

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

FOR THE

THORNTON ROAD/EIGHT MILE  
ROAD ARCO STATION PROJECT

2910 Eight Mile Road  
Stockton, CA

City of Stockton  
Project File No: P16-0667

October 12, 2017

Prepared for:

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



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# 1.0 INTRODUCTION

This document sets forth the findings of the City of Stockton Planning Commission and/or City Council (City) relating to the Thornton Road/Eight Mile Road ARCO Project as required by the California Environmental Quality Act. This document also describes the Mitigation Monitoring/Reporting Program (MMRP) for the project. The primary source document for the findings and MMRP is the Final Initial Study/Mitigated Negative Declaration for the Thornton Road/Eight Mile Road Arco Station Project (P16-0667) (the "Final IS/MND").

The project site is located at 2910 Eight Mile Road, at the southeast corner of the intersection of Thornton Road and Eight Mile Road in northern Stockton, California. When referenced as such, the IS/MND includes both the Public Review Draft of the IS/MND (September 5, 2017) and the Final IS/MND (October 9, 2017) for the project, as well as any documents, which have been incorporated into those documents by reference.

## 1.1 CEQA REVIEW OF PROPOSED PROJECT

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The Thornton Road/Eight Mile Road ARCO Station project involves City approval of Project File No. P16-0667. The project applicant proposes to construct an ARCO fueling station and other commercial structures on 2.11 acres of an approximately 10.09-acre site at the intersection of Eight Mile Road and Thornton Road in north Stockton. The project would include three commercial structures: a fueling station and convenience store approximately 3,799 square feet, a fast-food restaurant of approximately 3,462 square feet, and a retail building of approximately 4,000 square feet. The fueling station would have 16 dispensing pumps. A carwash would be attached to the convenience store building, and the fast-food restaurant would have a drive-through. The overall commercial development would have a total of 78 parking spaces. Access would be provided off Thornton Road and Eight Mile Road

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

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

The IS/MND was circulated for agency and public review in September of 2017. Seven agency comments were received on the IS/MND; These comments are shown and responded to in Section

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

## 1.2 CEQA REQUIREMENTS REGARDING FINDINGS

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When an Environmental Impact Report (EIR) has been prepared for a project, CEQA requires that, prior to project approval, the Lead Agency make specified findings related to each of the significant or potentially significant environmental effects considered in the EIR. Specific findings are not required by CEQA when the agency proposes to adopt a Negative Declaration. In the interest of public disclosure, however, it is the policy of the City of Stockton to make specific findings with respect to the environmental effects addressed in an Initial Study/Mitigated Negative Declaration.

The City's findings for Negative Declarations parallel the EIR findings requirements set forth in CEQA Guidelines Section 15091. All of the potentially significant effects of the project will be reduced to less than significant by proposed mitigation measures.

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

## 1.3 CEQA REQUIREMENTS REGARDING MITIGATION MONITORING AND REPORTING

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

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

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

## 1.4 ORGANIZATION OF THIS DOCUMENT

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

finding. Section 3.0 following the table sets forth the City's Mitigation Reporting Program for the project.

## 2.0 MITIGATION MONITORING/REPORTING PROGRAM AND FINDINGS

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

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

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

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

**PROJECT DATA**

**KEY**

<p><b>INITIAL STUDY FILE NO.: P16-0667</b></p> <p><b>Property Owner(s): Jimenez-Thornton Ranch</b>  <b>Address: P.O Box 965 Lodi, CA 95241</b></p> <p><b>Project Applicant: PS Fuels, LLC</b>  <b>Address: 2190 Meridian Park Blvd., Suite G Concord, CA 94520</b></p> <p><b>Project Title: Thornton Road/Eight Mile Road ARCO</b></p> <p>The project applicant proposes to construct an ARCO fueling station and other commercial structures on 2.11 acres of an approximately 10.09-acre site at the intersection of Eight Mile Road and Thornton Road in north Stockton. The project would include three commercial structures: a fueling station and convenience store approximately 3,799 square feet, a fast-food restaurant approximately 3,462 square feet, and a retail building approximately 4,000 square feet. The fueling station would have 16 dispensing pumps. A carwash would be attached to the convenience store building, and the fast-food restaurant would have a drive-through. The overall commercial development would have 78 parking spaces. Access would be provided off Thornton Road and Eight Mile Road.</p>	<p>1. The impacts are shaded and followed by related mitigation measures, implementation and monitoring provisions, and findings.</p> <p>2. Abbreviations: N/A = (Not Applicable); COS = (City of Stockton); ODS = (Owners, Developers and/or Successors-in- Interest); CDD = (Community Development Department); CD-P = (Community Development-Planning Division); CD-B = (Community Development-Building Division); PW = (Public Works Department); CM = (City Manager); CA = (City Attorney); P&amp;R = (Parks and Recreation Department); HR = (Housing and Redevelopment Department); MUD = (Municipal Utilities Department); FD = (Fire Department); PD = (Police Department); PC = (Planning Commission); CC = (City Council); SJC = (San Joaquin County); ALUC = (Airport Land Use Commission).</p>
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**FINDINGS AND LEVEL OF SIGNIFICANCE AFTER MITIGATION**

<p>Findings for significant and potentially significant impacts identified in the Final EIR or Negative Declaration/Initial Study are listed as follows:</p> <ol style="list-style-type: none"> <li>Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the Final EIR or Negative Declaration/Initial Study, or</li> <li>Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the City of Stockton. Such changes have been adopted by such other agency, or can and should be adopted by such other agency, or</li> <li>The City of Stockton has previously adopted findings of specific economic, social, or other considerations which make infeasible the mitigation measures and project alternatives identified in the Final EIR or Negative Declaration/Initial Study.</li> </ol> <p>The level of significance (LS) of each impact after mitigation is listed as: SU= (significant and unavoidable), PS=(potentially significant), or NS=(not significant). The basis for the Findings is provided in applicable sections of the Final EIR, Negative Declaration/Initial Study, or previously adopted Findings or Statement of Overriding Considerations, as referenced in the last (fourth) column on the following pages under "Rationale."</p>
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**LEAD AGENCY:**

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

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Jenny Liaw Senior Planner

\_\_\_\_\_  
DATE (FINDINGS/MONITORING PROGRAM ADOPTED)



IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
<b>1. AESTHETICS</b>			
a) Effects on Scenic Vistas. There are no significant or potentially significant impacts in this issue area.			
b) Effects on Scenic Resources. There are no significant or potentially significant impacts in this issue area.			
c) Effects on Visual Character and Quality. There are no significant or potentially significant impacts in this issue area.			
d) Project Effects on Light and Glare.			
AES-1: Site development plans shall include a photometric site plan that describes the type of lighting that will be used and the amount of illumination that would occur on the site and on the property lines of adjacent residential parcels or parcels zoned for residential uses. The photometric plan shall demonstrate that indirect illumination on the property lines is consistent with the standards set forth in Stockton Municipal Code Section 16.32.070(A). The photometric site plan shall be part of the development application package to be reviewed and approved by the City.	The ODS will be responsible for the preparation and submittal of the photometric site plan.	The CDD utilities ensure that the PMSP is reviewed approved and incorporated into building plan prints issuance of building permits	1, NS Rationale: IS MND Pages 3-10, 11
<b>2 AGRICULTURE AND FORESTRY RESOURCES</b>			
a) Conversion of Agricultural Land. There are no significant or potentially significant impacts in this issue area.			
b) Conflicts with Agricultural Zoning and Williamson Act. There are no significant or potentially significant impacts in this issue area.			
c) Conflicts with Forest Land Conversion and Zoning. There are no significant or potentially significant impacts in this issue area.			
d) Indirect Conversion of Farmland of Forest Land. There are no significant or potentially significant impacts in this issue area.			
<b>3 AIR QUALITY</b>			
a) Air Quality Plan Consistency. There are no significant or potentially significant impacts in this issue area.			
b, d) Construction Emissions. There are no significant or potentially significant impacts in this issue area.			
c) Cumulative Emissions Impacts. There are no significant or potentially significant impacts in this issue area.			
e) Odor Impacts. There are no significant or potentially significant impacts in this issue area.			
<b>4 BIOLOGICAL RESOURCES</b>			
a) Effects on Special-Status Species. This is a potentially significant impact.			
BIO-1: Prior to construction activities, the beginning of which occurs from March to August, the ODS shall conduct a preconstruction nest survey to determine the presence of any bird species or their nests. The survey shall be conducted by a qualified biologist, who shall make recommendations on the treatment of	The ODS will be responsible for retaining a qualified biologist to conduct the preconstruction	The CDD-BD will verify that survey requirements have been met as specified or through participation in the	1, NS Rationale:

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
any located nests that shall be implemented by the ODS, including but not limited to establishment of buffer areas and restrictions on construction equipment operations near the nest.  BIO-2: The applicant shall apply to the San Joaquin Council of Governments (SJCOC) for coverage under the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP). The project site will be inspected by the SJMSCP biologist, who will recommend any Incidental Take Minimization Measures (ITMMs) set forth in the SJMSCP should be implemented. The ODS shall pay the required SJMSCP fee, if any, and be responsible for the implementation of the specified ITMMs.	survey.	SJMSCP.	IS/MND Page 3-24
b) Effects on Riparian and Other Sensitive Habitats. There are no significant or potentially significant impacts in this issue area.			
c) Effects on Wetlands. There are no significant or potentially significant impacts in this issue area.			
d) Effects on Fish and Wildlife Movement. There are no significant or potentially significant impacts in this issue area.			
e) Local Biological Requirements. There are no significant or potentially significant impacts in this issue area.			
f) Project Conflict with Habitat Conservation Plans. There are no significant or potentially significant impacts in this issue area.			
<b>5 CULTURAL RESOURCES</b>			
a, b) Project Impacts on Potential Historical Resources, Archaeological Resources. This is a potentially significant impact.			
CULT-1: If any subsurface cultural or paleontological resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist or paleontologist, as appropriate, can examine these materials and make a determination of their significance. If the resource is determined to be significant, recommendations shall be made on further mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. Such measures could include 1) preservation in place or 2) excavation, recovery and curation by qualified professionals. The CDD shall be notified of any find, and the ODS shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the CDD, consistent with the requirements of the CEQA Guidelines.	The ODS will be responsible for retaining a qualified archeologist or paleontologist to evaluate and report archeological or paleontological resources.	The ODS will be responsible for engaging the qualified professional and prepare a report for the CDD. The CDD will verify that applicable requirements are met.	1, NS  Rationale: IS/MND Pages 3-27
c) Project Impacts on Paleontological Resources and Unique Geological Features. This is a potentially significant impact, mitigated by CULT-1, above.			
d) Project Impacts on Human Burials. This is a potentially significant impact.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
<b>6 GEOLOGY AND SOILS</b>			
a) Exposure of New Development to Fault Rupture, Seismic and Landslide Hazards. There are no significant or potentially significant impacts in this issue area.			
b) Exposure of New Development to Soil Erosion. This is a potentially significant issue.			
<p>GEO-1: The ODS shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) for the project and file a Notice of Intent with the State Water Resources Control Board (SWRCB) prior to commencement of construction activity, in compliance with the Construction General Permit and City of Stockton stormwater requirements. The SWPPP shall be available on the construction site at all times. The ODS shall incorporate an Erosion Control Plan consistent with all applicable provisions of the SWPPP within the site development plans. The ODS shall submit the SWRCB Waste Discharger's Identification Number to the City prior to approval of development or grading plans.</p>	<p>The ODS will be responsible for preparation of the SWPPP &amp; related actions.</p>	<p>The PW will be responsible for ensuring that storm requirements are met in conjunction with approval of subdivision improvement plans.</p>	<p>1, NS Rationale: IS/MND Pages 30, 31</p>
c) Exposure of New Development to Geologic Instability. There are no significant or potentially significant impacts in this issue area.			
d) Exposure of New Development to Expansive Soils. This is a potentially significant issue.			
<p>GEO-2: If required by the City, the Silver Springs geotechnical report shall be updated to reflect current standards and practices.</p> <p>GEO-3: Prior to issuance of a grading permit, a comprehensive grading plan shall be submitted to the City Engineer that addresses potential adverse impacts on structures due to expansive soils. The City Engineer shall review and approve the grading plan and building design, and the City Engineer or designated representative shall verify the implementation in the field.</p>	<p>The ODS will be responsible for preparation of geotechnical studies and grading plans.</p>	<p>The CDD-B will be responsible for review and approval of geotechnical studies and grading plans.</p>	<p>1, NS Rationale: IS/MND Pages 31,32</p>
e) Adequacy of Soils for Sewage Disposal. There are no significant or potentially significant impacts in this issue area.			
<b>7 GREENHOUSE GAS EMISSIONS</b>			
a) Significance of GHG Emissions. There are no significant or potentially significant impacts in this issue area.			
<b>8 HAZARDS AND HAZARDOUS MATERIALS</b>			
a, b) Upset and Transportation Hazards. There are no significant or potentially significant impacts in this issue area.			
c) Hazards Materials Use or Emissions Near Schools. There are no significant or potentially significant impacts in this issue area.			
d) Hazardous Materials Sites. There are no significant or potentially significant impacts in this issue area.			
e, f) Aircraft Operations Effects. There are no significant or potentially significant impacts in this issue area.			
g) Emergency Response Effects. There are no significant or potentially significant impacts in this issue area.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
h) Wildland Fire Hazards. There are no significant or potentially significant impacts in this issue area.			
<b>9 HYDROLOGY AND WATER QUALITY</b>			
a, f) Project Effects Surface Waters and Water Quality. This is a potentially significant impact.			
<p>HYDRO-1: The ODS shall submit a Storm Water Quality Plan that shall include post-construction Best Management Practices (BMPs) as required by Title 13 of the SWQCCP. The Storm Water Quality Plan will be reviewed and approved by the City of Stockton Municipal Utilities Department prior to the Certificate of Occupancy.</p> <p>HYDRO-2: The ODS shall execute a Maintenance Agreement with the City for stormwater BMPs prior to receiving a Certificate of Occupancy. The ODS must remain the responsible party and provide funding for the operation, maintenance and replacement costs of the proposed treatment devices built for the subject property.</p> <p>HYDRO-3: The ODS shall comply with any and all requirements of, and pay all associated fees as required by, the City's Storm Water Pollution Prevention Program as set forth in its NPDES Storm Water Permit.</p>	<p>The ODS will be responsible for design and construction of storm water quality improvements, for preparing and executing a maintenance agreement for compliance with applicable COS codes related to storm water.</p>	<p>The MUD will be responsible for review and approval of storm water quality plans, ensuring that a maintenance Agreement has been executed.</p>	<p>1, NS Rationale: IS/MND Pages 3-41,42</p>
b) Project Effects on Groundwater Supplies. There are no potentially significant or significant impacts in this issue area.			
c, d, e) Project Effects on Drainage and Runoff. There are no potentially significant or significant impacts in this issue area.			
g) Flood Exposure. There are no potentially significant or significant impacts in this issue area.			
h) Impacts on Floodways. There are no potentially significant or significant impacts in this issue area.			
i) Dam Failure Hazards. There are no potentially significant or significant impacts in this issue area.			
j) Project Exposure to Seiche, Tsunami or Mudflow Hazards. There are no potentially significant or significant impacts in this issue area.			
<b>10 LAND USE AND PLANNING</b>			
a) Division of Established Community. There are no potentially significant or significant impacts in this issue area.			
b) Consistency with Land Use Plans and Zoning. There are no potentially significant or significant impacts in this issue area.			
c) Conflict with Habitat Conservation Plan. There are no potentially significant or significant impacts in this issue area.			
<b>11 MINERAL RESOURCES</b>			
a) Availability of Mineral Resources of State Value. There are no significant or potentially significant impacts in this issue area.			
b) Availability of Mineral Resources of Local Value. There are no significant or potentially significant impacts in this issue area.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
<b>12 NOISE</b>			
a) Project Exposure to Noise Exceeding Local Standards. There are no significant or potentially significant impacts in this issue area.			
<p>NOISE-1: A concrete masonry unit wall eight (8) feet in height shall be constructed along the southern and eastern property lines of the commercial development as shown in Figure 2 of the Environmental Noise Assessment prepared by Bollard Acoustical Consultants on August 31, 2016 (in Appendix E of this IS/MND).</p> <p>NOISE-2: The car wash shall be equipped with entrance and exit doors which shall be closed during the drying cycle and which would provide a minimum 15 dB noise reduction. Alternatively, the car wash shall be equipped with entrance and exit doors which shall be closed during the drying cycle and which would provide a minimum 10 dB noise reduction, and car wash dryers shall be selected that are 5 dB lower in noise generation than that assumed in the Environmental Noise Assessment prepared by Bollard Acoustical Consultants on August 31, 2016.</p> <p>NOISE-3: Vacuum usage shall be limited to daytime hours (7:00 a.m. to 7:00 p.m.). Alternatively, a vacuum system shall be procured that is 10 dB lower in noise generation than that assumed in the Environmental Noise Assessment prepared by Bollard Acoustical Consultants on August 31, 2016.</p>	The ODS will be responsible for project design and operation in accordance with the specified mitigation standards.	The CDD-B will ensure that approved building plans reflect the specified design standards.	<p>1, NS</p> <p>Rationale:</p> <p>IS/MND</p> <p>Pages</p> <p>3-47,48</p>
b) Project Exposure to Groundborne Noise. There are no significant or potentially significant impacts in this issue area.			
c) Permanent Increase in Ambient Noise. There are no significant or potentially significant impacts in this issue area.			
d) Temporary or Periodic Increase in Ambient Noise. This is a potentially significant impact.			
NOISE-4: All construction equipment used at the project site shall be fitted with mufflers in accordance with manufacturers' specifications. Mufflers shall be installed on the equipment at all times on the construction site.	The contractor will be responsible for implementing noise controls.	The CD-B will be responsible for monitoring controls on contractor activities.	<p>1, NS</p> <p>Rationale:</p> <p>IS/MND</p> <p>Pages</p> <p>3-47 – 3-49</p>
e, f) Project Exposure to Aircraft Operations Noise. There are no significant or potentially significant impacts in this issue area.			
<b>13 POPULATION AND HOUSING</b>			
a) Population Growth Inducement. There are no significant or potentially significant impacts in this issue area.			
b, c) Displacement of Housing or People. There are no significant or potentially significant impacts in this issue area.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
<b>14 PUBLIC SERVICES/FACILITIES</b>			
a) Fire Protection Impacts. This is a potentially significant impact.			
b) Police Protection Impacts. This is a potentially significant impact.			
SERV-1: The ODS shall coordinate with the Stockton Police Department as required to establish adequate security and visibility of the construction site.	The ODS will be responsible for consultation with the PD, and for establishment and maintenance of security measures.	The PD will be responsible for monitoring, compliance and identifying additional measures if needed.	1,NS Rationale: IS/MND Pages 3-51,52
c) School Impacts. There are no significant or potentially significant impacts in this issue area.			
d) Park Impacts. There are no significant or potentially significant impacts in this issue area.			
e) Other Public Facilities Impacts. There are no significant or potentially significant impacts in this issue area.			
<b>15 RECREATION</b>			
a,b) Recreational Facilities. There are no significant or potentially significant impacts in this issue area.			
<b>16 TRANSPORTATION/CIRCULATION</b>			
a) Consistency with Applicable Plans, Ordinances and Policies. There are no significant or potentially significant impacts in this issue area.			
b) Conflict With Congestion Management Program. There are no significant or potentially significant impacts in this issue area.			
c) Impact on Air Traffic Patterns. There are no significant or potentially significant impacts in this issue area.			
d, e) Traffic Hazards and Emergency Access. This is a potentially significant issue area.			
TRANS-1: The ODS shall install barriers on Eight Mile Road and Thornton Road along the commercial development frontage to prevent vehicles from making left turns to the commercial development. The type of barrier shall be subject to the City's review and approval.	The ODS will be responsible for design and construction of traffic barriers to City specifications.	The PW will be responsible for review and approval of street improvement plans and construction inspection.	1,NS Rationale: IS/MND 3-57,58
<b>17 TRIBAL CULTURAL RESOURCES</b>			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
<p>TCR-1: The ODS shall retain a qualified professional archaeologist and a representative of the Wilton Rancheria to monitor all ground disturbing activities that occur within the project site. The Wilton Rancheria Native American Monitor shall be compensated per Wilton Rancheria's Tribal Inspector/Monitoring Rates 2017 Schedule of Time and Material Rates sheet.</p> <p>TCR-2: In the event that construction encounters evidence of human burial or scattered human remains, construction in the vicinity of the encounter shall be immediately halted until the qualified archaeologist/Wilton Rancheria Cultural Resources Officer can evaluate the nature and significance of the find. The ODS shall immediately notify the County Coroner, the Stockton Community Development Department, and the Wilton Rancheria Cultural Resources Officer. Appropriate federal and State agencies also shall be notified, in accordance with the provisions in the Archaeological Resources Protection Act (16 USC 469), Native American Graves Protection and Repatriation Act (25 U.S.C. 3001-30013), California Health and Safety Code section 7050.5, and California Public Resources Code section 5097.9 <i>et al.</i> The ODS will be responsible for compliance with the requirements of CEQA as to human remains as defined in CEQA Guidelines Section 15064.5, with California Health and Safety Code Section 7050.5, and as directed by the County Coroner. If the human remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission, stating Wilton Rancheria has been working on the project, and they will notify and appoint a Most Likely Descendant. The Most Likely Descendant will work with the archaeologist to decide the proper treatment of the human remains and any associated funerary objects.</p> <p>TCR-3: In the event that any other cultural resources are encountered during project construction, all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist/Wilton Rancheria Cultural Resources Officer can examine the materials and make a determination of their significance. If the resource is determined to be significant, the archaeologist shall make recommendations, in consultation with Wilton Rancheria, as to further mitigation measures needed to reduce potential effects on the resource to a level that would be less than significant. The ODS will be responsible for retaining the archaeologist and Wilton Rancheria Tribal Monitor and implementing the recommendations of the archaeologist, including submittal of a written report to the Stockton Community Development Department and the Wilton Rancheria documenting the find and its treatment.</p> <p>TCR-4: Construction foremen and key members of trenching crews shall be instructed to be wary of the possibility of destruction of buried cultural resource materials. They shall be instructed to recognize signs of historic and prehistoric use and their responsibility to report any such finds, or suspected finds, immediately to the archaeology consultant/Wilton Rancheria Tribal Monitor so damage to such resources may be prevented.</p>	<p>The ODS will be responsible for retaining qualified archeological professionals and Native American monitors to meet the specified requirements.</p>	<p>The CDD will be responsible for overseeing and approving, monitoring and reporting activities.</p>	<p>1, NS Rationale: IS/MND Pages 3-59, 60,61</p>
<h2>18 UTILITIES/ SERVICE SYSTEMS</h2>			
<p>a, b, e) Effects on Wastewater Systems. This is a potentially significant issue area.</p>			
<p>UTIL-1: The ODS shall submit detailed subdivision improvement plans prior to project construction. The improvement plans shall show all on-site and off-site utilities necessary to provide sanitary sewer, water, and storm drainage service. The plans shall be designed in accordance with the City of Stockton's most recently adopted master plans for sanitary sewer, water, and storm drainage, and with the City's Standard Specifications and Plans.</p>	<p>The ODS will be responsible for preparation of subdivision, improvement plans to address utility specifications</p>	<p>The PW will be responsible for review and approval of subdivision improvement plans.</p>	<p>1, NS Rationale: IS/MND</p>

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
			Pages 3-62,63
b, d) Effects on Water Systems and Supply. There are no significant or potentially significant impacts in this issue area.			
c) Effects on Stormwater Systems. There are no significant or potentially significant impacts in this issue area.			
f, g) Solid Waste Services. There are no significant or potentially significant impacts in this issue area.			
<b>18 MANDATORY FINDINGS OF SIGNIFICANCE</b>			
a) Environmental Quality, Species Impacts, Historical Resources. There are no significant or potentially significant impacts in this issue area.			
b) Cumulative Impacts. There are no significant or potentially significant impacts in this issue area.			
c) Other Substantial Adverse Effects. There are no significant or potentially significant impacts in this issue area.			



### 3.0 MITIGATION REPORTING PROGRAM

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

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

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

- e. Such monitoring and reporting shall continue until the Community Development Department, in consultation with the other applicable City departments, determines that compliance has been fully achieved or, for ongoing measures (e.g., maintenance of facilities), determines that existing enforcement procedures relating to conditions of approval will provide adequate verification of compliance.