

CITY OF STOCKTON
FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
FOR THE
PRECISE ROAD PLAN FOR THE MINER AVENUE COMPLETE
STREETS PROJECT LOCATED BETWEEN CENTER STREET AND THE
UNION PACIFIC RAILROAD UNDERPASS

PROJECT FILE NO: P16-0560
JANURARY 18, 2017

CITY OF STOCKTON
PUBLIC WORKS DEPARTMENT
22 EAST WEBER STREET
209 937-8277

Final

MINER AVENUE COMPLETE STREETS/ PRECISE ROAD PLAN (P16-0560)

Initial Study/Proposed Mitigated Negative Declaration
State Clearinghouse # 2016122014

Prepared for
City of Stockton

January 2017



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CHAPTER 1.0

Introduction

The City of Stockton (City) proposes the preparation of a Precise Road Plan and the Miner Avenue Complete Streets Project (project), which is a ten block rehabilitation and beautification project, in accordance with the City Council approved Miner Avenue Streetscape Plan for the corridor. The location of the proposed Precise Road Plan and associated improvements is along Miner Avenue between Center Street and the Union Pacific Railroad (UPRR) underpass in the City of Stockton, California with the current phase of complete streets improvements occurring between Center Street and Aurora Street. Future phases to complete the improvements as laid out in the Precise Road Plan are to be phased as funding becomes available through the Capital Improvement Program. It is also possible that construction of portions of the improvements may occur in conjunction with land development projects under conditions imposed by the City.

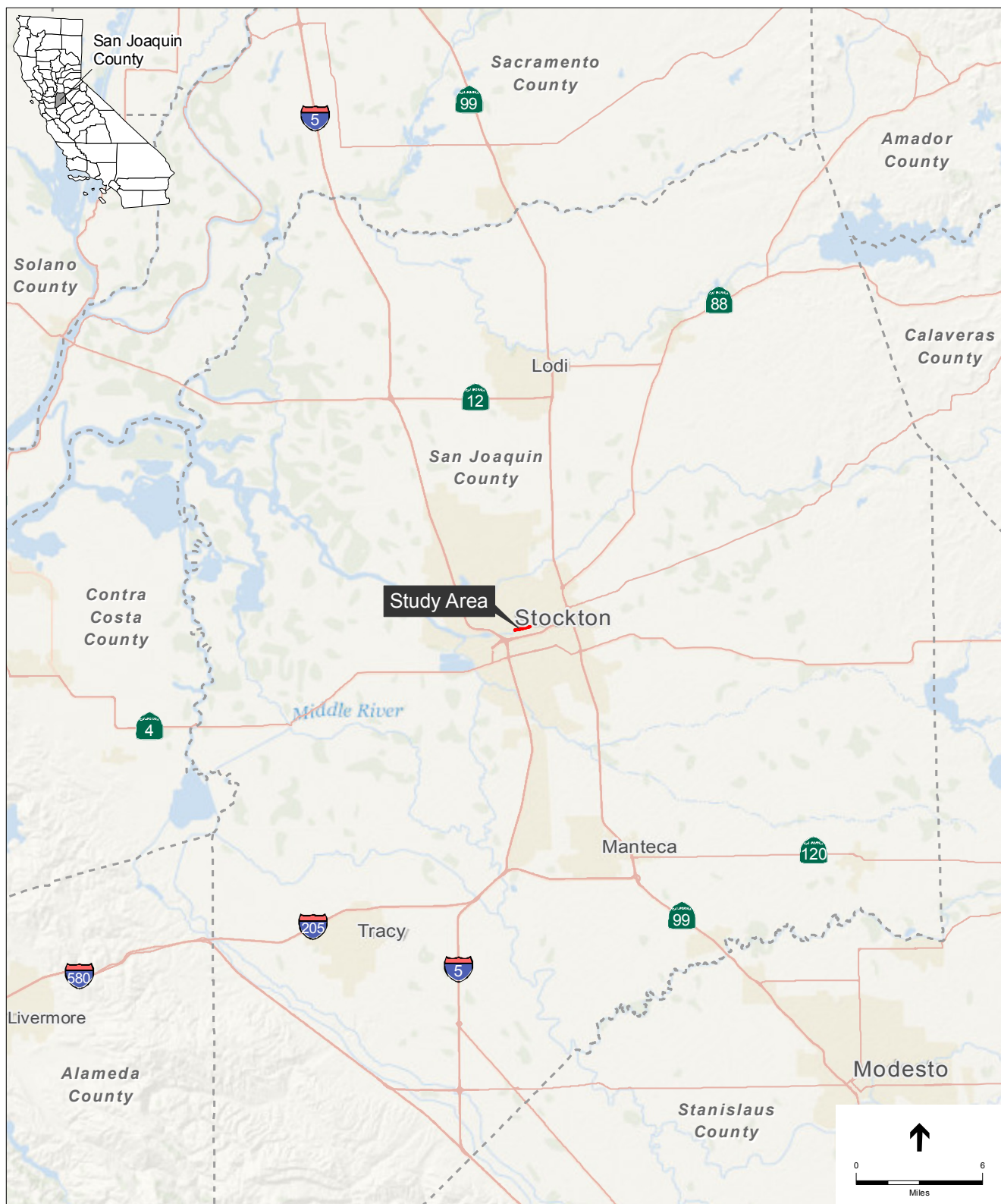
The rehabilitation improvements include a lane reduction from four to two lanes (one lane in each direction) and the inclusion of Class II bicycle lanes¹ throughout the project area. The project also proposes the addition of median islands and a potential round-about at the San Joaquin Street intersection; traffic signal modifications at the signalized intersections and streetlights; the addition of pedestrian and bicycle amenities; some aesthetic improvements, including landscaped medians and parklets; and the addition of bulb-out round corners with ADA compliant crossings and bollards.

A detailed project description is provided in Chapter 2 of the Initial Study. The general locations of the project and Precise Plan are shown in **Figures 1-2**. Proposed improvement designs are shown in **Figures 3a-3e**. **Figure 3f** illustrates the access restrictions, including driveway removals, proposed by the Precise Road Plan.

When combined with the Public Review Draft of the Initial Study/Mitigated Negative Declaration (IS/MND), this Final IS/MND constitutes the complete environmental review document of the Miner Avenue Complete Streets Project and Precise Road Plan. The Final IS/MND will be considered by the City Council for a final decision on the project.

The Final IS/MND contains the **Table 1, Summary of Impacts and Mitigation Measures**, from the Public Draft IS/MND, the list of comments received during the public comment period, and the responses to comments. There are no revisions to the Initial Study.

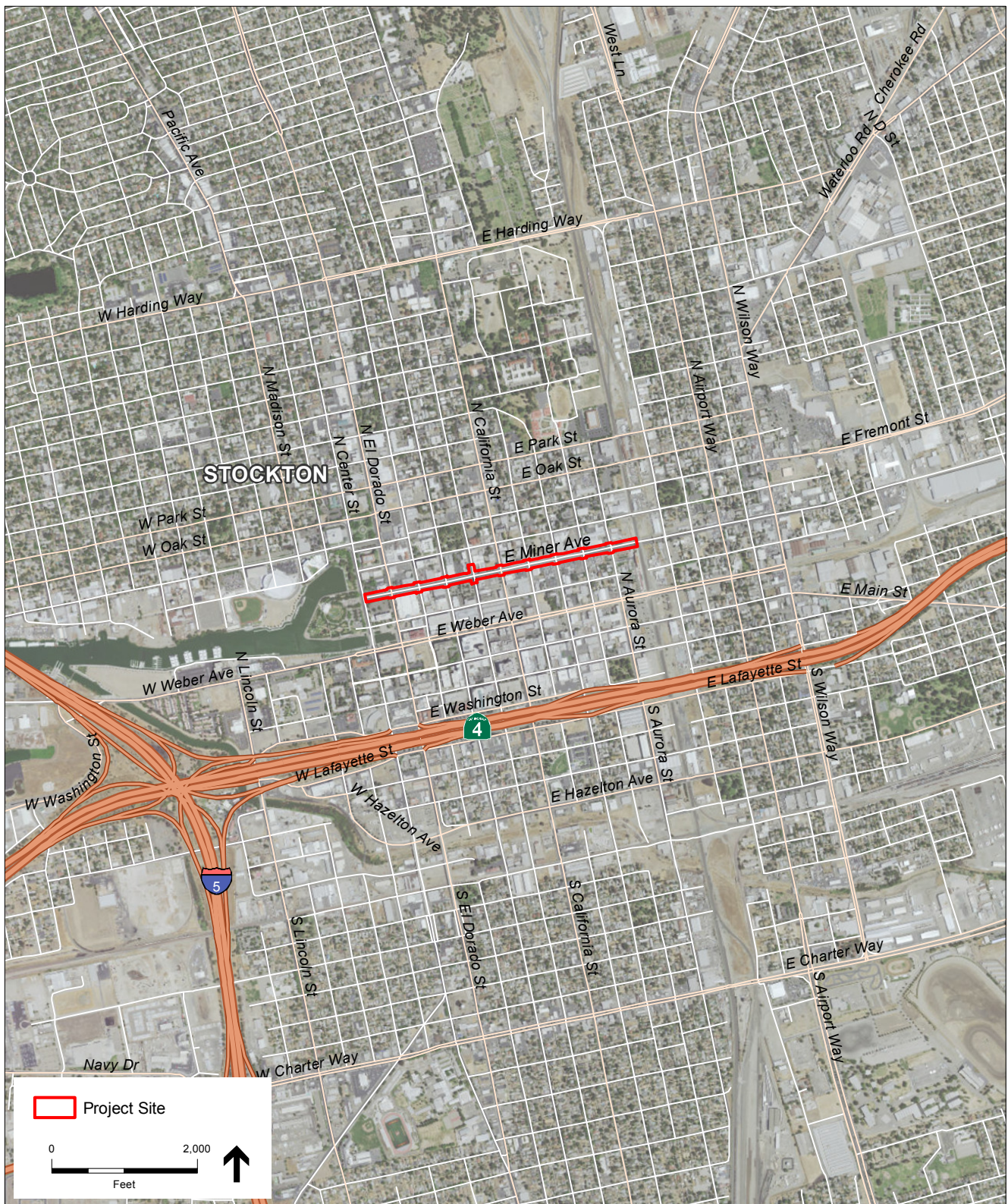
¹ The Caltrans Highway Design Manual (Caltrans, 2015) defines Class II bicycle lanes as bicycle lanes with a striped lane for one-way bicycle travel on a street or highway.



SOURCE: ESRI, 2012; ESA, 2016

Miner Avenue Complete Streets . 150688

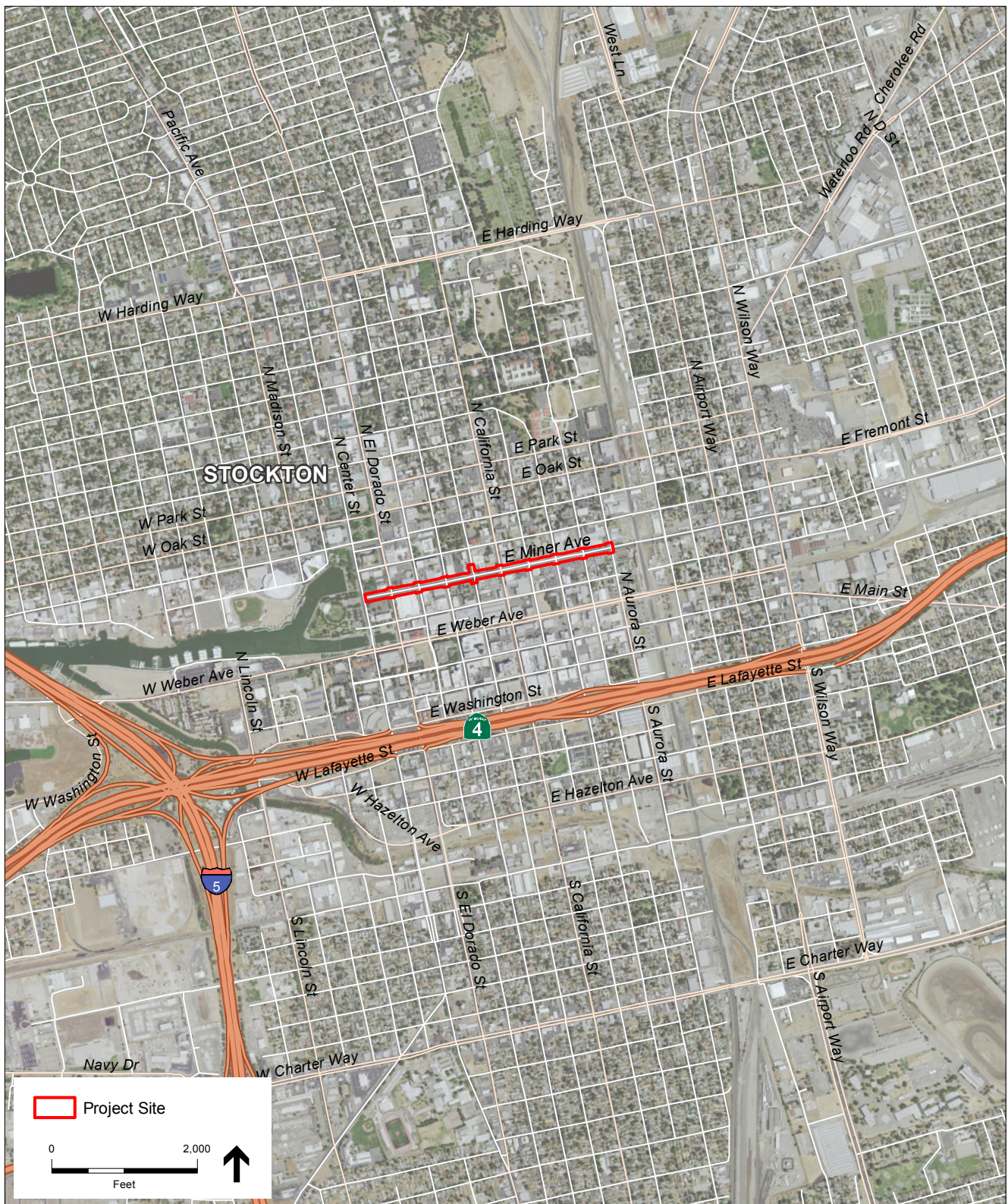
Figure 1
Project Location



SOURCE: USDA, 2014; BENEN, 2016; ESA, 2016

Miner Avenue Complete Streets . 150688

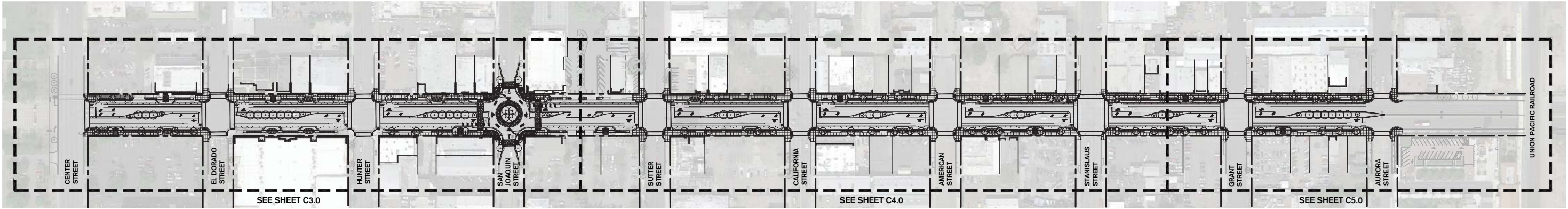
Figure 2a
Precise Road Plan Vicinity



SOURCE: USDA, 2014; BENEN, 2016; ESA, 2016

Miner Avenue Complete Streets . 150688

Figure 2b
Miner Avenue Complete Streets Vicinity



LEGEND

	EXISTING RIGHT-OF-WAY		STREET LIGHT		UTILITY VAULTS
	ROAD CENTERLINE		PROPOSED SIGNAL LIGHT		POWER POLE
	EXISTING PG&E LINE		EXISTING SIGNAL LIGHT		GUY ANCHOR
	EXISTING GAS LINE		STREET LIGHT		DRIVEWAY
	EXISTING STORM DRAIN (ABANDONED)		BIKE RACK		BOLLARD
	EXISTING FENCE		BENCH		CENTERLINE POINT LABEL
	EXISTING PACBELL LINE		PARALLEL PARKING STALL LIMITS		INSTALL NEW SIGN
	OVERHEAD LINE		ACCESSIBLE PARKING STALL		EXISTING SIGN
	SAWCUT		FIRE HYDRANT		INSTALL NEW THERMOPLASTIC STRIPING PER DETAIL NUMBER
	STATION MARKER		UTILITY PIPE/CONDUIT LABELS		INSTALL TYPE I 10' ARROW PER CALTRANS STD PLANS A24A
	DEMO TREE		UTILITY MANHOLE		INSTALL TYPE IV (L OR R) PER CALTRANS STD PLANS A24A
	EXISTING TREE		EDGE OF BUILDING		INSTALL TYPE VII (L OR R) PER CALTRANS STD PLANS A24A
	PROPOSED BUSH		DOUBLE DOORS		"BIKE LANE SYMBOL" PAVEMENT MARKING LEGEND AND ARROW PER CALTRANS STD PLAN A24C
	PROPOSED TREE		SEWER CLEAN OUT		INSTALL YIELD LINE PER CALTRANS STD PLANS A24E
	TREE GRATE		WATER VALVE		INSTALL "YIELD" PAVEMENT MARKING PER CALTRANS STD PLAN A24D
	SHRUB		PIPE TEE		GREEN PAVEMENT MARKING
	DECORATIVE CONCRETE SEE KEYNOTES 1-5 C5.0		STORM DRAIN CATCH BASIN		STOP PAVEMENT MARKING
	TRUNCATED DOMES		FOUND MONUMENT		
			TRASH RECEPTACLE		

SITE MAP
SCALE: 1" = 125'

GENERAL NOTES

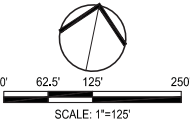
- POTENTIAL CONFLICTS WITH EXISTING UTILITIES MAY OCCUR AS A RESULT OF PROPOSED IMPROVEMENTS. THE DETAILED LOCATION OF UTILITIES ARE NOT KNOWN AT THIS TIME. FURTHER COORDINATION WITH UTILITY AGENCIES SHALL OCCUR DURING PREPARATION OF CONSTRUCTION DOCUMENTS.
- THIS PRELIMINARY PLAN HAS BEEN PREPARED FOR STUDY PURPOSES ONLY. PLAN IS NOT FOR CONSTRUCTION
- RELOCATE TRAFFIC SIGNS WHERE NECESSARY.
- ALL NEW CORNERS MUST HAVE accessible RAMPS PER THIS PLAN (TYPICAL).
- GRADE BREAK SHALL NOT EXCEED 3% (TYPICAL).
- FINAL TRAFFIC CONTROL PLAN DESIGN WILL BE INCLUDED WITH THE FINAL ENGINEERING PLANS.
- ALL STRIPING WILL BE PERFORMED IN ACCORDANCE WITH CITY OF STOCKTON STANDARDS.
- ALL MEDIANS WILL BE LANDSCAPED IN ACCORDANCE WITH CITY OF STOCKTON STANDARDS.
- BEARING LINES ARE IDENTICAL TO BEARING LINES SHOWN ON THE RIGHT OF WAY CONTROL PLANS.
- ALL TURN BAY TAPERS ARE IN ACCORDANCE WITH CALTRANS STANDARDS.
- THE LIGHTING DESIGN WILL BE INCLUDED WITH THE FINAL ENGINEERING.
- LANDSCAPING IS AN IMPORTANT PART OF THE FINAL DESIGN. LANDSCAPING OF MEDIANS AND THE USE OF UNIFORM TREEWELL SPACING SHOULD BE PROVIDED EXCEPT WHERE TREEWELL SPACING WOULD INTERFERE WITH BUSINESS ACCESS.

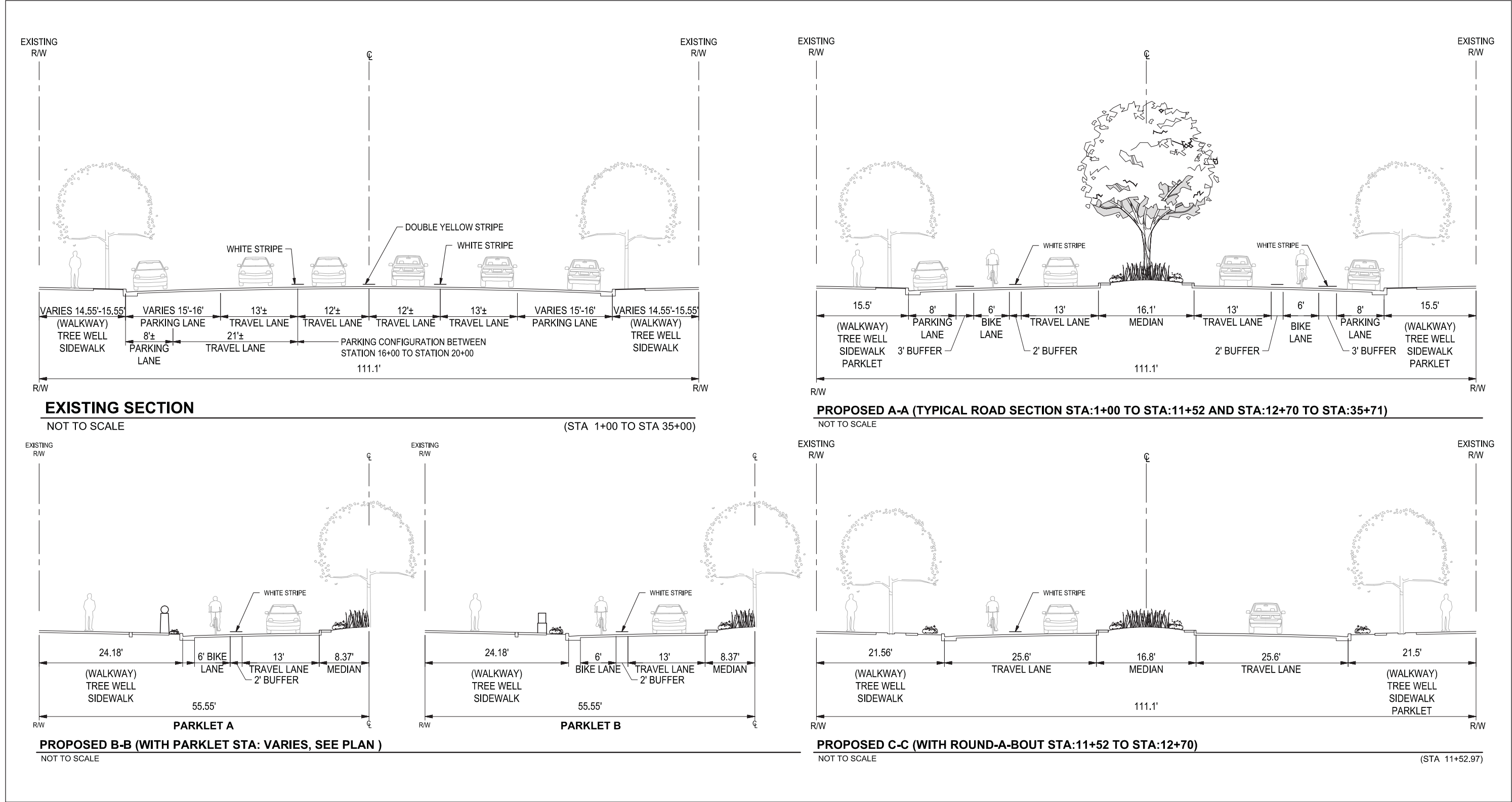
ABBREVIATIONS

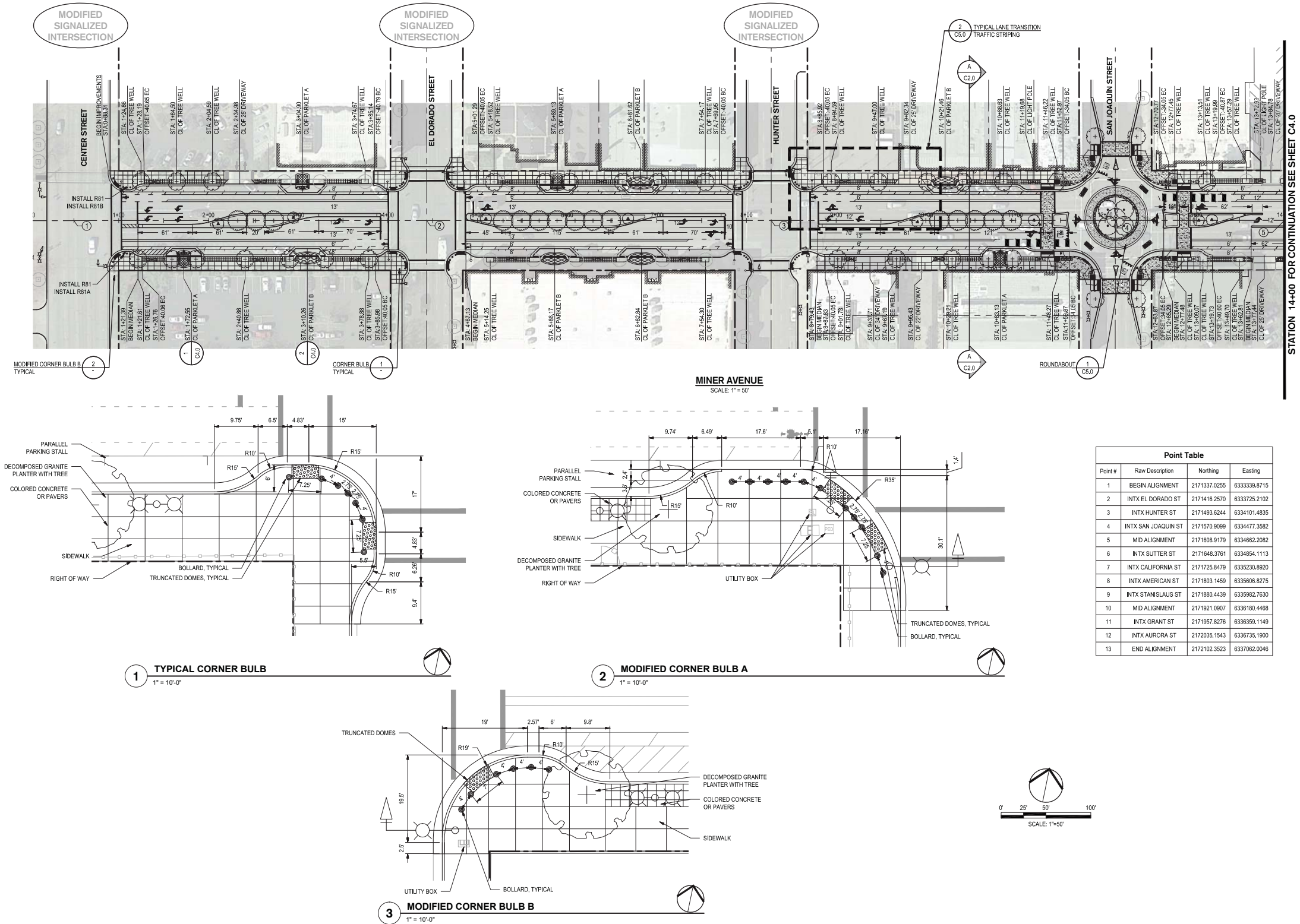
BC	BEGINNING OF CURB	INTX	INTERSECTION
BCR	BEGINNING CURB RETURN	MAX	MAXIMUM
BW	BACK OF WALK	MIN	MINIMUM
DW	DRIVEWAY	R	RADIUS
EC	END OF CURB	R/W	RIGHT OF WAY
ECR	END CURB RETURN	STA	STATION
EL	ELEVATION	SW	SIDEWALK
EP	EDGE OF PAVEMENT	VERT	VERTICAL
EX	EXISTING	(W)	WEST
FL	FLOWLINE	(E)	EAST
FOC	FACE OF CURB	(S)	SOUTH
G	GROUND	(N)	NORTH
GR	GRADE	±	PLUS OR MINUS
HORIZ	HORIZONTAL	(L)	LEFT
		(R)	RIGHT

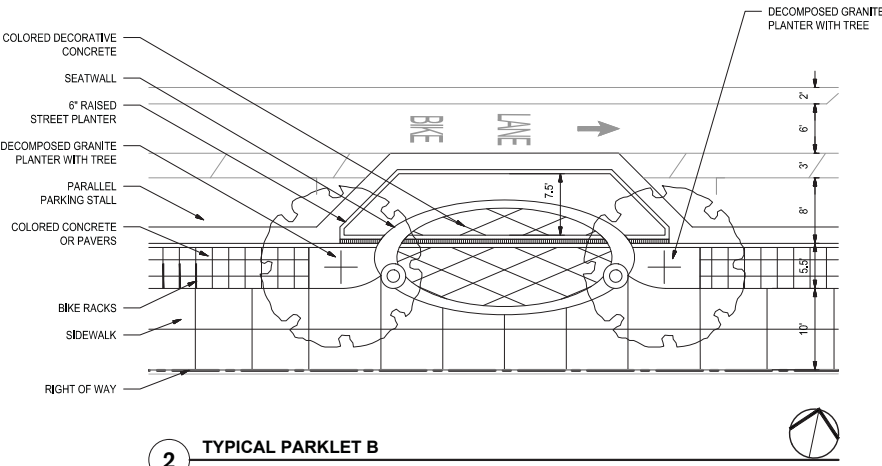
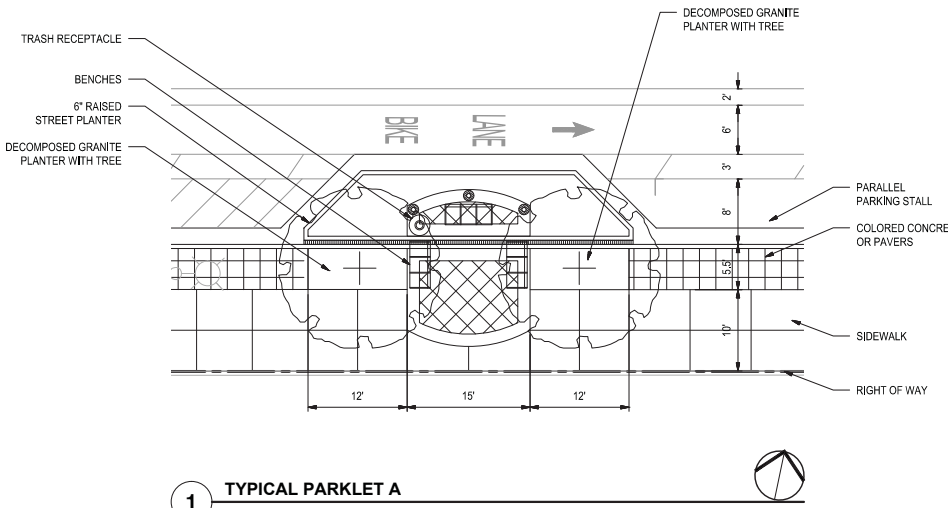
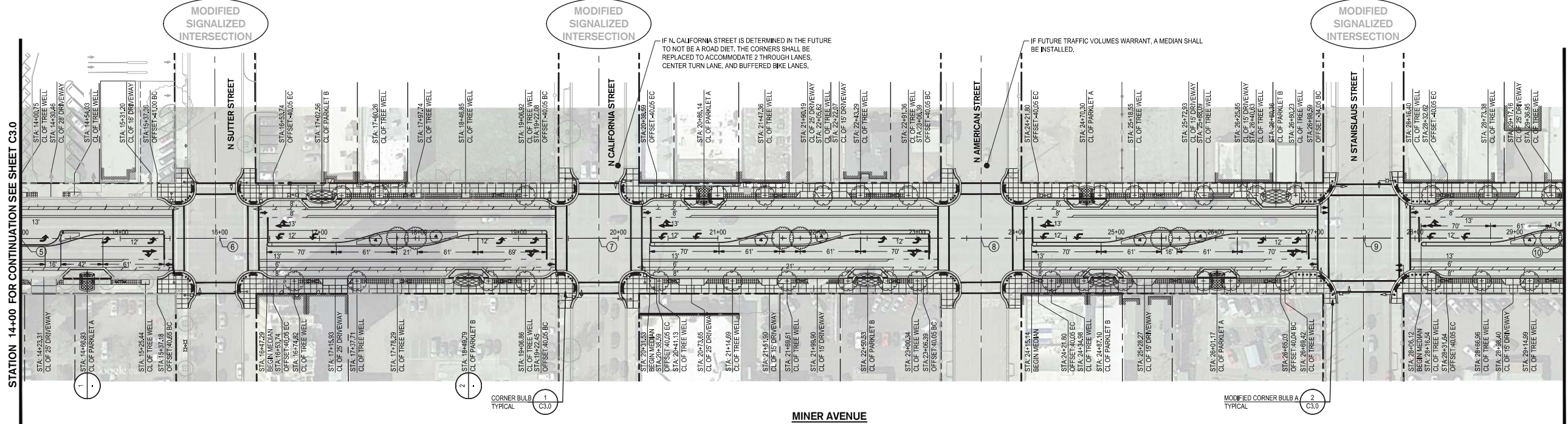
SHEET INDEX

C1.0	COVER SHEET
C2.0	STREET CROSS SECTIONS
C3.0	PRELIMINARY DESIGN STA 0+00 TO 14+00
C4.0	PRELIMINARY DESIGN STA 14+00 TO 29+50
C5.0	PRELIMINARY DESIGN STA 29+50 TO 35+71









Point Table			
Point #	Raw Description	Northing	Easting
1	BEGIN ALIGNMENT	2171337.0255	6333339.8715
2	INTX EL DORADO ST	2171416.2570	6333725.2102
3	INTX HUNTER ST	2171493.6244	6334101.4835
4	INTX SAN JOAQUIN ST	2171570.9099	6334477.3582
5	MID ALIGNMENT	2171608.9179	6334662.2082
6	INTX SUTTER ST	2171648.3761	6334854.1113
7	INTX CALIFORNIA ST	2171725.8479	6335230.8920
8	INTX AMERICAN ST	2171803.1459	6335606.8275
9	INTX STANISLAUS ST	2171880.4439	6335982.7630
10	MID ALIGNMENT	2171921.0907	6336180.4468
11	INTX GRANT ST	2171957.8276	6336359.1149
12	INTX AURORA ST	2172035.1543	6336735.1900
13	END ALIGNMENT	2172102.3523	6337062.0046

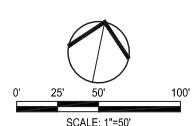
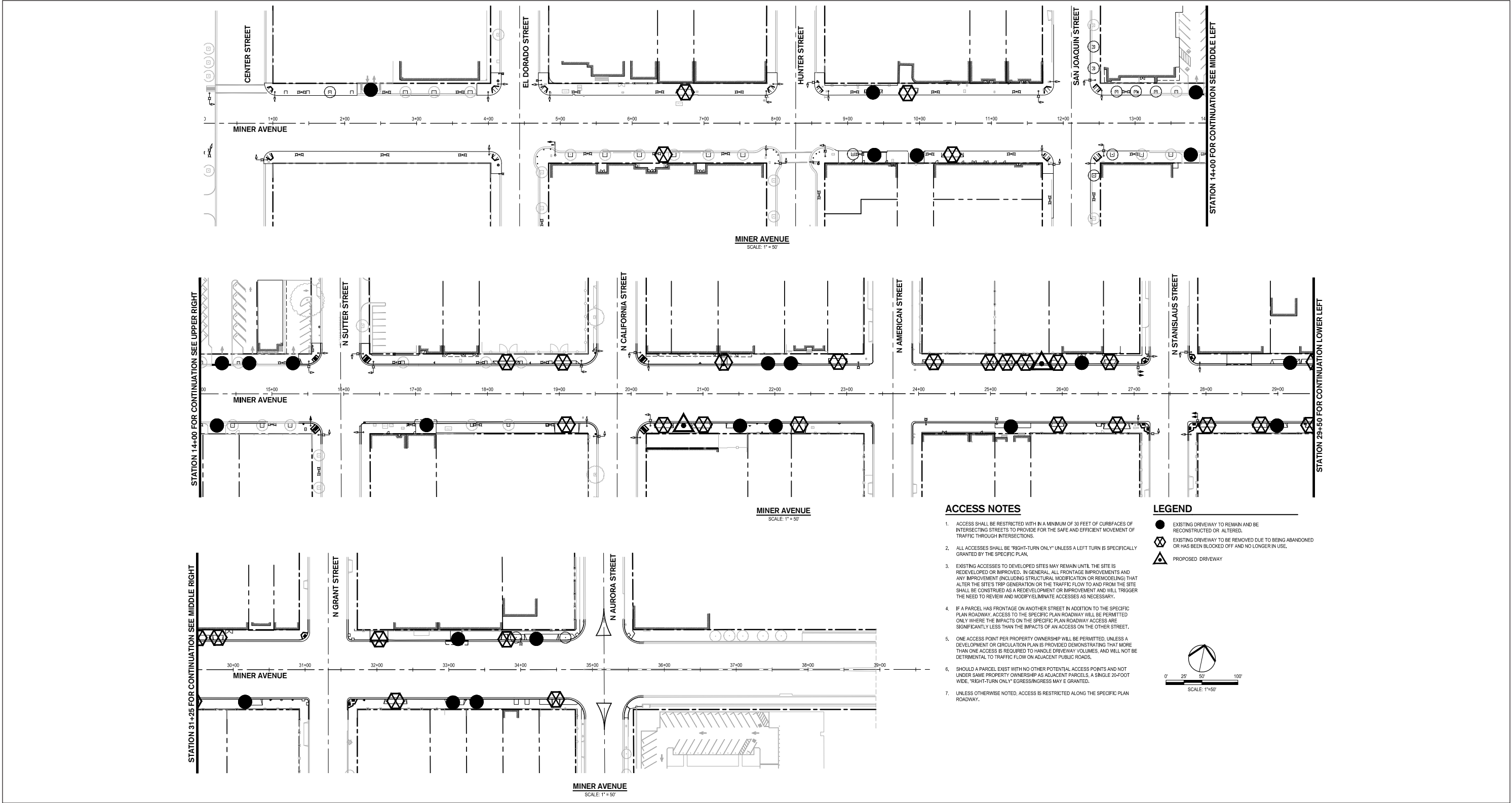


Figure 3e

Project Overview



1.1 Summary of Environmental Effects and Mitigation Measures

Table 1, Summary of Impacts and Mitigation Measures, summarizes the results of the CEQA Checklist and associated analysis discussed in Chapter 3.0 of the Initial Study.

TABLE 1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Aesthetics			
Have a substantial adverse effect on a scenic vista.	None Required	No Impact	N/A
Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	None Required	No Impact	N/A
Substantially degrade the existing visual character or quality of the site and its surroundings.	None Required	Less than Significant	N/A
Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area.	None Required	Less than Significant	N/A
Agricultural and Forest Resources			
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.	None Required	No Impact	N/A
Conflict with existing zoning for agricultural use, or a Williamson Act contract.	None Required	No Impact	N/A
Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).	None Required	No Impact	N/A
Result in the loss of forest land or conversion of forest land to non-forest use.	None Required	No Impact	N/A
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.	None Required	No Impact	N/A
Air Quality			
Conflict with or obstruct implementation of the applicable air quality plan.	None Required	Less than Significant	N/A
Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	None Required	Less than Significant	N/A

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Air Quality (cont.)			
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 (including releasing emissions which exceed quantitative thresholds for ozone precursors).	None Required	Less than Significant	N/A
Expose sensitive receptors to substantial pollutant concentrations.	None Required	Less than Significant	N/A
Create objectionable odors affecting a substantial number of people.	None Required	Less than Significant	N/A
Biological Resources			
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.	San Joaquin County Multi-Species Open Space and Habitat Conservation Plan. The City has chosen to opt-in to the SJMSCP and 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.	No Impact	p. 3-18
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 U.S. Fish and Wildlife Service.	None Required	No Impact	N/A
Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	None Required	No Impact	N/A
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.	San Joaquin County Multi-Species Open Space and Habitat Conservation Plan. Mitigation Measure BIO-1: Protect Nesting Birds. The Project Sponsor shall abide by all provisions of Sections 3503 and 3503.5 of the California Fish and Game Code and Migratory Bird Treaty Act of 1918 (MBTA), provided that the MBTA does not apply to those birds not protected by the MBTA, as published in the Federal Register (Vol. 78, No. 212; November 1, 2013). During construction of the project, the removal of trees shall occur between September 1 and January 31. Tree removal should be avoided from February 1 to August 31, which is the typical migratory bird nesting period (nesting period) in this part of California. If no vegetation removal is proposed during the nesting period, then no surveys are required.	Less than Significant	p. 3-18

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Biology (cont.)			
	If it is not feasible to avoid tree removal during the nesting period, a qualified wildlife biologist shall conduct a survey for nesting birds. Surveys shall be conducted no earlier than three days prior to the commencement of removal of the tree or demolition of buildings. Following the survey, the wildlife biologist shall provide a report to the City detailing the findings. If nesting birds that are covered by the MBTA and/or Sections 3503 and 3503.5 of the California Fish and Game Code are discovered in a tree will be removed, tree removal will be delayed until the nest(s) is no longer active; either the nest fails or the nest is successful and the young fledge and are no longer dependent on the nest for survival. The latter will be determined by a qualified biologist.		
Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	None Required	Less than Significant	N/A
Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.	San Joaquin County Multi-Species Open Space and Habitat Conservation Plan.	Less than Significant	p. 3-18
Cultural Resources			
Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.	Mitigation Measure CR-1: Protection of National Register-eligible Resources. Protective measures shall be implemented for any construction work occurring within 50 feet of Saint John's Episcopal Church and Guild Hall at 115 East Miner Avenue, the Southern Pacific Railroad Depot at 201 North Sacramento Street, and the Medico-Dental Building 242 North Sutter Street. The specifics of these protective measures shall be approved by the City of Stockton with the purpose of shielding and protecting these buildings from construction equipment and materials as well as debris resulting from the construction. An architectural historian that meets the Secretary of the Interior's qualifications will determine if any sidewalk or street features are considered character-defining elements of these three resources. Any alterations to the character-defining features of these buildings will be done in accordance with the Secretary of the Interior's <i>Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings</i> (NPS, 1995) and PRC 5024.5.	Less than Significant	p. 3-30
Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.	Stockton Municipal Code 16.36.050: Cultural Resources. If a historical or archaeological resource or human remains may be impacted by a development project requiring a discretionary land use permit, the Secretary of the Cultural Heritage Board shall be notified, any survey needed to determine the significance of the resource shall be conducted, and the proper environmental documents shall be prepared. In addition: A. Historical Resources. Resources that have been identified as a landmark or part of a historic district in compliance with Chapter 16.220 (Cultural Resources) shall require a certificate of appropriateness (Section 16.220.060) if any exterior changes to the resource are proposed.	Less than Significant	p. 3-29 & 3-30

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Cultural Resources (cont.)			
	<p>B. Archaeological Resources. In the event that archaeological resources are discovered during any construction, construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist and disposition of artifacts may occur in compliance with State and Federal law.</p> <p>C. Human Remains. In the event human remains are discovered during any construction, construction activities shall cease, and the County Coroner and Director shall be notified immediately in compliance with CEQA Guidelines 15064.5 (d). A qualified archaeologist shall be contacted to evaluate the situation. If the human remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify the most likely descendent of the Native American to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. (Prior code § 16-310.050).</p> <p>Mitigation Measure CR-2: Extended Phase I Survey. During the preliminary design for development and prior to any ground-disturbing activity associated with the proposed project, the City shall undertake the following:</p> <ul style="list-style-type: none"> Extended Phase I Survey. Because there is the potential for archaeological resources to exist in the project area, the City shall retain a Secretary of the Interior-qualified archaeologist, in consultation with a Native American representative, to prepare and implement an Extended Phase I (XPI) Survey. The XPI Survey will identify the property types of expected archaeological resources, the testing method to be used to define resource boundaries and constituents, and the locations recommended for testing. The purpose of the XPI Survey will be to determine to the extent possible the presence or absence of cultural resources in the proposed areas of disturbance for the project and a preliminary evaluation of whether any cultural resources encountered constitute a historical resource under CEQA. Preservation in Place. Following the XPI Survey, if a significant cultural resource is identified, a qualified archaeologist, in consultation with the City and the appropriate Native American representative shall determine whether preservation in place is feasible. Consistent with CEQA Guidelines Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. <p>If it is determined that preservation in place is not feasible for the resource and another type of mitigation would better serve the interests protected by CEQA, mitigation shall include data recovery through archaeological investigations and the City shall undertake the following:</p> <ul style="list-style-type: none"> Archaeological Research Design and Treatment Plan. If avoidance or preservation in place is not feasible for the identified resource, the City shall retain a Secretary of the Interior-qualified archaeologist who, in consultation with a Native American representative, shall 		

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Cultural Resources (cont.)			
	prepare a detailed Archaeological Research Design and Treatment Plan (ARDTP) that shall be submitted to the City for review and approval. The ARDTP shall identify a proposed data recovery program and how the data recovery program would preserve the significant information the archaeological resource is expected to contain. Treatment would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim of targeting the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The ARDTP shall include provisions for analysis of data in a regional context; reporting of results within a timely manner and subject to review and comments by the appropriate Native American representative, before being finalized; curation of artifacts and data at a local facility acceptable to the City and appropriate Native American representative; and dissemination of final confidential reports to the appropriate Native American representative, the Central California Information Center of the California Historical Resources Information System and the City.		
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Mitigation Measure CR-3: Inadvertent Discovery of Paleontological Resources. If potential fossils are discovered during project implementation, all earthwork or other types of ground disturbance within 100 feet of the find shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue, or recommend salvage and recovery of the fossil. The paleontologist may also propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage is required, recommendations will be consistent with Society of Vertebrate Paleontology guidelines and currently accepted scientific practice. If required, treatment for fossil remains may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection, and may also include preparation of a report for publication describing the finds.	Less than Significant	p. 3-31
Disturb any human remains, including those interred outside of formal cemeteries.	Mitigation Measure CUL-4: Tribal Cultural Resources Interpretive Program. In consultation with the affiliated Native American tribal representatives, the proposed project shall be redesigned so as to avoid any adverse effect on the significant tribal cultural resource, if feasible. If preservation in place of the tribal cultural resource is not a sufficient or feasible option, the City shall implement an interpretive program of the tribal cultural resource in consultation with affiliated tribal representatives. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.	Less than Significant	p. 3-32

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Geology, Soils, and Seismicity			
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving 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.	None Required	No Impact	N/A
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.	None Required	Less than Significant	N/A
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction.	None Required	Less than Significant	N/A
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.	None Required	No Impact	N/A
Result in substantial soil erosion or the loss of topsoil.	None Required	Less than Significant	N/A
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	None Required	Less than Significant	N/A
Be located on expansive soil, as defined in Table 18.1 B of the Uniform Building Code (1994), creating substantial risks to life or property.	None Required	Less than Significant	N/A
Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.	None Required	No Impact	N/A
Greenhouse Gas Emissions			
Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	None Required	Less than Significant	N/A
Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	None Required	Less than Significant	N/A

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Hazards and Hazardous Materials			
Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	None Required	Less than Significant	N/A
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.	<p>Mitigation Measure HAZ-1: Safe Removal and Proper Disposal of Materials Contaminated by Lead. The City shall ensure, through the enforcement of contractual obligations, that work plans address procedures for the safe removal and proper disposal of materials contaminated with asbestos. Any identified lead-based paint must be removed and disposed of in the proper waste facility. The demolition of the structures shall comply with the U.S. EPA National Emissions Standards for Hazardous Air Pollutants (NESHAP) and the SJVAPCD rules and regulations regarding lead.</p> <p>Mitigation Measure HAZ-2: Contamination of Soil and/or Groundwater. During construction activities for the proposed project, if contaminated soil and/or groundwater are encountered or suspected contamination is encountered, work should be stopped in the suspected area of contamination and the type and extent of the contamination be identified. If necessary, a remediation plan shall be implemented in conjunction with continued construction of the proposed project.</p>	Less than Significant	p. 3-57
Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	Mitigation Measure HAZ-1 and Mitigation Measure HAZ-2	Less than Significant	p. 3-57
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.	Mitigation Measure HAZ-1 and Mitigation Measure HAZ-2	Less than Significant	p. 3-57
Result in a safety hazard for people residing or working in the project area, 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.	None Required	No Impact	N/A
Result in a safety hazard for people residing or working in the project area, for a project within the vicinity of a private airstrip.	None Required	No Impact	N/A
Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	None Required	Less than Significant	N/A
Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	None Required	No Impact	N/A

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Hydrology and Water Quality			
Violate any water quality standards or waste discharge requirements.	<p>Mitigation Measure HWQ-1: Implement Water Quality Best Management Practices (BMPs). The City would ensure that the project contractor comply with the requirements of a NPDES permit from the Regional Water Quality Control Board (RWQCB), Central Valley Region. As part of the permit, the contractor would be required to prepare and implement an SWPPP into their construction plans, prior to initiating construction activities, identifying BMPs to be used to avoid or minimize any adverse effects before and during construction to surface waters. The SWQCCP identifies BMPs after construction. The following BMPs would be incorporated into the project as part of the construction specifications:</p> <ul style="list-style-type: none"> • Use a water truck or other appropriate measures to control dust on applicable access roads, construction areas, and stockpiles. • Properly dispose of oil or other liquids. • Fuel and maintain vehicles in a specified area that is designed to capture spills. • Fuels and hazardous materials would not be stored on site. • Inspect and maintain vehicles and equipment to prevent the dripping of oil or other fluids. • Schedule construction to avoid the rainy season as much as possible. • Maintain sediment and erosion control measures during construction. Inspect the control measures before, during, and after a rain event. • Train construction workers in storm water pollution prevention practices. • Re-vegetate disturbed areas in a timely manner to control erosion. 	Less than Significant	p. 3-64
Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).	None Required	Less than Significant	N/A
Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site.	None Required	Less than Significant	N/A
Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.	None Required	Less than Significant	N/A

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Hydrology and Water Quality (cont.)			
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.	None Required	Less than Significant	N/A
Otherwise substantially degrade water quality.	None Required	Less than Significant	N/A
Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.	None Required	No Impact	N/A
Place within a 100-year flood hazard area structures that would impede or redirect flood flows.	None Required	No Impact	N/A
Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	None Required	Less than Significant	N/A
Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow.	None Required	No Impact	N/A
Land Use and Land Use Planning			
Physically divide an established community.	None Required	No Impact	N/A
Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect	None Required	No Impact	N/A
Conflict with any applicable habitat conservation plan or natural community conservation plan.	None Required	Less than Significant	N/A
Mineral Resources			
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.	None Required	No Impact	N/A
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.	None Required	No Impact	N/A

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Noise			
Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	<p>Mitigation Measure N-1: Implement Construction-Related Noise/Vibration Reduction Measures. The following control measures shall be implemented in order to minimize noise and vibration disturbances at sensitive receptors during periods of construction:</p> <ul style="list-style-type: none"> • Use newer equipment with improved muffling and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine enclosures, and engine vibration isolators intact and operational. Newer equipment will generally be quieter in operation than older equipment. All construction equipment should be inspected at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers and shrouding, etc.). • Utilize construction methods or equipment that will provide the lowest level of noise and ground vibration impact such as alternative low noise pile installation methods. • Turn off idling equipment when not in use for more than 10 minutes. • Implement a construction noise and vibration-monitoring program to limit the impacts. • Plan noisier operations during times of least sensitivity to receptors. • Keep noise levels relatively uniform and avoid impulsive noises. • Maintain good public relations with the community to minimize objections to the unavoidable construction impacts. Provide frequent activity update of all construction activities. 	Less than Significant	p. 3-73
Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels.	Mitigation Measure N-1	Less than Significant	p. 3-73
A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.	None Required	Less than Significant	N/A
A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.	Mitigation Measure N-1	Less than Significant	p. 3-73
Expose people residing or working in the area to excessive noise levels, for a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport	None Required	No Impact	N/A
Expose people residing or working in the project area to excessive noise levels, for a project located in the vicinity of a private airstrip	None Required	No Impact	N/A

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Population and Housing			
Induce substantial 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)	None Required	Less than Significant	N/A
Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere.	None Required	No Impact	N/A
Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.	None Required	No Impact	N/A
Public Services			
Result in substantial adverse physical impacts associated with the provision of, or the 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 fire protection.	None Required	Less than Significant	N/A
Result in substantial adverse physical impacts associated with the provision of, or the 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 police protection.	None Required	Less than Significant	N/A
Result in substantial adverse physical impacts associated with the provision of, or the 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 schools.	None Required	No Impact	N/A
Result in substantial adverse physical impacts associated with the provision of, or the 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 parks.	None Required	No Impact	N/A

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Public Services (cont.)			
Result in substantial adverse physical impacts associated with the provision of, or the 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 other public facilities.	None Required	No Impact	N/A
Recreation			
Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated.	None Required	Less than Significant	N/A
Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.	None Required	Less than Significant	N/A
Transportation and Traffic			
Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.	None Required	Less than Significant	N/A
Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.	None Required	Less than Significant	N/A
Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks.	None Required	No Impact	N/A
Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	None Required	No Impact	N/A

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Transportation and Traffic (cont.)			
Result in inadequate emergency access.	<p>Mitigation Measure TRANS-1: Maintain Emergency Access. During construction, emergency access on public roadways shall be available at all times to maintain emergency vehicle access through the area. At no time during the construction period will the entire width of a public roadway be closed to emergency vehicle traffic.</p> <p>Mitigation Measure TRANS-2: Develop Traffic Management Plan. Prior to the start of construction, a Traffic Management Plan shall be developed that would reduce delays and obstructions caused by construction detours to the greatest extent possible. The plan developers shall coordinate with emergency service providers (i.e., fire and police) during plan development to ensure that traffic control measures proposed in the plan would meet the needs of the service providers. These detours shall be provided to all emergency services entities that service the area prior to their implementation to avoid impacts to emergency response times.</p>	Less than Significant	p. 3-93
Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	None Required	No Impact	N/A
Utilities and Service Systems			
Conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board.	None Required	No Impact	N/A
Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	None Required	No Impact	N/A
Require or result in the construction of new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects.	As design progresses, several possible strategies that would fit this corridor: 1) The use of permeable paver systems in the walks or parking areas to detain and filter the stormwater, but this yields no volume reduction due to the low permeability soils; 2) The use of tree well planter filters that will reduce runoff and filter the water; 3) median bio-infiltration; and/or 4) mechanical cartridge based filtration devices.	Less than Significant	N/A
Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.	None Required	No Impact	N/A
Result in a determination by the wastewater treatment provider that would serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	None Required	No Impact	N/A
Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.	None Required	Less than Significant	N/A

TABLE 1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation	Mitigation Measure Page Number
Utilities and Service Systems (cont.)			
Comply with federal, state, and local statutes and regulations related to solid waste.	None Required	Less than Significant	N/A
Mandatory Findings of Significance			
Have the potential 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, or eliminate important examples of the major periods of California history or prehistory.	San Joaquin County Multi-Species Open Space and Habitat Conservation Plan, Mitigation Measure BIO-1, Stockton Municipal Code 16.36.050: Cultural Resources, Mitigation Measure CR-1, Mitigation Measure CR-2, Mitigation Measure CR-3, and Mitigation Measure CR-4	Less than Significant	p. 3-18, 3-29, 3-30, 3-31, & 3-32
Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" 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).	None Required	Less than Significant	N/A
Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.	Mitigation Measure HAZ-1, Mitigation Measure HAZ-2, Mitigation Measure HWQ-1, Mitigation Measure N-1, Mitigation Measure TRANS-1, and Mitigation Measure TRANS-2	Less than Significant	p. 3-57, 3-64, 3-73, & 3-93

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CHAPTER 2

Comments and Responses

Chapter 2 includes the comment letters received during the agency/public review period for the Initial Study/Mitigated Negative Declaration (from December 8, 2016 to January 9, 2017).

A summary of the comment letters received is provided below in **Table 2**, with the individual comment letters and the City's response to the comment letters provided on the following pages.

TABLE 2
PUBLIC DRAFT IS/MND COMMENTS

Item	Agency/Commenter	Dated	Received by City of Stockton	Comment Summary
1.	San Joaquin Council of Governments (SJCOG, Inc.)	November 17, 2016	December 12, 2016	A comment regarding the project's participating in the SJMSCP and the steps to satisfy SJMSCP requirements.
2.	Central Valley Regional Water Quality Control Board (Central Valley Water Board)	December 22, 2016	December 27, 2016	Comments regarding the quality of surface and groundwater of the state, including: Basin Plans, Antidegradation Policy, and permitting requirements.
3.	San Joaquin County Environmental Health Department (EHD)	January 3, 2017	January 4, 2017	EHD stated that they had no comment on the proposed project. No response is required.
4.	FEMA Floodplain Management and Insurance Branch (FEMA)	December 28, 2016	January 4, 2017	Comments regarding recent updates to FIRMs for the County of San Joaquin and NFIP floodplain management building requirements.
5	San Joaquin County Department of Public Works	January 9, 2017	January 9, 2017	San Joaquin County DPW stated that they had no comment on the proposed project. No response is required.
6	California Governor's Office of Planning and Research (OPR)	January 9, 2017	January 11, 2017	OPR commented that the review period has closed and that only the Central Valley Water Board had provided a comment through the OPR.

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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)

Letter 1

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

To: Jenny Liaw, City of Stockton, Community Development Department

From: Laurel Boyd, SJCOG, Inc.

Date: November 17, 2016

Local Jurisdiction Project Title: Draft IS/Proposed MND for a precise Road Plan for the Miner Avenue Complete Streets Project

Assessor Parcel Number(s): Existing Right-of-Way (Miner Avenue)

Local Jurisdiction Project Number: P16-0560

Total Acres to be converted from Open Space Use: Approximately 2.39 acres

Habitat Types to be Disturbed: Urban (U) Habitat Land

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

Dear Mr. Meissner:

SJCOG, Inc. has reviewed the Draft Initial Study/Proposed Mitigated Negative Declaration for a Precise Road Plan for the Miner Avenue Complete Streets Project (P16-0560). This project consists of a ten block rehabilitation and beautification project. The rehabilitation improvements include a lane reduction from four to two lanes (road diet) and the inclusion of Class II bicycle lanes throughout the project area. The project also proposes the addition of median islands with landscaping, and a potential round-about at the intersection of Miner Avenue and San Joaquin Street; traffic signal modifications at the signalized intersections and streetlights; the addition of pedestrian and bicycle amenities and parklets (small landscaped amenity areas); as well as the addition of bulb-out round corners to provide compliance with the Americans with Disabilities Act (ADA), compliant street crossings and bollards. The location of the proposed project is along Miner Avenue between Center Street and the Union Pacific Railroad (UPRR) underpass in the City of Stockton with the current phase of complete streets improvements occurring between Center Street and Aurora Street.

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.

Although the Project's environmental documents do not include language for participation in the Plan, this project is eligible to participate in the SJMSCP or the project can elect to 'Opt Out' to pursue satisfying the respective agencies for impacts. If the project elects to participate, 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.
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.



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: Administrative Draft – Miner Avenue Complete Streets/Precise Road Plan (P16-0560) IS/MND

Applicant: City of Stockton

Assessor Parcel #s: Existing Right-of-Way

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

Local Jurisdiction Contact: Jenny Liaw

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.

Central Valley Regional Water Quality Control Board

22 December 2016

DEC 27 2016
PUBLICWORKSDEPT.
CITY OF STOCKTON

Rosa Alvarez
City of Stockton
22 East Weber Avenue, Room 301
Stockton, CA 95202

CERTIFIED MAIL
91 7199 9991 7035 8417 7662

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE
DECLARATION, MINER AVENUE COMPLETE STREETS / PRECISE ROAD PLAN
PROJECT, SCH# 2016122014, SAN JOAQUIN COUNTY**

Pursuant to the State Clearinghouse's 8 December 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Miner Avenue Complete Streets / Precise Road Plan 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 Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.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 Activities (Construction General Permit), Construction General Permit Order No. 2009-009-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:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

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:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

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:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

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 (USACOE). If a Section 404 permit is required by the USACOE, 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

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.

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 Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE 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.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE 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 Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

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 Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. 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 Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or 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 *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

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NPDES Permit

If the proposed project discharges waste that could affect the quality of the 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:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento



Letter 3

**San Joaquin County
Environmental Health Department
1868 E Hazelton Avenue
Stockton, California 95205**

**Website: www.sjcehd.com
Phone: (209) 468-3420
Fax: (209) 464-0138**

DIRECTOR
Linda Turkatte, REHS

ASSISTANT DIRECTOR
Kasey Foley, REHS

PROGRAM COORDINATORS
Robert McClellon, REHS
Jeff Carruesco, REHS, RDI
Rodney Estrada, REHS
Willy Ng, REHS
Muniappa Naidu, REHS

January 3, 2017

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

SUBJECT: Draft Initial Study / Proposed Mitigated Negative Declaration for Miner Ave

The San Joaquin County Environmental Health Department (EHD) has reviewed the application and has no comments at this time.

Should you have any questions, please call Steven Shih, Lead Senior Registered Environmental Health Specialist, at (209) 468-9850.

Rodney Estrada, REHS
Program Coordinator

Letter 4

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052



FEMA

December 28, 2016

Jenny Liaw, Senior Planner
Community Development Department
Planning and Engineering Division
345 North El Dorado Street
Stockton, California 95202

RECEIVED

JAN 04 2017

CITY OF STOCKTON
PERMIT CENTER / PLANNING DIV.

Dear Ms. Liaw:

This is in response to your request for comments regarding City of Stockton, Public Notice of Intent to Adopt Mitigated Negative Declaration/Public Meeting for Draft Initial Study/Proposed Mitigated Negative Declaration for Precise Road Plan for Miner Avenue Complete Streets Project (P16-0560).

Please review the current effective countywide Flood Insurance Rate Maps (FIRMs) for the County of San Joaquin (Community Number 060299), Maps revised October 20, 2016 and City of Stockton (Community Number 060303, Maps revised October 16, 2009. Please note that the Stockton, San Joaquin County, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any **development** must not increase base flood elevation levels. **The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

Jenny Liaw
Page 2
December 28, 2016

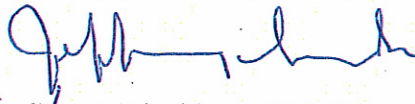
- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Stockton floodplain manager can be reached by calling Ed N. Short, Senior Plans Examiner, at (209) 937-7630. The San Joaquin County floodplain manager can be reached by calling John Maguire, Engineering Services Manager, at (209) 958-7617.

If you have any questions or concerns, please do not hesitate to call Michael Hornick of the Mitigation staff at (510) 627-7260.

Sincerely,


for

Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:

Ed N. Short, Senior Plans Examiner, City of Stockton

John Maguire, Engineering Services Manager, Flood Management Division/Public Works, San Joaquin County

Ray Lee, WREA, State of California, Department of Water Resources, North Central Region Office

Gregor Blackburn, CFM, Branch Chief, Floodplain Management and Insurance Branch

Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX



KRIS BALAJI
DIRECTOR



P. O. BOX 1810 - 1810 E. HAZELTON AVENUE
STOCKTON, CALIFORNIA 95201
(209) 468-3000 FAX (209) 468-2999
www.sjgov.org/pubworks

MICHAEL SELLING
DEPUTY DIRECTOR

FRITZ BUCHMAN
DEPUTY DIRECTOR

JIM STONE
DEPUTY DIRECTOR

NAJEE ZARIF
INTERIM BUSINESS ADMINISTRATOR

January 9, 2017

Jenny Liaw, Senior Planner
City of Stockton
Community Development Department
345 North El Dorado Street
Stockton, CA 95202

SUBJECT: MINER AVENUE COMPLETE STREETS PROJECT (P16-0560)

Dear Ms. Liaw,

The San Joaquin County Department of Public Works has reviewed the environmental document for the above referenced project and has no comments at this time. However, the County does request to be included on the circulation list for any additional project documents.

Thank you for the opportunity to review and comment. Should you have questions please contact me at atmcginnis@sjgov.org or (209) 468-3085.

Sincerely,

A handwritten signature in blue ink that reads "Ashlen McGinnis".

ASHLEN MCGINNIS
Environmental Coordinator

AM:as

c: Firoz Vohra, Senior Engineer



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

January 9, 2017

RECEIVED

JAN 11 2017

PUBLICWORKSDEPT.
CITY OF STOCKTON

Rosa Alvarez
City of Stockton
22 E. Weber Ave, Rm 301
Stockton, CA 95202

Subject: Miner Avenue Complete Streets/Precise Road Plan
SCH#: 2016122014

Dear Rosa Alvarez:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 6, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

Document Details Report
State Clearinghouse Data Base

SCH# 2016122014
Project Title Miner Avenue Complete Streets/Precise Road Plan
Lead Agency Stockton, City of

Type MND Mitigated Negative Declaration
Description The proposed project is ten block rehabilitation and beautification project in the downtown area of Stockton. The rehabilitation improvements include a land reduction from four to two lanes and the inclusion of Class II bicycle lanes throughout the project area. The project also proposes the addition of median islands and a roundabout at the San Joaquin Street intersection; traffic signal modifications at the signalized intersections and streetlights; the addition of pedestrian and bicycle amenities; some aesthetic improvements, including landscaped medians and parklets; and the addition of bulb-out round corners with ADA compliant crossings and bollards.

Lead Agency Contact

Name Rosa Alvarez
Agency City of Stockton
Phone (209) 937-8134 **Fax**
email
Address 22 E. Weber Ave, Rm 301
City Stockton **State** CA **Zip** 95202

Project Location

County San Joaquin
City Stockton
Region
Lat / Long 37° 57' 19.7" N / 121° 17' 30.7" W
Cross Streets Miner Ave between Center St and Aurora St
Parcel No.
Township 1N **Range** 6E **Section** **Base** MD

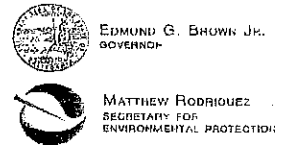
Proximity to:

Highways SR-4, I-5
Airports
Railways UPRR
Waterways San Joaquin River
Schools Stockton Collegiate
Land Use Commercial downtown, commercial general, industrial limited

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Water Quality; Landuse; Cumulative Effects; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 10; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission; Public Utilities Commission

Date Received 12/08/2016 **Start of Review** 12/08/2016 **End of Review** 01/06/2017



Central Valley Regional Water Quality Control Board

22 December 2016

Governor's Office of Planning & Research

DEC 23 2016

Rosa Alvarez
City of Stockton
22 East Weber Avenue, Room 301
Stockton, CA 95202

STATE CLEARINGHOUSE

CERTIFIED MAIL

91 7199 9991 7035 8417 7662

clear
1/6/17

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, MINER AVENUE COMPLETE STREETS / PRECISE ROAD PLAN PROJECT, SCH# 2016122014, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse's 8 December 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Miner Avenue Complete Streets / Precise Road Plan 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 Policy is available on page IV-15.01 at:

http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.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 Activities (Construction General Permit), Construction General Permit Order No. 2009-009-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:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

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:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

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.

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For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

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For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

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For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

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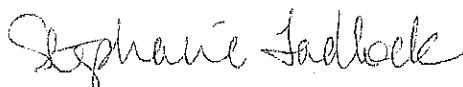
NPDES Permit

If the proposed project discharges waste that could affect the quality of the 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:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

2.1 Responses to Comment Letters

Letter 1 San Joaquin Council of Governments

The San Joaquin Council of Governments (SJCOG) comment letter was received prior to circulation of the Draft IS/MND and the responses to SJCOG comments were incorporated into the Draft IS/MND. The City has chosen to opt-in to the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP) and has incorporated all applicable language into the Draft IS/MND (See Pages 1-6, 3-16 to 3-18, and 3-66 to 3-67). As described on page 3-16, the City 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.

Letter 2 Central Valley Regional Water Quality Control Board

The comment describes applicable Water Board plans and considerations with which the proposed project must comply, including the applicable Basin Plan and the State Water Board Antidegradation Policy. The comment identifies potential types of permits that could be required from the Central Valley Regional Water Quality Control Board (CVRWQCB). Such permits could include a Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, an Industrial Storm Water General Permit, a Clean Water Act Section 404 Permit, a Clean Water Act Section 401 Permit, a Waste Discharge Requirement (WDR) permit, a dewatering permit, a permit for commercially irrigated agriculture, a Low or Limited Threat General NPDES Permit, or meeting Waste Discharge Requirements. Water quality permit requirements are detailed on page 3-61 of the Draft IS/MND within the Hydrology and Water Quality Section. The project is expected to disturb approximately 4.4 acres of land, and, therefore, would be required to obtain a NPDES Construction General Permit and to prepare and implement a SWPPP, in accordance with the General Construction Permit. The SWPPP will include BMPs to protect stormwater runoff and monitor BMP effectiveness.

Letter 3 San Joaquin County Environmental Health Department

The City acknowledges that the San Joaquin County Environmental Health Department of has reviewed the proposed project and has no comment.

Letter 4 Federal Emergency Management Agency

As described in the Draft IS/MND on pages 3-60 and 3-63 of the Hydrology and Water Quality section, the project site is not located within a 100-year floodplain. The project site is in an area with reduced flood risk due to protection by levee. In addition, the proposed project would not construct new housing or other structures within a 100-year floodplain, thus the National Floodplain Insurance Program (NFIP) floodplain management building requirements would not be applicable to the proposed project.

Letter 5 San Joaquin County Department of Public Works

The City acknowledges that the San Joaquin County Department of Public Works has reviewed the proposed project and has no comment.

Letter 6 California Governor's Office of Planning and Research

The City acknowledges that the public comment period has ended and the California Governor's Office of Planning and Research only received one comments, from the Central Valley Water Board, during the public comment period.

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APPENDIX A

Mitigation Monitoring and Reporting Program

In January 1989, Assembly Bill 3180 went into effect requiring the City to monitor all mitigation measures applicable to this project and included in the Mitigated Negative Declaration. For this project, mitigation reporting will be performed by the City of Stockton in accordance with the monitoring and reporting program developed by the City to implement AB 3180.

This Mitigation Monitoring and Reporting Program is being prepared pursuant to the California Environmental Quality Act, Public Resources Code Section 21081.

Project Name (number): Miner Avenue Complete Streets/Precise Road Plan (P16-0560)

Project Location:

The proposed project includes Miner Avenue between Center Street and the UPRR underpass in the City of Stockton in San Joaquin County, California. The Precise Plan is bound by Center Street and the UPRR undercrossing. The Miner Avenue Corridor, as identified in the Miner Avenue Streetscape Plan, encompasses Miner Avenue between Center and Aurora streets. The Miner Avenue Corridor is adjacent to downtown and the waterfront. Miner Avenue is flanked by commercial and industrial land uses within the project area.

Project Description:

The project consists of a lane reduction from four to two lanes (road diet), and the addition of Class II bicycle lanes throughout the project area, median islands with landscaping, a potential round-about at the intersection of Miner Avenue and San Joaquin Street, traffic signal modifications at the signalized intersections, the installation of streetlights, pedestrian and bicycle amenities and “parklets” (small landscaped amenity areas) as well as the addition of bulb-out round corners to provide compliance with the Americans with Disabilities Act (ADA), compliant street crossings, and bollards.

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MITIGATION MONITORING PLAN CHECKLIST FOR MINER AVENUE COMPLETE STREETS/PRECISE ROAD PLAN (P16-0560)

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	Verification of Compliance	
			Initials	Date
Biological Resources				
<p>Mitigation Measure BIO-1: Protect Nesting Birds</p> <p>The Project Sponsor shall abide by all provisions of Sections 3503 and 3503.5 of the California Fish and Game Code and Migratory Bird Treaty Act of 1918 (MBTA), provided that the MBTA does not apply to those birds not protected by the MBTA, as published in the Federal Register (Vol. 78, No. 212; November 1, 2013). During construction of the project, the removal of trees shall occur between September 1 and January 31. Tree removal should be avoided from February 1 to August 31, which is the typical migratory bird nesting period (nesting period) in this part of California. If no vegetation removal is proposed during the nesting period, then no surveys are required under the MBTA. However, as stated above, the SJMSCP requests a pre-construction survey of any vacant land be conducted prior to the submittal of a grading permit.</p> <p>If it is not feasible to avoid tree removal during the nesting period, a qualified wildlife biologist shall conduct a survey for nesting birds. Surveys shall be conducted no earlier than three days prior to the commencement of removal of the tree or demolition of buildings. Following the survey, the wildlife biologist shall provide a report to the City detailing the findings. If nesting birds that are covered by the MBTA and/or Sections 3503 and 3503.5 of the California Fish and Game Code are discovered in a tree will be removed, tree removal will be delayed until the nest(s) is no longer active; either the nest fails or the nest is successful and the young fledge and are no longer dependent on the nest for survival. The latter will be determined by a qualified biologist.</p>	Prior to and during construction	City of Stockton and/or City's Construction Contractor		
<p>San Joaquin County Multi-Species Open Space and Habitat Conservation Plan</p> <p>The City has chosen to opt-in to the SJMSCP and 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.</p>	Prior to construction	City of Stockton		
Cultural Resources				
<p>Mitigation Measure CR-1: Protection of National Register-eligible Resources</p> <p>Protective measures shall be implemented for any construction work occurring within 50 feet of Saint John's Episcopal Church and Guild Hall at 115 East Miner Avenue, the Southern Pacific Railroad Depot at 201 North Sacramento Street, and the Medico-Dental Building 242 North Sutter Street. The specifics of these protective measures shall be approved by the City of Stockton with the purpose of shielding and protecting these buildings from construction equipment and materials as well as debris resulting from the construction. An architectural historian that meets the Secretary of the Interior's qualifications will determine if any sidewalk or street features are considered character-defining elements of these three resources. Any alterations to the character-defining features of these buildings will be done in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (NPS, 1995) and PRC 5024.5.</p>	Prior to and during construction	City of Stockton and/or City's Construction Contractor		

MITIGATION MONITORING PLAN CHECKLIST FOR MINER AVENUE COMPLETE STREETS/PRECISE ROAD PLAN (P16-0560)

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	Verification of Compliance	
			Initials	Date
<p>Mitigation Measure CR-2: Extended Phase I Survey</p> <p>During the preliminary design for development and prior to any ground-disturbing activity associated with the proposed project, the City shall undertake the following:</p> <ul style="list-style-type: none"> • Extended Phase I Survey. Because there is the potential for archaeological resources to exist in the project area, the City shall retain a Secretary of the Interior-qualified archaeologist, in consultation with a Native American representative, to prepare and implement an Extended Phase I (XPI) Survey. The XPI Survey will identify the property types of expected archaeological resources, the testing method to be used to define resource boundaries and constituents, and the locations recommended for testing. The purpose of the XPI Survey will be to determine to the extent possible the presence or absence of cultural resources in the proposed areas of disturbance for the project and a preliminary evaluation of whether any cultural resources encountered constitute a historical resource under CEQA. • Preservation in Place. Following the XPI Survey, if a significant cultural resource is identified, a qualified archaeologist, in consultation with the City and the appropriate Native American representative shall determine whether preservation in place is feasible. Consistent with CEQA Guidelines Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. <p>If it is determined that preservation in place is not feasible for the resource and another type of mitigation would better serve the interests protected by CEQA, mitigation shall include data recovery through archaeological investigations and the City shall undertake the following:</p> <ul style="list-style-type: none"> • Archaeological Research Design and Treatment Plan. If avoidance or preservation in place is not feasible for the identified resource, the City shall retain a Secretary of the Interior-qualified archaeologist who, in consultation with a Native American representative, shall prepare a detailed Archaeological Research Design and Treatment Plan (ARDTP) that shall be submitted to the City for review and approval. The ARDTP shall identify a proposed data recovery program and how the data recovery program would preserve the significant information the archaeological resource is expected to contain. Treatment would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim of targeting the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The ARDTP shall include provisions for analysis of data in a regional context; reporting of results within a timely manner and subject to review and comments by the appropriate Native American representative, before being finalized; curation of artifacts and data at a local facility acceptable to the City and appropriate Native American representative; and dissemination of final confidential reports to the appropriate Native American representative, the Central California Information Center of the California Historical Resources Information System and the City. 	<p>During preliminary design and Prior to any ground disturbing activity</p>	<p>City of Stockton</p>		

MITIGATION MONITORING PLAN CHECKLIST FOR MINER AVENUE COMPLETE STREETS/PRECISE ROAD PLAN (P16-0560)

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	Verification of Compliance	
			Initials	Date
Mitigation Measure CR-3: Inadvertent Discovery of Paleontological Resources If potential fossils are discovered during project implementation, all earthwork or other types of ground disturbance within 100 feet of the find shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue, or recommend salvage and recovery of the fossil. The paleontologist may also propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage is required, recommendations will be consistent with Society of Vertebrate Paleontology guidelines and currently accepted scientific practice. If required, treatment for fossil remains may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection, and may also include preparation of a report for publication describing the finds.	During construction	City of Stockton and/or City's Construction Contractor		
Mitigation Measure CUL-4: Tribal Cultural Resources Interpretive Program In consultation with the affiliated Native American tribal representatives, the proposed project shall be redesigned so as to avoid any adverse effect on the significant tribal cultural resource, if feasible. If preservation in place of the tribal cultural resource is not a sufficient or feasible option, the City shall implement an interpretive program of the tribal cultural resource in consultation with affiliated tribal representatives. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.	During project design	City of Stockton		
Hazards and Hazardous Materials				
Mitigation Measure HAZ-1: Safe Removal and Proper Disposal of Materials Contaminated by Lead The City shall ensure, through the enforcement of contractual obligations, that work plans address procedures for the safe removal and proper disposal of materials contaminated with asbestos. Any identified lead-based paint must be removed and disposed of in the proper waste facility. The demolition of the structures shall comply with the U.S. EPA National Emissions Standards for Hazardous Air Pollutants (NESHAP) and the SJVAPCD rules and regulations regarding lead.	During project design and Prior to and during construction	City of Stockton and City's Construction Contractor		

MITIGATION MONITORING PLAN CHECKLIST FOR MINER AVENUE COMPLETE STREETS/PRECISE ROAD PLAN (P16-0560)

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	Verification of Compliance	
			Initials	Date
Mitigation Measure HAZ-2: Contamination of Soil and/or Groundwater During construction activities for the proposed project, if contaminated soil and/or groundwater are encountered or suspected contamination is encountered, work should be stopped in the suspected area of contamination and the type and extent of the contamination be identified. If necessary, a remediation plan shall be implemented in conjunction with continued construction of the proposed project.	During construction	City of Stockton and City's Construction Contractor		
Hydrology and Water Quality				
Mitigation Measure HWQ-1: Implement Water Quality Best Management Practices (BMPs) The City would ensure that the project contractor comply with the requirements of a NPDES permit from the Regional Water Quality Control Board (RWQCB), Central Valley Region. As part of the permit, the contractor would be required to prepare and implement a SWPPP into their construction plans, prior to initiating construction activities, identifying BMPs to be used to avoid or minimize any adverse effects before and during construction to surface waters. The SWQCCP identifies BMPs after construction. The following BMPs would be incorporated into the project as part of the construction specifications: <ul style="list-style-type: none"> • Use a water truck or other appropriate measures to control dust on applicable access roads, construction areas, and stockpiles. • Properly dispose of oil or other liquids. • Fuel and maintain vehicles in a specified area that is designed to capture spills. • Fuels and hazardous materials would not be stored on site. • Inspect and maintain vehicles and equipment to prevent the dripping of oil or other fluids. • Schedule construction to avoid the rainy season as much as possible. • Maintain sediment and erosion control measures during construction. Inspect the control measures before, during, and after a rain event. • Train construction workers in storm water pollution prevention practices. • Re-vegetate disturbed areas in a timely manner to control erosion. 	During project construction	City of Stockton and City's Construction Contractor		

MITIGATION MONITORING PLAN CHECKLIST FOR MINER AVENUE COMPLETE STREETS/PRECISE ROAD PLAN (P16-0560)

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	Verification of Compliance	
			Initials	Date
Noise				
<p>Mitigation Measure N-1: Implement Construction-Related Noise/Vibration Reduction Measures</p> <p>The following control measures shall be implemented in order to minimize noise and vibration disturbances at sensitive receptors during periods of construction:</p> <ul style="list-style-type: none">• Use newer equipment with improved muffling and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine enclosures, and engine vibration isolators intact and operational. Newer equipment will generally be quieter in operation than older equipment. All construction equipment should be inspected at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers and shrouding, etc.).• Utilize construction methods or equipment that will provide the lowest level of noise and ground vibration impact such as alternative low noise pile installation methods.• Turn off idling equipment when not in use for more than 10 minutes.• Implement a construction noise and vibration-monitoring program to limit the impacts.• Plan noisier operations during times of least sensitivity to receptors.• Keep noise levels relatively uniform and avoid impulsive noises.• Maintain good public relations with the community to minimize objections to the unavoidable construction impacts. Provide frequent activity update of all construction activities.	Prior to and during construction	City of Stockton and City's Construction Contractor		
Transportation and Traffic				
<p>Mitigation Measure TRANS-1: Maintain Emergency Access</p> <p>During construction, emergency access on public roadways shall be available at all times to maintain emergency vehicle access through the area. At no time during the construction period will the entire width of a public roadway be closed to emergency vehicle traffic.</p>	During construction	City of Stockton and City's Construction Contractor		
<p>Mitigation Measure TRANS-2: Develop Traffic Management Plan</p> <p>Prior to the start of construction, a Traffic Management Plan shall be developed that would reduce delays and obstructions caused by construction detours to the greatest extent possible. The plan developers shall coordinate with emergency service providers (i.e., fire and police) during plan development to ensure that traffic control measures proposed in the plan would meet the needs of the service providers. These detours shall be provided to all emergency services entities that service the area prior to their implementation to avoid impacts to emergency response times.</p>	Prior to construction	City of Stockton and City's Construction Contractor		

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