no significant or potentially significant impacts in this issue area.			
c) Conflicts with Forest Land Conversion and Zoning. There are no significant or potentially significant impacts in this issue area.			
d) Indirect Conversion of Farmland of Forest Land. There are no significant or potentially significant impacts in this issue area.			
3 AIR QUALITY			
a) Air Quality Plan Consistency. There are no significant or potentially significant impacts in this issue area.			
b Violation of Air Quality Standards. There are no significant or potentially significant impacts in this issue area.			
c) Cumulative Emissions Impacts. There are no significant or potentially significant impacts in this issue area.			
d.) Exposure of Sensitive Receptors to Pollutants. There are no significant or potentially significant impacts in this issue area.			
e) Odor Impacts. There are no significant or potentially significant impacts in this issue area.			
4 BIOLOGICAL RESOURCES			
a) Effects on Special-Status Species. This is a potentially significant impact.			
BIO-1: The ODS shall mitigate for the proportionate loss of potential wildlife habitat from the project site by applying for coverage, paying required fees and implementing Incidental Take Minimization Measures (ITMMs) as required by the adopted San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP).	The ODS will be responsible for applying for SJMSCP participation and for implementation of any required ITMMS	The CDD-BD will verify that ITMMs have been or will be implemented prior to the issuance of a building permit.	1, NS Rationale: IS/MND Pages 3-17 – 3-20
b) Effects on Riparian and Other Sensitive Habitats. There are no significant or potentially significant impacts in this issue area.			
c) Effects on Wetlands. There are no significant or potentially significant impacts in this issue area.			
d) Effects on Fish and Wildlife Movement. There are no significant or potentially significant impacts in this issue area.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
e) Local Biological Requirements. There are no significant or potentially significant impacts in this issue area.			
f) Project Conflict with Habitat Conservation Plans. There are no significant or potentially significant impacts in this issue area.			
5 CULTURAL RESOURCES			
a, b) Project Impacts on Potential Historical Resources, Archaeological Resources. This is a potentially significant impact.			
CULT-1: If any subsurface cultural or paleontological resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist or paleontologist, as appropriate, can examine these materials and make a determination of their significance. If the resource is determined to be significant, recommendations shall be made on further mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. Such measures could include 1) preservation in place or 2) excavation, recovery and curation by qualified professionals. The Stockton CDD shall be notified of any find, and the ODS shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the CDD, consistent with the requirements of the CEQA Guidelines.	The ODS will be responsible for retaining an historical archeologist to monitor excavation. The archeologist will be responsible for evaluating and reporting archeological or burial funds.	If cultural resources are uncovered, the ODS shall be responsible for engaging an archaeologist as required to monitor compliance with the historical archaeologist's recommendations during construction and prepare an report for the CDD. Monitoring shall consist of comparing construction activities to the archaeologist's recommendations.	1, NS Rationale: IS/MND Pages 3-20 – 3-24
c) Project Impacts on Paleontological Resources and Unique Geological Features. This is a potentially significant impact. Mitigation described as CULT-1 above.			
d) Project Impacts on Human Burials. This is a potentially significant impact. This is a potentially significant impact. Mitigation described as CULT-1 above.			
6 GEOLOGY AND SOILS			
a-1) Exposure of New Development to Fault Rupture Hazards. There are no significant or potentially significant impacts in this issue area.			
A-2,3) Exposure of New Development to Seismic Hazards. There are no significant or potentially significant impacts in this issue area.			
a-4) Exposure of New Development to Land Slides. There are no significant or potentially significant impacts in this issue area.			
b) Exposure of New Development to Soil Erosion. This is a potentially significant impact.			
GEO-1: The ODS shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) for the project and file a Notice of Intent (NOI) with the State Water Resources Control Board prior to commencement of construction activity, in compliance with the Construction General Permit and City of Stockton storm water requirements. The SWPPP shall be available on the construction site at all times. The ODS shall incorporate an Erosion Control Plan consistent with all applicable provisions of the SWPPP within the site development plans. The ODS shall submit the SWRCB Waste Discharger's Identification Number (WDID) to the City prior to approval of development or grading plans.	The ODS will be responsible for all required storm water pollution prevention activities.	The DPW will be responsible for review and approval of storm water pollution prevention in conjunction with approved grading plan	1, NS Rationale: IS/MND Pages 3-24, 3-27
c) Exposure of New Development to Geologic Instability. There are no significant or potentially significant impacts in this issue area.			
d) Exposure of New Development to Expansive Soils. This is a potentially significant issue.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
<p>GEO-2. A site-specific, design-level geotechnical study shall be completed for the project site before a grading permit is issued. The study shall identify potential geotechnical issues related to project development, including the presence of expansive soils in the construction area, and recommend design and construction features to reduce the potential impact of these issues on project facilities. Geotechnical design recommendations included in the study shall be incorporated in the project design and implemented during project construction.</p>	<p>The ODS will be responsible for preparing the geotechnical study and incorporating the results in project plans and specifications.</p>	<p>The DPW & CD-B will be responsible for ensuring that geotechnical requirements are reflected in project plans and specifications.</p>	<p>1, NS Rationale: IS/MND Pages 3-24, 3-27</p>
e) Adequacy of Soils for Sewage Disposal. There are no significant or potentially significant impacts in this issue area.			
7 GREENHOUSE GAS EMISSIONS			
a) Significance of GHG Emissions. There are no significant or potentially significant impacts in this issue area.			
<p>GHG-1: The project shall implement the following Best Management Practices to reduce greenhouse gas emissions, as set forth in the City of Stockton's Climate Action Plan:</p> <ul style="list-style-type: none"> a) A bicycle rack shall be provided to accommodate bicycle traffic (BMP-19). b) The project shall exceed Title 24 energy efficiency standards by at least 15% (BMP-39). c) The project shall install LED bulbs or lighting that is Energy Star-certified in at least 50% of outdoor lighting fixtures (BMP-45). d) The project will install low-flow water fixtures consistent with State and City water conservation requirements (BMP-50). e) The project shall implement recycling systems as part of its solid waste disposal, in coordination with the solid waste collection franchise providing service to the project site (BMP-56). 	<p>The ODS will be responsible for incorporating these requirements in project plans and specifications.</p>	<p>The CD-B will be responsible for ensuring that these requirements are included in project plans and specifications.</p>	<p>1, NS Rationale: IS/MND Pages 3-28, 3-31</p>
8 HAZARDS AND HAZARDOUS MATERIALS			
a, b) Hazardous Material Transport, Use and Potential Release. There are no significant or potentially significant impacts in this issue area.			
c) Hazards Materials Releases Near Schools. There are no significant or potentially significant impacts in this issue area.			
d) Hazardous Materials Sites. There are no significant or potentially significant impacts in this issue area.			
e) Public Airport Operations. There are no significant or potentially significant impacts in this issue area.			
f) Private Airstrip Operations. There are no significant or potentially significant impacts in this issue area.			
g) Emergency Response and Evacuations. There are no significant or potentially significant impacts in this issue area.			
h) Wildland Fire Hazards. There are no significant or potentially significant impacts in this issue area.			
9 HYDROLOGY AND WATER QUALITY			
a, f) Project Effects Surface Waters and Water Quality. This is a potentially significant impact.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
<p>HYDRO-1: The ODS shall submit a Storm Water Quality Control Plan for the project that shall include post-construction Best Management Practices as required by Title 13 of the SWQCCP. The Storm Water Quality Plan will be reviewed and approved by the Stockton Municipal Utilities Department prior to the Certificate of Occupancy.</p> <p>HYDRO-2: The ODS shall execute a Maintenance Agreement with the City for stormwater BMPs prior to receiving a Certificate of Occupancy. The ODS must remain the responsible party and provide funding for the operation, maintenance and replacement costs of the proposed treatment devices built for the subject property.</p> <p>HYDRO-3: The ODS shall comply with any and all requirements of, and pay all associated fees as required by, the City's Storm Water Pollution Prevention Program as set forth in its NPDES Storm Water Permit.</p>	<p>The ODS will be responsible for design and construction of storm water quality improvements, for compliance with applicable COS codes related to storm water, and for preparation and submittal of SWPPP.</p>	<p>The MUD will be responsible for review and approval of storm water quality plans, for assessing project compliance with COS codes, for noting receipt of the NOI and for review and approval of the Erosion Control Plan prior to the issuance of a Grading Permit.</p>	<p>1, NS Rationale: IS/MND Pages 3-36, 3-40</p>
b) Project Effects on Groundwater Supplies. There are no potentially significant or significant impacts in this issue area.			
c, d, e) Project Effects on Drainage Patterns and Runoff. There are no potentially significant or significant impacts in this issue area.			
g) Residences in 100-Year Flood Plain. There are no potentially significant or significant impacts in this issue area.			
h) Impacts on Other Structures in 100-Year Floodplain. There are no potentially significant or significant impacts in this issue area.			
i) Dam and Levee Failure Hazards. There are no potentially significant or significant impacts in this issue area.			
j) Project Exposure to Seiche, Tsunami or Mudflow Hazards. There are no potentially significant or significant impacts in this issue area.			
10 LAND USE AND PLANNING			
a) Division of Established Community. There are no potentially significant or significant impacts in this issue area.			
b) Conflicts with Plans, Policies and Regulations Mitigating Environmental Effects. There are no potentially significant or significant impacts in this issue area.			
c) Conflict with Habitat Conservation Plan. There are no potentially significant or significant impacts in this issue area.			
11 MINERAL RESOURCES			
a,b) Availability of Mineral Resources. There are no significant or potentially significant impacts in this issue area.			
12 NOISE			
a) Project Exposure to Noise Exceeding Local Standards. There are no significant or potentially significant impacts in this issue area.			
b) Project Exposure to Groundborne Noise. There are no significant or potentially significant impacts in this issue area.			
c) Permanent Increase in Ambient Noise. There are no significant or potentially significant impacts in this issue area.			
d) Temporary or Periodic Increase in Ambient Noise. There are no significant or potentially significant impacts in this issue area.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
e, f) Project Exposure to Airport Operations Noise. There are no significant or potentially significant impacts in this issue area.			
13 POPULATION AND HOUSING			
a) Population Growth Inducement. There are no significant or potentially significant impacts in this issue area.			
b, c) Displacement of Housing or People. There are no significant or potentially significant impacts in this issue area.			
14 PUBLIC SERVICES/FACILITIES			
a) Fire Protection Impacts. This is a potentially significant impact.			
b) Police Protection Impacts. This is a potentially significant impact.			
SERV-1: The ODS shall coordinate with the Stockton Police Department as required to establish adequate security and visibility of the construction site.	The ODS will be responsible for coordination with the Stockton Police Department.	The CD-B will be responsible for insuring that the Police Department recommendations are included in project plans.	1, NS Rationale: IS/MND Pages 3-46, 3-48
c) School Impacts. There are no significant or potentially significant impacts in this issue area.			
d,e) Parks and Other Public Facilities. There are no significant or potentially significant impacts in this issue area.			
15 RECREATION			
a,b) Recreational Facilities. There are no significant or potentially significant impacts in this issue area.			
16 TRANSPORTATION/CIRCULATION			
a) Consistency with Applicable Plans, Ordinances and Policies. This is a potentially significant issue area.			
<p>TRANS-1: The ODS shall make a fair-share contribution to funding the following improvements to the South Airport Way and Sperry Road intersection:</p> <ul style="list-style-type: none"> Widen the southbound approach to include two exclusive left-turn lanes, one exclusive through lane, and one combined through/right-turn lane. Widen the westbound approach to include one exclusive left-turn lane, three exclusive through lanes, and one “free” right-turn lane. Widen the northbound approach to include one exclusive left-turn lane, two exclusive through lanes, and one exclusive right-turn lane. Widen the eastbound approach to include two exclusive left-turn 	The ODS will be responsible for paying the fair share contribution for needed traffic improvements.	The DPW will be responsible for ensuring that fair share fees are paid prior to approval of site development plans.	1, NS Rationale: IS/MND Pages 3-49, 3-54

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
<p>lanes, two exclusive through lanes, and one combined through/right-turn lane.</p> <ul style="list-style-type: none"> The Stockton Public Works Department shall determine the fair-share contribution of the ODS to these improvements. 			
b) Conflict with Congestion Management Program. There are no significant or potentially significant impacts in this issue area.			
c) Impact on Air Traffic Patterns. There are no significant or potentially significant impacts in this issue area.			
d) Traffic Hazards. This is a potentially significant issue area.			
<p>TRANS-2: The ODS shall install, or contribute to the cost of installing, a barrier on Sperry Road from the intersection with South Airport Way west to the end of the project site frontage to prevent vehicles from making left turns from the project site to Sperry Road. The type of barrier shall be approved by the Stockton Public Works Department, which shall also determine the contribution of the ODS to the cost of installation if necessary. The mitigation measure may be incorporated as part of the improvements required by Mitigation Measure TRANS-1.</p>	<p>The ODS will be responsible for paying its fair share costs of the specified traffic barrier.</p>	<p>The DPW will be responsible for review and approval of the traffic barrier and for collecting its fair share costs.</p>	<p>1, NS Rationale: IS/MND Pages 3-49, 3-54</p>
e) Emergency Access. There are no significant or potentially significant impacts in this issue area.			
f) Conflict with Non-vehicular Transportation Plans. There are no significant or potentially significant impacts in this issue area.			
<h2>17 UTILITIES AND SERVICE SYSTEMS</h2>			
a,e) Effects on Wastewater Systems. There are no significant or potentially significant impacts in this issue area.			
b,d) Effects on Water Systems and Supplies. There are no significant or potentially significant impacts in this issue area.			
c) Effects on Stormwater Systems. There are no significant or potentially significant impacts in this issue area.			
f,g) Effects on Solid Waste Services. There are no significant or potentially significant impacts in this issue area.			
<h2>18 MANDATORY FINDINGS OF SIGNIFICANCE</h2>			
a) Findings on Biological and Cultural Resources. There are no significant or potentially significant impacts in this issue area.			
b) Findings on Individually Limited but Cumulatively Considerable Impacts. There are no significant or potentially significant impacts in this issue area.			
c) Findings on Adverse Effects on Human Beings. There are no significant or potentially significant impacts in this issue area.			

CITY OF STOCKTON
CEQA FINDINGS AND MITIGATION MONITORING/REPORTING PROGRAM
(PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTIONS 21081 AND 21081.6)

PROJECT DATA**KEY**

<p>INITIAL STUDY FILE NO.: P17-00013</p> <p>Property Owner(s): Norcal Cajun Foods, Inc. Address: 2190 Meridian Park Blvd., Suite G, Concord, CA 94520</p> <p>Project Applicant: Norcal Cajun Foods, Inc. Address: 2190 Meridian Park Blvd., Suite G Concord, CA 94520</p> <p>Project Title: Airport Way/Sperry Road Commercial Project</p> <p>The project applicant proposes to construct an ARCO fueling station and AMPM convenience store on an approximately 2-acre site at the intersection of South Airport Way and Sperry Road. The fueling station would provide 16 pumps for dispensing gasoline and diesel fuel to passenger vehicles and light-duty trucks. An adjacent building approximately 3,764 square feet in size would contain a convenience store. A freestanding automated car wash structure would be constructed adjacent to the convenience store building. The project applicant also proposes to construct a three-bay cardlock diesel fueling station for heavy-duty trucks.</p>	<p>1. The impacts are shaded and followed by related mitigation measures, implementation and monitoring provisions, and findings.</p> <p>2. Abbreviations: N/A = (Not Applicable); COS = (City of Stockton); ODS = (Owners, Developers and/or Successors-in- Interest); CDD = (Community Development Department); CD-P = (Community Development-Planning Division); CD-B = (Community Development-Building Division); PW = (Public Works Department); CM = (City Manager); CA = (City Attorney); P&R = (Parks and Recreation Department); HR = (Housing and Redevelopment Department); MUD = (Municipal Utilities Department); FD = (Fire Department); PD = (Police Department); PC = (Planning Commission); CC = (City Council); SJC = (San Joaquin County); ALUC = (Airport Land Use Commission).</p>
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FINDINGS AND LEVEL OF SIGNIFICANCE AFTER MITIGATION

Findings for significant and potentially significant impacts identified in the Final EIR or Negative Declaration/Initial Study are listed as follows:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the Final EIR or Negative Declaration/Initial Study, or
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the City of Stockton. Such changes have been adopted by such other agency, or can and should be adopted by such other agency, or
3. The City of Stockton has previously adopted findings of specific economic, social, or other considerations which make infeasible the mitigation measures and project alternatives identified in the Final EIR or Negative Declaration/Initial Study.

The level of significance (LS) of each impact after mitigation is listed as: SU= (significant and unavoidable), PS=(potentially significant), or NS=(not significant). The basis for the Findings is provided in applicable sections of the Final EIR, Negative Declaration/Initial Study, or previously adopted Findings or Statement of Overriding Considerations, as referenced in the last (fourth) column on the following pages under "Rationale."

LEAD AGENCY:

CITY OF STOCKTON
c/o Community Development Dept./Planning Division
345 North El Dorado Street, Stockton, CA 95202-1997
(209) 937-8266

Kanoa Kelley, Assistant Planner

DATE (FINDINGS/MONITORING PROGRAM ADOPTED)

3.0 MITIGATION REPORTING PROGRAM

This section describes the mitigation reporting program established for the above-described project pursuant to Section 21081.6 of the Public Resources Code. This program consists of the following steps:

- a. The Community Development Department shall utilize the above-listed Mitigation Implementation and Monitoring Program (Section I) as a checklist of mitigation measures to be implemented for the project. Implementation of the applicable measures shall be included as a condition of all applicable discretionary approvals, improvement plans and/or construction permits.
- b. The project applicant (i.e., owner, developer, originating City department, or other responsible agency, as applicable) and/or successors-in-interest shall file a written report with the Community Development Department, which will monitor the implementation of required mitigation measures. Similarly, any public agency having jurisdiction over natural resources affected by the project shall monitor and report upon the implementation of any mitigation measures incorporated at their request. Such written report(s) shall be submitted to the Community Development Department approximately once every twelve (12) months following approval of improvement plans and/or construction permits. The written report shall briefly state the status in implementing each adopted mitigation measure.
- c. The Community Development Department shall review the monitoring report(s) and determine whether there is any unusual and substantial delay in, or obstacle to, implementing the adopted mitigation measures. In reviewing the timeliness of implementation, the Community Development Department shall consider any timetable for the project and the required mitigation measures provided by the applicant and/or other responsible agency, as applicable. The Community Development Department and other City Departments may, to the extent deemed necessary, use scheduled inspections to monitor mitigation implementation.
- d. The result of the Community Development Department's review of the annual report(s) will be provided to the applicant in writing within thirty (30) calendar days after receipt of the annual report. If the Community Development Department determines that a required mitigation measure is not being properly implemented, it shall consult with the applicant and, if possible, agree upon additional actions to be taken to implement the mitigation measures.

The Community Development Department shall be limited to imposing reasonable actions as permitted by law that will implement the required mitigation measures. Any decision of the Senior Civil Engineer related to the annual monitoring report may be appealed to the City Planning Commission and/or City Council, as applicable, within ten (10) calendar days following said written determination.

- e. Such monitoring and reporting shall continue until the Community Development Department, in consultation with the other applicable City departments, determines that compliance has been fully achieved or, for ongoing measures (e.g., maintenance of

facilities), determines that existing enforcement procedures relating to conditions of approval will provide adequate verification of compliance.