

CITY OF STOCKTON
PUBLIC NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
/PUBLIC MEETING

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

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

1. **INITIAL STUDY/PROPOSED NEGATIVE DECLARATION FOR THE OPEN WINDOW DOWNTOWN MIXED USE DEVELOPMENT PROJECT (MASTER DEVELOPMENT PLAN)**

The Open Window project proposes a Master Development Plan (MDP) and accompanying Development Agreement that would provide for revitalization and redevelopment of 51 properties within an approximately 15 square block area of downtown Stockton, generally bounded by Miner Avenue to the north, Aurora Street to the east, Main Street to the south, and Sutter Street to the west. The MDP proposes a mixed-use development concept. Up to 1,400 residential units would be constructed, primarily built at higher densities as part of apartments or other multi-family unit developments. The project will also include construction of up to 200,000 square feet of retail space, 90,000 square feet of commercial space and 110,000 square feet of industrial/art studio space. These spaces may be built as stand-alone developments, or combined in a mixed-use format.

A copy of the Initial Study/Proposed Mitigated Negative Declaration may be reviewed and/or obtained at the following address:

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

or at: <http://www.stocktonca.gov/eir>

Any written comments on this document must be received at this same address no later than January 4, 2016, by 5:00 p.m. Further information may be obtained by contacting the City Planning Division at (209) 937-8266.

The Planning Commission will consider the Initial Study/Proposed Mitigated Negative Declaration at a meeting of January 14, 2016, at 6 p.m. in the Council Chambers, second floor, City Hall, 425 North El Dorado Street. Anyone wishing to be heard on the issue may appear before the City Planning Commission at the time of the public meeting.

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

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

DAVID W. KWONG, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT

City of Stockton
INITIAL STUDY
Environmental Checklist and Evaluation

1. Project title: Open Window
2. Lead agency name and address: City of Stockton
Community Development Department
Planning and Engineering Division
345 North El Dorado Street
Stockton, CA 95202
3. Contact person and phone number: David Kowng
Community Development Director
(209) 937-8090

Thomas Pace
Deputy Director of Planning
(209) 937-8446
4. Project location:
The project is located within downtown Stockton, and includes 45 properties in an area generally bounded by Aurora Street to the east, Main Street to the south, Sutter Street to the west, and Miner Avenue to the north.
5. Project sponsor's name and address: Ten/Space
115 North Sutter Street, #307
Stockton, CA 95202
6. General Plan designation: Commercial
7. Zoning: CD- Downtown Commercial
IL- Limited Industrial
8. Description of project Description of project:

The Open Window project proposes a Master Development Plan (MDP) and accompanying Development Agreement that would provide for revitalization and redevelopment of 11.88 acres and comprised of 51 properties within an approximately 15 square block area of downtown Stockton. The project consists of 43 privately owned properties, and with developer options to acquire 8 properites owned by the City of Stockton.

The MDP proposes a mixed-use development concept. The MDP may include development with a maximum of 130 dwelling units per acre on any one property, with an average density not exceeding 87 dwelling units per acre on any one block, for a total of 1,033 units and consistent with current General Plan land use policy. However, the City is currently working on a General Plan update which is expected to address residential density in the downtown area. It is anticipated that the downtown area would be identified for higher residential density limits than those allowed under the current General Plan. If such changes to the General Plan are ultimately adopted as part of the General Plan update review, increased residential densities would be an option for the Open Window properties. Therefore, for the purposes of this Initial Study, the analysis assumes that up to 1,400 residential units would be

constructed, primarily built at higher densities as part of apartments or other multi-family unit developments.

The project will also include construction of up to 200,000 square feet of retail space, 90,000 square feet of commercial space and 110,000 square feet of industrial/art studio space. These spaces may be built as stand-alone developments, or combined in a mixed-use format with residential uses, as noted above.

The MDP prescribes land uses, development standards, design and other parameters for development; each development project under the MDP would be reviewed to ensure consistency with the MDP as part of the City's review process. Development may also include use of parking garages, surface parking areas, plazas, frontage and other improvement features, and would include site grading, consistent with the MDP.

As part of the project, the MDP indicates that several buildings may be demolished or remodeled. This will likely depend upon market conditions and specific developer requirements for a particular property. A specific list of properties that may be demolished or remodeled is included within Appendix 1 of the MDP.

The project may also include corollary replacement of existing wastewater conveyance lines in the project area in response to any necessary upsizing of exiting lines and mains, along with any necessary upgrades to water and storm drain systems. These types of improvements could include short-term construction impacts within public street rights-of-way related to installation of new or upsized pipes and related equipment.

Development of the project would occur in many phases or several years, in response to market demand and development interests.

9. Surrounding land uses and setting:
The project area is surrounded by a range of urban uses, including residential, retail and other commercial uses, light industrial uses, as well as vacant buildings and undeveloped properties.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).
 - a. San Joaquin Valley Air Pollution Control District (possible authority to construct permits may be required)
 - b. California Water Service Agency (permitting for connection to Cal Water system)

Master Development Plan: Participating Parcels

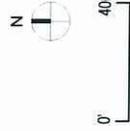


- OWP Controlled:
43 Parcels - 9.464 ac
- City-owned or controlled:
8 Parcels - 2.42 ac

Total number of MDP parcels: 51
Total MDP Land Area : 11.884 ac

Properties Subject to Master Development Plan.

This Master Development Plan (Plan) applies to 51 parcels most of which are located within a fifteen square block area bounded by Sutter Street, Miner Avenue, Aurora Avenue and Main Street. The parcels subject to the Plan, include 43 parcels owned or controlled by OWP; and 8 parcels owned by City and proposed to be made available for purchase by OWP pursuant to an Option Agreement between OWP and City. The various parcels that are subject to the Plan are shown Orange and Green on the Parcel Status Diagram on this page and are referred to herein as the Master Development Plan Area. Parcels left uncolored are not subject to this plan.



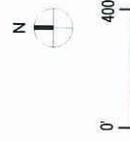
Existing Conditions: Figure-ground



This figure-ground drawing shows the extent of the downtown urban fabric and how much land is currently vacant.

- Buildings within MDP area
- Buildings outside MDP area
- Key Buildings
- Parks
- Vacant Parcels / Land

1. Robert J. Cabral ACE Railroad Station
2. Stockton Cinema
3. Stockton Arena
4. Weber Point
5. Hotel Stockton
6. Downtown Transit Center
7. Fox California Theater
8. Stockton Civic Memorial Auditorium
9. Central Library
10. San Joaquin Superior Court
11. Church



Existing Conditions: Current Land-use



- Current Land-use**
- Retail / Commercial
 - Residential
 - Institutional
 - Vacant Lots

General Plan Land-use



- Commercial Downtown (CD)
- Industrial, Limited (IL)
- Commercial, General (CG)
- Commercial, Office (CO)
- Commercial, Large Scale (CL)
- Residential, Low Density (RL)
- Industrial, General (IG)



Illustrative Plan: MDP Area

An illustration of how the MDP could be built out showing a wide variety of building types and land uses designed to fit into the existing fine-grained urban context.



The environmental factors checked below would be potentially affected by this project, involving at least one impact as indicated by the checklist on the following pages.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture / Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input checked="" type="checkbox"/> Public Services | <input type="checkbox"/> Resources / Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance | <input type="checkbox"/> None |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, the application of mitigation measures imposed upon the project as indicated within this Initial Study will reduce the potential for significant effect on the environment to levels of insignificance. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
- I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Brian Millar

Signature

12-4-15

Date

**Brian Millar, AICP, Planning Consultant
for Michael Baker International**

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS					
WOULD THE PROJECT:	IMPACT				SOURCES
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2,15
b) Substantially damage scenic resources along a designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2,15
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2,4,15
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2,4,15

DISCUSSION:

a) Have a substantial adverse effect on a scenic vista?

Scenic vistas may include, but are not necessarily limited to, views of trees, historic buildings, rock outcroppings, or similar visual resources located within a highway officially designated as a state scenic highway or other identified scenic resource areas. The project area is an urban setting in downtown Stockton. As such, it contains numerous buildings, parking lots, and similar urban features, along with some vacant lots. The project may introduce new buildings on currently vacant lots. However, the topography of downtown Stockton is generally flat and views from the project development would be limited to observation from the upper floors of buildings. Buildings within the proposed project will generally be consistent with existing building heights in the Downtown area. Additionally, the Downtown Commercial zone does not have a building height limit, and allows up to 100 percent lot coverage. The Master Development Plan will not increase the potential for intensity (building height and bulk) compared to the existing Downtown Commercial zone, nor exceed that anticipated under the adopted General Plan. Further, the City’s 5.0 floor area ratio cap, pursuant to current General Plan policy, will continue to regulate ultimate development intensities and building size in the downtown project area. The project may also include demolition and new construction on lots currently developed, or renovation of existing structures, including structures that may have historic value. This is further discussed in the Cultural Resources section, below. Demolition or renovation work would be evaluated by the City to ensure appropriate protection of any determined resources, including any contribution to scenic vistas, and includes mitigation. The project therefore will have a less than significant impact upon scenic vistas.

b) Substantially damage scenic resources along a designated scenic highway?

According to the Caltrans Map of Designated Scenic Routes, there are no official state-designated or eligible scenic routes in the Stockton area. The project would therefore not result in any impacts to scenic resources along a designated scenic highway.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

The visual character of the project area is characterized by its urban setting in downtown Stockton. As such, it contains numerous buildings, including abandoned buildings and buildings in general disrepair, parking lots, and similar urban features, along with some vacant lots. Additionally, substantial new construction was anticipated by the General Plan EIR within the downtown area. Design standards and related site planning parameters are contained within the project Master Development Plan that will ensure a high quality design. These include use of illustrative architectural designs, building placement and bulk, use of building materials, site planning features that include open spaces, plazas and landscaping, and similar design features. Design plans for new development as part of the project will be evaluated by the City for consistency with the design and development standards of the Master Development Plan. The project may also include demolition and new construction on lots currently developed, or renovation of existing structures, including structures that may have historic value. This is further discussed in the Cultural Resources section, below. Demolition or renovation work would be evaluated by the City to ensure appropriate protection of any determined resources, including any contribution to the visual character and quality of the site and its surroundings, and includes mitigation. The project therefore will have a less than significant impact upon scenic vistas.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The project will introduce new buildings that will create new sources of light as a basic matter of construction and operation, including nighttime security lighting and street lighting. However, the level of light intensity and the orientation of the buildings is not anticipated to significantly impact day or nighttime views in the area, nor significantly alter the amount of light generally found within the project area. Additionally, Section 16.32.070 of the Stockton Municipal Code imposes performance standards applicable to new development projects, which requires that all exterior lighting be designed and located to reduce potential impacts of light emission or glare beyond project property lines or upward to the night sky, including through use of light shielding. These light and glare provisions will be reviewed as part of standard building permit plan checks, and again as part of a final building inspection. The project is therefore not expected to result in the creation of substantial light or glare in the area.

MITIGATION:

None required.

B. AGRICULTURE / FOREST RESOURCES					
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 9
b) Conflict with existing zoning for agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
c) Conflict with an existing Williamson Act Contract	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
d) Conflict with existing zone 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
e) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
f) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 9

DISCUSSION:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The project is located within downtown Stockton in a dense, developed urban environment that contains no agricultural lands, forests, or lands capable of timber or agricultural production, nor is the project located in proximity to such lands. The State Department of Conservation, Important Farmland Mapping Unit, shows the project site designated as “Urban and Built-Up Lands,” which includes lands surrounded by urban development. (San Joaquin County Important Farmland 2012, State Department of Conservation.) Lands surrounding the project site are in or planned for urban use, consisting of residential, office, retail, motel and similar uses. The project would not result in conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance. Therefore, the project will have no impact upon these resources.

b and c) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project site is currently zoned and planned for urban development, and, under this application for development, would continue to be zoned for urban uses. As such, the project would have no impact upon existing zoning for agricultural uses. The project site is not under a Williamson Act contract. Therefore, the project will have no impact upon these resources.

d) 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))?

The project site is currently zoned and planned for urban development and does not contain any forest lands or timberland as the lands in the project area are substantially developed with urban uses, including buildings and parking lots. As such, the project would not conflict with existing zoning for or cause the rezoning of any forest land or timberland, and thus will have no impact upon these resources.

e) Result in the loss of forest land or conversion of forest land to non-forest use?

The project site is urban in nature, and contains no forest land or forestry resources or uses. As such, the project would have no impact upon forest land uses, nor result in conversion of forest lands to non-forest use.

f) 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?

The project site is currently in a predominantly urban setting, and is neither zoned or used for farmland, forestry or other agricultural uses. Current zoning and the proposed use of the site is for urban development. As such, the project would have no impact upon agricultural lands or forestry land uses, nor result in conversion of agricultural or forest lands to non-agricultural or non-forestry use.

MITIGATION:

None required.

C. AIR QUALITY					
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3
c) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3,15

DISCUSSION:

a) Conflict with or obstruct implementation of the applicable air quality plan?

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

c) 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)?

Background

The project site is located under the jurisdiction of the San Joaquin Valley Air Quality Management District (SJVAPCD). The SJVAPCD is the primary agency responsible for meeting state and federal ambient air quality standards for all criteria pollutants in the project area. The SJVAPCD not only regulates the criteria pollutants but also takes actions to minimize toxic air contaminants and nuisance odors in its jurisdiction.

Motor vehicle transportation, including automobiles, trucks, transit buses, and other modes of transportation, is the major contributor to regional air pollution. Stationary sources were once important contributors to both regional and local pollution, and remain significant contributors in other parts of the state and the country. However, their role has been substantially reduced in

recent years by pollution control programs, discussed below. Any further progress in air quality improvement now focuses heavily on transportation sources.

Criteria air pollutants are defined as those pollutants for which the federal and state governments have established air quality standards for outdoor or ambient concentrations to protect public health. The national and California ambient air quality standards have been set at levels to protect human health with a determined margin of safety. For some pollutants, there are also secondary standards to protect the environment. Ozone (O₃) and particulate matter (PM) are generally considered to be regional pollutants because they or their precursors affect air quality on a regional scale. Pollutants such as carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead are considered to be local pollutants because they tend to accumulate in the air locally. In addition to being considered a regional pollutant, PM is considered a local pollutant. In the San Joaquin County region, O₃ and PM are of particular concern. Health effects commonly associated with criteria pollutants are summarized in the following table:

CRITERIA AIR POLLUTANTS SUMMARY OF COMMON SOURCES AND EFFECTS

Pollutant	Major Man-Made Sources	Human Health & Welfare Effects
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, effecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO ₂)	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Motor vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to ozone and acid rain. Contributes to global warming, and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.
Ozone (O ₃)	Formed by a chemical reaction between volatile organic compounds (VOC) and nitrous oxides (NO _x) in the presence of sunlight. VOCs are also commonly referred to as reactive organic gases (ROGs). Common sources of these precursor pollutants include motor vehicle exhaust, industrial emissions, gasoline storage and transport, solvents, paints and landfills.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield. Damages rubber, some textiles and dyes.
Particulate Matter (PM ₁₀ & PM _{2.5})	Power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles and others.	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; aggravated asthma; development of chronic bronchitis; irregular

		heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility (haze).
Sulfur Dioxide (SO ₂)	A colorless, nonflammable gas formed when fuel containing sulfur is burned; when gasoline is extracted from oil; or when metal is extracted from ore. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron and steel; damage crops and natural vegetation. Impairs visibility. Precursor to acid rain.
Lead	Metallic element emitted from metal refineries, smelters, battery manufacturers, iron and steel producers, use of leaded fuels by racing and aircraft industries.	Anemia, high blood pressure, brain and kidney damage, neurological disorders, cancer, lowered IQ. Affects animals, plants, and aquatic ecosystems.

Source: CAPCOA 2011

CO, PM_{2.5} and PM₁₀ are among the most important pollutants affecting the San Joaquin County region, with the San Joaquin Valley in non-attainment status for State standards for ozone and particulate matter (PM_{2.5} and PM₁₀), and for federal standards for ozone (8 hour) and PM_{2.5}.

Concentrations of toxic air contaminants (TACs) are also used to indicate the quality of ambient air. A TAC is defined as an air pollutant that may cause or contribute to an increase in mortality or in serious illness or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at low concentrations. There are many different types of TACs, with varying degrees of toxicity. Sources of TACs include industrial processes such as petroleum refining and chrome plating operations, commercial operations such as gasoline stations and dry cleaners, and motor vehicle exhaust.

Impacts

The General Plan anticipated the general level of development proposed under the Master Development Plan, including residential densities in the downtown area of up to 87 dwelling units/acre, and commercial development with a maximum floor area ratio development intensity of 5.0. The General Plan identified opportunity for up to 2,700 new residential units in the downtown area, in addition to new mixed use, commercial and light industrial uses. The Open Window project anticipates development of up to 1,400 new residential units, consistent with the level of development anticipated under the General Plan EIR, along with mixed use, commercial and light industrial uses. The proposed project would not result in an overall level of growth substantially above that proposed in the General Plan and analyzed in the General Plan EIR, and the project therefore would not be expected to result in additional significant impacts affecting applicable air quality plans beyond those previously identified in the General Plan EIR. The General Plan EIR defined the overall impact to air quality as significant and unavoidable.

Project-generated increases in emissions would be predominantly associated with motor vehicle use. The Stockton Climate Action Plan (CAP) and Supplemental EIR considered vehicle miles traveled (VMT) reductions and associated greenhouse gas (GHG) reductions for adding up to

3,000 units in the Stockton downtown area. Compared to Business as Usual (air quality impacts which would occur if no additional steps were taken to curtail greenhouse gas emissions), implementing the CAP's Land Use and Transportation measure TRANS-1 (which provides for land use and transportation system design integration), including placing up to 3,000 units in the greater downtown area, would reduce annual VMT by up to 5,593,990 miles and would reduce annual GHG emissions by up to 7,181 metric tons of carbon dioxide equivalent (MTCO₂e). Based on the analysis under the CAP, a single downtown unit of the proposed project, on average, would reduce annual VMT by approximately 1,180 miles and reduce GHG emissions by approximately 1.5 MT CO₂e. With up to 1,400 residential units, the project would reduce VMT by approximately 1,652,000 miles and reduce GHG emissions by approximately 2,100 MTCO₂e compared to Business as Usual development, thereby supporting TRANS-1 goals of reduced air quality impacts while providing improved jobs-housing balance.

Further, the project would result in a combination of mixed-use and high density residential development in the downtown core of Stockton, thereby having the positive environmental benefit of reducing the potential for single-destination vehicle trips by encouraging and providing for pedestrian, bicycle and public transit modes of transportation, and thereby reducing potential for significant air quality impacts. (See related discussion in the Traffic section of this Initial Study.) The project is not expected to violate the standards of these adopted air quality plans, and the project impact is therefore anticipated to be less than significant.

The project may also include the replacement or construction of new sewer lines in the project area. This will entail excavation of trenches in utility corridors (mainly roadways), which will have the potential for generation of dust. This will be a short-term impact related to the excavation and filling of the trenches. The City will require appropriate dust control measures as part of its standard construction regulations that will ensure this potential impact is less than significant.

The proposed project would therefore result in no impact to air quality planning.

Construction associated with the proposed project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern in the project area include ozone-precursor pollutants (i.e., ROG and NO_x) and PM₁₀ and PM_{2.5}. Construction-generated emissions are short term and intermittent, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SJVAPCD's thresholds of significance (10 tons/yr of NO_x, 10 tons/year of ROG, or 15 tons/year of PM₁₀). Construction results in the temporary generation of emissions resulting from site grading and excavation, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities, as well as weather conditions and the appropriate application of water. As the project properties are anticipated to be developed over several years, and as the project would include rehabilitation of several existing buildings that would not include ground disturbance, construction-related impacts to air quality are not anticipated to be significant. Additionally, mitigation is provided below to control dust generation during construction activities, reducing this potential impact to less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are those parts of the population that can be severely impacted by air pollution, including children, the elderly and the infirm. Schools within the project area include the Stockton Collegiate International Elementary School at 321 East Weber Street, and the Aspire Apex Academy at 444 North American Street. However, based on the range of land uses

anticipated under the Master Development Plan (primarily residential, commercial/retail and live/work art space), there are no anticipated sources of substantial air pollutant concentrations from the project. Short term, temporary impacts related to demolition and site construction preparation activities, including grading, may occur. These short-term impacts would be regulated through SJVAPCD permitting as well as application of City construction standards, including dust control measures imposed as part of any demolition, grading or construction activities (see below mitigation regarding dust control measures). Any demolition or construction work would be regulated through SJVAPCD, state and federal health standards and permitting, as necessary, and also subject to compliance with City air pollution performance standards (Stockton Municipal Code Section 16.32.040). These standards prohibit the direct or indirect discharge of air contaminants, including dust, soot, fumes and gases that may endanger public health or create a public nuisance. This impact is therefore considered less than significant.

Potential impacts related to demolition or rehabilitation of buildings, and pollutant concentrations of asbestos, lead paint and similar materials, is addressed below under Hazards.

The project is not anticipated to generate any significant source of odors affecting a substantial number of people, with primary land uses of the project anticipated to include residential, commercial and retail operations. However, any uses that may generate odors are regulated through San Joaquin County Environmental Health, SJVAPCD and state health standards and permitting. The project is also subject to compliance with City odor performance standards (Stockton Municipal Code Section 16.32.090), which prohibits the creation of any noxious odors or air emissions that may endanger public health or create a public nuisance. This impact is therefore considered less than significant.

The construction of these uses would create minor and temporary emissions of odors. The predominant sources of construction-generated odors would be the operation of diesel-powered equipment and the application of architectural coatings and asphalt paving. Short-term construction-generated odors may be objectionable to some individuals. However, because odors associated with such sources would be temporary and would disperse rapidly with distance from the source, construction-generated odors would be considered less than significant.

MITIGATION:

- AIR-1: No wood-burning hearths shall be permitted in any of the residential apartment units. This provision shall be reviewed during building plan check to ensure compliance.
- AIR-2: Before beginning construction, the developer shall obtain air quality permits from the San Joaquin Valley Air Pollution Control District for the operation of large stationary equipment (e.g. generators), if needed.
- AIR-3: The developer shall implement the following dust reduction measures during construction to reduce construction-related emissions:
- Minimize the area being disturbed by earthmoving and grading;
 - Apply sufficient water to exposed soil to minimize visible dust emissions;
 - Replant exposed soil as soon as feasible;
 - Clean vehicles and equipment when exiting the project site;
 - Clean accumulated dirt from adjacent streets as often as possible; and
 - Vehicles and equipment shall be maintain and in optimal operating condition.

D. BIOLOGICAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCES
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,15
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,15
c) 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.) or tributary to an already impaired water body, as defined by section 303(d) of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,15
e) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2

DISCUSSION:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

There are no known occurrences of Special Status plant or animal species on the project site based on field review of the project properties, which have been significantly and previously disturbed through urban development, including buildings and parking lots. The proposed project would continue this type of development. Further, the project site is largely surrounded by urban development, and the project site is therefore not in proximity to nesting habitat for migratory birds or raptors. Therefore, the project would not significantly modify or otherwise impact habitat for sensitive or special status species.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

The vast majority of the site being devoid of vegetation, based on field review of the project properties. The project site also does not contain any natural watercourse or riparian features, nor are there any such watercourse or riparian habitat features in proximity to the project area. The project site is therefore not considered to provide significant riparian or natural community habitat, would not have any adverse impact on such habitat, and would not be in violation or conflict with local, regional and State plans and policies regulating such habitat and natural community areas.

c) 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?

Based on field review of the project properties, the project site does not contain any wetland features, such as marshes or vernal pools, nor sources of water, such as creeks, streams and drainage courses. The project site is primarily developed with urban uses, including buildings and parking lots. As such, development of the project will have no impact upon federally protected wetlands.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Based on field review of the project properties, the project site contains no significant wildlife habitat, nor does the project site serve as part of a wildlife movement corridor. The project site contains no significant stands of trees, shrubs or groundcover that might provide for use by fish or wildlife species or otherwise serve as migratory wildlife corridors. The project properties are also largely surrounded by urban development, consisting of retail buildings, offices light industrial and similar uses as part of urban development. Therefore, the development of the project will not substantially interfere with the movement of native resident or migratory fish or wildlife species, or with the established native resident or migratory wildlife corridors or impede use of such wildlife nursery sites.

e) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The proposed project is consistent with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the Final EIR/EIS for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by the San Joaquin Council of Governments on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant. That document is hereby incorporated by reference and

is available for review during regular business hours at the San Joaquin Council of Governments (555 E. Weber Avenue, Stockton, CA 95202) or online at: www.sjcog.org.

f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Based on field review of the project properties, the project site contains no significant stands of trees, shrubs or groundcover, and is predominantly in urban development. The City of Stockton maintains a Heritage Tree Permit Program that is established in Stockton Municipal Code Section 16.130. A Heritage Tree is defined in SMC 16.240.020 as “Any *Quercus lobata* (commonly known as “Valley Oak”), *Quercus agrifolia* (Coast Live Oak), and *Quercus wislizenii* (Interior Live Oak) tree which is located on public or private property within the limits of the City, and which has a trunk diameter of 16 inches or more, measured at 24 inches above actual grade. For Oak trees of the species mentioned above, with multiple trunks, the combined total trunk diameter shall be used for all trunks measuring six (6) inches or greater measured at 24 inches above actual grade.” The project site does not contain any Heritage Trees, as defined. As noted above, given the highly urbanized nature of the properties in the project area, the project site does not contain any significant biological resources. The project therefore would not conflict with any City ordinances protecting biological resources. Therefore will not conflict with any City policies and ordinance related to protection of biological resources and tree preservation.

MITIGATION:

None required.

E. CULTURAL RESOURCES					
WOULD THE PROJECT	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, i.e. relocation, alterations or demolition of historic resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,4,5,6,15
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1

DISCUSSION:

a) *Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

The General Plan EIR identified that historic structures and sites, including those in the project area, may be eligible for the California Register of Historic Resources or National Register of Historic Places. The General Plan EIR also determined that future development as envisioned under the General Plan could ultimately result in substantial adverse impacts to historic buildings, including demolition, for which no possible mitigation was available. As a result, even with implementation of General Plan policy, the General Plan EIR found this potential impact to be significant and unavoidable, and a statement of overriding considerations was adopted by the City.

The proposed project identifies that up to 23 buildings may be demolished as part of ultimate project buildout. The determination of whether a building would be proposed for demolition would be dependent upon market demand and the type of development proposed on a particular site. In some instances, demolition may be required to support a new use, while in other instances, a building may be retained in its current condition, or may be subject to remodeling or refurbishing. The project has identified the following buildings where demolition may occur:

- | | |
|----------------|-------------|
| 210 N American | 621 Channel |
| 216 N American | 836 Channel |
| 221 N American | 836 Channel |
| 525 Channel | 11 N Grant |
| 535 Channel | 25 N Grant |
| 545 Channel | 431 E Main |
| 615 Channel | 707 E Main |

410 E Miner
510 E Miner
612 E Miner
622 E Miner
206 N Sutter

230 N Sutter
630 E Weber
832 E Weber
843 Weber

The City prepared a Downtown Historic Resources Survey of historic structures in 2000, which included an archival research and reconnaissance survey of structures that included the proposed project area. Of the above-listed buildings that could be pursued for demolition at a future date, 431 East Main Street was further studied as part of the Downtown Historic Resources Survey. It was identified as being ineligible for the National Register or City landmark status, but as being potentially eligible for California Register status. The building was therefore the subject of a recent Historic Resource Evaluation by Garavaglia Architecture, Inc. (April 2015) prepared for the project applicant. The 2015 study determined that the property did not meet any of the California Register of Historic Resources listing criteria, though the building still may be eligible for inclusion as a contributing resource to an overall downtown historic resource area, should a downtown historic district be formed in the future.

Additionally, the project identifies several buildings for possible rehabilitation in response to future development demand:

225 North American
29 South Aurora
309 North California
201 North California
730 East Channel
445 East Main

509/501 East Main
635 East Main
800 East Main
643 East Main
242 North Sutter

Of the above-listed buildings that could be pursued for rehabilitation at a future date, four were further studied as part of the Downtown Historic Resources Survey:

225 North American (no criteria met for listing)
201 North California (may be eligible for National and California Register)
635 East Main (may be eligible for California Register)
242 North Sutter (may be eligible for inclusion in the National Register)

Rehabilitation of the structures, if undertaken, would be carefully considered, taking into account any potentially significant historical features. The demolition or rehabilitation of the above-listed structures would first require an investigation as to the potential impacts of such work, as detailed in the below mitigation measure, and based on provisions of Stockton Municipal Code Section 16.220. With implementation of this mitigation measure, the project would have a less than significant impact upon historical resources.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

There are no known archaeological resources present on the project properties. However, there is always a remote possibility that previous activities (both natural and cultural) have obscured prehistoric or historic period artifacts or habitation areas, leaving no surface evidence that would permit discovery of these cultural resources. As a precaution, mitigation is included that addresses the potential for accidental discovery of archaeological resources during site development.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
There are no known paleontologic resources on the project properties. The project therefore would not be expected to directly or indirectly destroy a unique paleontological resource. There are no unique geologic features on the project site. As a precaution, mitigation is included that addresses the potential for accidental discovery of paleontological resources during site development.

d) Disturb any human remains, including those interred outside of formal cemeteries?
There are no known human remains located on the project site. As a precaution, mitigation is included that addresses the potential for accidental discovery of human remains during site development.

MITIGATION:

Mitigation Measure CR-1

Consistent with provisions of Stockton Municipal Code Section 16.220, any proposed project demolition or renovations to structures identified in the City's 2000 Downtown Stockton Historic Resources Survey shall require the developer to prepare an analysis of the structure, if not previously evaluated, along with the proposed development plans as part of an application for a Certificate of Appropriateness to the City. The request shall be evaluated by the Community Development Director, who shall have the authority to require further investigation and, depending upon his/her findings, refer the proposal to the City's Cultural Heritage Board for review and action.

Mitigation Measure CR-2

If evidence of an archaeological site or other suspected historical resource as defined by CEQA Guidelines Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials) are discovered during any project-related earth-disturbing activities (including projects that would not encounter undisturbed soils), all earth-disturbing activity within 100 feet of the find shall be halted and the City of Stockton shall be notified. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less than significant level through data recovery or other methods determined adequate by the archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the appropriate Information Center.

Mitigation Measure CR-3

Should paleontological resources (i.e., fossil remains) be identified at a particular site during project construction, the construction foreman shall cease construction within 100 feet of the find until a qualified professional can provide an evaluation. Mitigation of resource impacts shall be implemented and funded by the project applicant and shall be conducted as follows:

1. Identify and evaluate paleontological resources by intense field survey where impacts are considered high
2. Assess effects on identified sites
3. Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted
4. Obtain comments from the researchers
5. Comply with researchers' recommendations to address any significant adverse effects where determined by the City to be feasible. In considering any suggested mitigation proposed by the consulting paleontologist, the City of Stockton staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, applicable policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other

appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

Mitigation Measure CR-4

If human remains are discovered during construction, CEQA Guidelines 15064.5(e)(1) shall be followed, which is as follows:

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:

- 1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - a) The San Joaquin County coroner must be contacted to determine that no investigation of the cause of death is required; and
 - b) If the coroner determines the remains to be Native American:
 1. The coroner shall contact the Native American Heritage Commission within 24 hours;
 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American;
 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or
- 2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - a) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the Commission.
 - b) The descendant identified fails to make a recommendation; or
 - c) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

F. GEOLOGY AND SOILS					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,10,11
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,10,11
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,10,11
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,10,11,15
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4,15
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,10,11
d) Be located on expansive soil, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,11
e) 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 waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4

DISCUSSION:

a) i – iv) 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? Refer to Division of Mines and Geology Special Publication 42.

Strong seismic ground shaking?

Seismic-related ground failure, including liquefaction?

Landslides?

The project site is located outside of any identified active earthquake fault zone, landslide or liquefaction zone, as delineated by the State of California Department of Conservation. Further, the project area is located in a region of California with low seismic activity, as shown on the map insert below. As the topography of the project area is generally flat, there is no or limited potential for landslides. The project does not propose development beyond that anticipated under the General Plan and its EIR. Construction of buildings is subject to the 2013 California Building Code Standards, which includes requirements for suitability of soils (including

potential for shrink-swell soils), submission of geotechnical reports, and demonstration of stability of soils as a condition to site development. This impact is therefore expected to be less than significant. The General Plan EIR identified these impacts as less than significant, and the proposed project would also have a less than significant impact related to geological hazards.



Figure VI.1 – Alquist-Priolo Earthquake Fault Zoning Map

[<http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm> - accessed October 5, 2015]

b) Result in substantial soil erosion or the loss of topsoil?

The project site is located in a dense, developed urban environment with very limited exposed topsoil. The project will not create conditions that would result in substantial loss of topsoil, though exposure may create minor, insignificant potential for runoff. Application of standard City limitations on grading plans to contain and limit runoff during site disturbance will ensure this impact is insignificant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

The probability of soil instability is considered to be a low to moderate hazard, due to the distance from active fault zones, and the General Plan indicates that the project area has relatively low seismicity and ground shaking potential. Further, the project site is not located on or near an active fault zone as shown on the State's Geological Survey, Alquist-Priolo Earthquake Fault Zoning Map, nor State liquefaction or active landslide maps. The City has adopted the 2013 California Building Code, which includes standards for new construction designed to reduce potential risk from ground shaking and seismic events. These standards will be utilized in project plans, and will be reviewed by the City as part of its standard plan check and construction inspection processes. The project site and adjoining lands are relatively flat, with grades of less than two percent. The project will therefore not have a significant risk related to soil stability, landslide, lateral spreading, subsidence, liquefaction or collapse.

d) Be located on expansive soil, creating substantial risks to life or property?

The probability of soil liquefaction taking place at the project site is considered to be a low to moderate hazard, due to the distance from active fault zones. However, the General Plan indicates that the project area has low seismicity and ground shaking potential. Further, the project site is not located on or near an active fault zone as shown on the State's Geological Survey, Alquist-Priolo Earthquake Fault Zoning Map. The City of Stockton has adopted the 2013 California Building Code, which includes standards for new construction designed to reduce potential risk from ground shaking and seismic events. These standards will be utilized in project plans, and will be reviewed by the City as part of its standard plan check and construction inspection processes. The project will therefore not have a significant risk related to expansive soils.

Open Window – Initial Study

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The project will connect to the City's wastewater system, and will not include the use of septic tanks or utilize alternative waste water disposal systems, and will therefore have no impact on soils related to use of septic systems or alternative waste water disposal systems.

MITIGATION:

None required.

G. GREENHOUSE GAS EMISSIONS					
WOULD THE PROJECT	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3

DISCUSSION:

a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

b) *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

Background

GHG emissions have the potential to adversely affect the environment because they contribute, on a cumulative basis, to global climate change. In turn, global climate change has the potential to result in rising sea levels, which can inundate low-lying areas; to affect rain and snow fall, leading to changes in alpine hydrology and water supply; to affect habitat, leading to adverse effects on biological and other resources; and to change the frequency and duration of droughts, which can affect wildfire hazards and forest health. Sources of GHGs include carbon dioxide, methane, and nitrous oxide, and can be related to urban development, uses of automobiles and trucks, certain agricultural operations, industrial uses and similar sources.

California has adopted various administrative initiatives and also enacted a variety of legislation relating to climate change, much of which sets aggressive goals for GHG emissions reductions within the state. However, none of this legislation provides definitive direction regarding the treatment of climate change in environmental review documents prepared under CEQA. In particular, the CEQA Guidelines do not require or suggest specific methodologies for performing an assessment or specific thresholds of significance and do not specify GHG reduction mitigation measures. Instead, the CEQA Guidelines allow lead agencies to choose methodologies and make significance determinations. In addition, no state agency has promulgated binding regulations for analyzing GHG emissions, determining their significance, or mitigating significant effects in CEQA documents. Thus, lead agencies exercise their discretion in determining how to analyze GHGs.

California Executive Order S-03-05 (2005) mandates a reduction of GHG emissions to 2000 levels by 2010, to 1990 levels by 2020, and to 80 percent below 1990 levels by 2050. Although the 2020 target has

been incorporated into legislation (AB 32), the 2050 target remains only a goal of the Executive Order. AB 32 requires statewide GHG emissions be reduced to 1990 levels by 2020 (1990 levels have been estimated to equate to 15 percent below 2005 emission levels).

Impacts

In December 2014, the City of Stockton adopted a Climate Action Plan (CAP) to identify strategies to reduce greenhouse gas emissions to 1990 levels by 2020. The CAP, and its corollary Subsequent EIR, identified and evaluated the business-as-usual (BAU) emission level that would occur if no additional steps were taken to curtail greenhouse gas emissions. The BAU level assumes the buildout of downtown Stockton at the maximum residential density of 87 residential dwelling units per net acre and commercial development with 100% lot coverage and no maximum building height (consistent with standards of the Downtown Commercial Zoning District). The project would provide for up to 1,400 residential units and up to 400,000 square feet of commercial space/light industrial space, which is below the maximum development potential considered by the CAP. The CAP, particularly Measure TRANS-1, and the CAP's corollary Subsequent EIR, builds on the City's adopted downtown housing strategies and smart-growth objectives, calling for an increase in downtown infill residential development to promote development of as many as 3,000 units by 2020 and with an ultimate build-out goal of up to 4,400 units. The SEIR for the CAP analyzed a series of possible growth scenarios in the downtown, including development of up to 3,000 new residential units by 2020. The Open Window project would provide for development of up to 1,400 new residential units within its participating properties, thereby supporting one of the chief goals of the CAP in promoting new downtown development and construction of infill residential housing. Also see the above discussion under Air Quality.

The CAP also provides a series of greenhouse gas reduction measures that would bring the assumed BAU emission levels in alignment with 1990 levels. Several of these measures would apply directly to the project and would be administered as part of standard City plan check and project reviews, including those addressing building energy efficiency, use of rooftop solar, downtown area residential development, land use/transportation integration, parking policy, and urban tree planting. The CAP takes a holistic approach to identifying and reducing City-wide greenhouse gas emissions. As a result, as the Open Window project development would occur within the overall assumptions of the CAP and support the implementation of its reduction measures, and the project would not produce a significant environmental impact with respect to greenhouse gas emissions nor conflict with the adopted CAP.

MITIGATION:

Mitigation included under Air Quality, above, prohibiting the use of wood-burning hearths, assists in achieving compliance with GHG emissions standards.

G. HAZARDS & HAZARDOUS MATERIALS					
WOULD THE PROJECT	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,12
e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,15
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,15
g) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,15

DISCUSSION:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

There will be temporary transport of fuels, hydraulic fluid, solvents and similar materials over streets and highways to the project site for use by heavy equipment in project construction. The transport of these materials is regulated by state and Federal law. Any potential spills are also regulated by state and Federal law. Chemicals which may be used in construction activities will be overseen by the developer’s construction supervisor, and are regulated by state and Federal law, as well as local regulations. The application of these regulations will ensure that the temporary use of the materials does not present a significant impact.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

There will be temporary transport of fuels, hydraulic fluid, solvents and similar materials over streets and highways to the project site for use by heavy equipment in project construction. The transport of these materials is regulated by state and Federal law. Any potential spills are also regulated by state and Federal law. Chemicals which may be used in construction activities will be overseen by the developer's construction supervisor, and is regulated by state and Federal law, as well as local regulations. The application of these regulations will ensure that the temporary use of the materials does not present a significant impact related to accidental release of hazardous materials into the environment. Further, the project operation (professional offices, residential apartments and commercial/restaurant space) is not expected to result in significant use of hazardous materials. There will be routine use of small amounts of chemicals and fertilizers for landscape areas; these will be regulated through state regulations and overseen by the site manager. Some buildings within the project area may be demolished or remodeled as part of project development. The Building Division requires reporting of any potentially hazardous materials, including asbestos and lead paint that may be associated with older buildings, as part of any building demolition and building permit submittal and City review process. Demolition and disposal requirements for any potentially hazardous materials must comply with local and state criteria.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Schools within the project area include the Stockton Collegiate International Elementary School at 321 East Weber Street, and the Aspire Apex Academy at 444 North American Street. However, project operations (including professional offices, residential apartments and commercial/restaurant spaces) are not expected to result in the significant emission or handling of hazardous materials. However, should a future use of property within the project involve possible use of hazardous materials, SMC Section 16.36.080 (Hazardous Materials) addresses requirements for the use, handling and storage of such materials in compliance with applicable state law, and requires that appropriate information on the use be provided to the City. Where such a potential for use of hazardous materials may occur, an Administrative Use Permit is required for any new commercial, industrial, institutional or accessory use, and for any proposed major additions to a building involving handling of hazardous materials within 1,000 feet of residential zoning districts to allow for further review of the proposal. With these standard state law and City zoning requirements, potential impacts related to hazards is less than significant.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The project contains one property listed on the State's EPA's hazardous materials site database (CalEPA Cortese List Data Resources). Property at 601 East Main Street has an open file with the State related to historic heating or fuel oil storage. The site had remedial work previously conducted, including soil removal, and was listed as eligible for closure, though this action remains outstanding. Any redevelopment of this property would require filing of the necessary remaining reports with the State to close the case file prior to grading or building permit issuance. There are no other properties within the project area listed on the CalEPA database. The project would therefore not have a significant impact related to use of a hazardous materials site.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

The project site is located approximately four miles from the Stockton Metropolitan Airport, the nearest airport, and ten miles from Lodi (Precissi) Airpark, the next nearest airstrip. The project site is not

included in the Area of Influence for either facility, as described in the 1993 Airport Land Use Plan, produced by the San Joaquin County Airport Land Use Commission. There are no other public or private airports or airstrips within the vicinity of the project site that would result in a safety hazard. Additionally, as discussed under Aesthetics, above, the City will regulate the use of reflective exterior building materials for new development in the project area which otherwise may create the potential for significant glare impacts. Therefore, the project will not create a significant impact to airfields in the area.

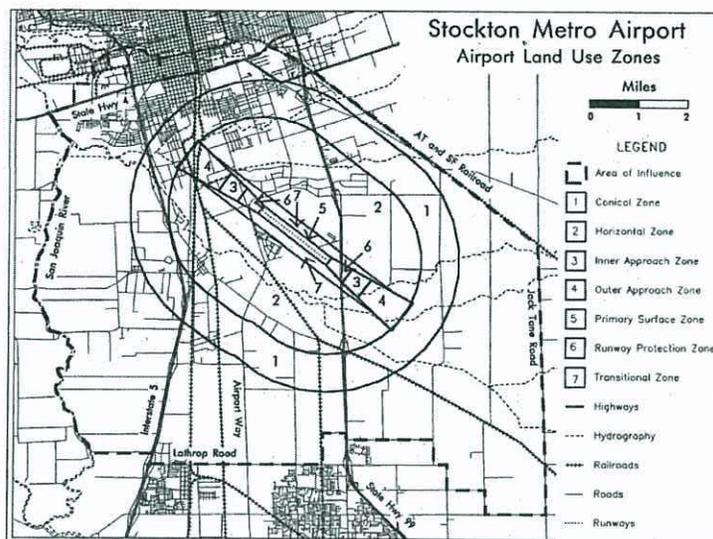


Figure VIII.2 – Airport Land Use Zones Map – 1993 Airport Land Use Plan – San Joaquin County Airport Land Use Commission

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The project will not impair the implementation of the City of Stockton Emergency Operations Plan, the San Joaquin County Hazard Mitigation Plan, or the San Joaquin County Flood Evacuation Plan. The 2035 Stockton General Plan, like prior General Plans, anticipates high-density residential and mixed-use development in downtown Stockton, as would occur in association with the project. Each developed property would be subject to City review and approval of emergency vehicle and personnel access as part of plan check and site plan review. Therefore, the project is expected to have a less than significant impact upon emergency response plans and operations.

g) 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?

The project site is located in an urban area, and does not have the potential to experience a wildland fire. The project site is developed and the vast majority of the site does not contain shrub or tree coverage, further reducing any potential of wildland fires. The project will therefore not result in exposure of people or structures from significant risk of wildland fire.

MITIGATION:

None required.

H. HYDROLOGY AND WATER QUALITY					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4,7
b) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4,7
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4,15
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4,15
e) Create or contribute increased impervious surfaces and associated runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4,15
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4,7
g) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4,8
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4,8
i) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4,15
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

DISCUSSION:

a) *Violate any water quality standards or waste discharge requirements?*

The project’s potential to violate a water quality standard or waste discharge requirement is related to the treatment of wastewater generated by the project, and the quality of stormwater runoff generated at the

project site. The project will be designed to avoid creation of any significant water quality or waste discharge impacts. The project will include the use of Storm Water Pollution Prevention Plan and Best Management Practices to limit potential impacts related to site grading and construction, reducing the potential for creation of water quality standard impacts related to drainage. Additionally, the project will connect to the City's water distribution and sewer collection systems, providing for conveyance of wastewater to the City's wastewater treatment plant, which is operated in compliance with the City's Wastewater NPDES Permit and Sewer System Management Plan, developed in compliance with the requirements of the State Water Resources Control Board General Waste Discharge Requirement (GWDR). The project will therefore not violate any water quality standards or waste discharge requirements.

b) 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)?

The project does not include use of groundwater wells, as it will be connected to the CalWater water distribution system. As such, it will not directly deplete groundwater supplies. A Water Supply Analysis (Yarne & Associates, October 2015) included an analysis of groundwater use, as groundwater, along with surface water deliveries, are the source of CalWater supplies. The analysis found that, in part, groundwater pumping was reduced because of increased use of treated surface water by Cal Water, City of Stockton and San Joaquin County, with an ability of Cal Water to serve the project for the next 20-year period. The project will also not substantially interfere with groundwater recharge or lowering of the groundwater table in the project area as the majority of the project properties are developed or contain impervious surfaces. However, landscape and open space areas, which will be components of new development, will allow for areas of natural water percolation.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

There are no water courses or drainage channels on or near the project site. The project will be designed to collect storm water drainage and ultimately deliver it to existing City systems (most of which is currently developed as a result of the highly urbanized and developed nature of the project area), and would not alter existing area drainage systems. The project will include the use of Storm Water Pollution Prevention Plan and Best Management Practices to limit potential impacts related to site grading and construction, reducing the potential for substantial erosion or siltation on- and off-site.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

There are no water courses or drainage channels on or near the project site. The project will be designed to collect storm water drainage and ultimately deliver it to existing City systems, and would not alter existing area drainage systems. The project will be designed to collect and retain drainage on-site before discharging to the City's drainage system. Also noted is that the majority of the project properties are developed or contain impervious surfaces. However, landscape and open space areas, which will be components of new development, will allow for areas of natural water percolation. The project therefore will not significantly increase the amount of surface runoff in a manner that would result in on- or off-site flooding.

e) Create or contribute increased impervious surfaces and associated runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The project will be designed through individual project grading and drainage plans to collect storm water drainage and ultimately deliver it to existing City systems, and would not alter existing area drainage systems. The project will be designed to collect and retain drainage on-site before discharging to the City's drainage system. The project therefore will not significantly increase the amount of surface runoff in a manner that would result in on- or off-site flooding, as the majority of the properties are developed with impervious surfaces. The on-site storm water drainage system will include use of best engineering practices and will be included in the Storm Water Pollution Prevention Plan and application of Best Management Practices, which will provide any appropriate pre-treatment of storm waters prior to their discharge into the City's system. The project will result in only minor use of landscape maintenance chemicals and fertilizers for the landscape strips and island planters. Additionally, the project developer would be required to pay fair share fees towards applicable programmed City storm drainage system improvements. The project therefore will not result in creation of substantial additional sources of polluted runoff.

f) Otherwise substantially degrade water quality?

The project will be designed to avoid creation of any significant water quality impacts or waste discharge requirements. The project will include the use of Storm Water Pollution Prevention Plan and Best Management Practices to limit potential impacts related to site grading and construction, reducing the potential for creation of water quality standard impacts related to drainage. The project will connect to the City's water distribution and sewer collection systems. The project will therefore not substantially degrade water quality.

g) 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?

The project site is not located within an identified floodplain or floodway. The Flood Insurance Rate Map for the City (Panel 06095C 022E, May 4, 2009) identifies the site as lying within Zone X. Lands within Zone X are identified as having a less than 0.2 percent chance of annual flooding. The project will not place housing within a 100-year floodplain.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

The project area is located within a 500-year flood hazard area as identified by the Federal Emergency Management Agency (Zone X of Map No. 06077C0460F). The project area is not located within a 100-year flood hazard area. The project will not place structures within a 100-year floodplain which would impede or redirect flood flows.

i) 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?

The project area is located within an area subject to inundation from the potential failure of dams and dikes supporting Lake Camanche and New Hogan Reservoir. However, the maintenance of these dams is subject to oversight by the United States Army Corps of Engineers and the East Bay Municipal Utilities District. As such, the risk inherent in these dam failures is less than significant.

j) Inundation by seiche, tsunami, or mudflow?

The project is located on generally level ground, and is many miles from coastal areas which may be subject to seiche and/or tsunamis. There is no potential for impact to the site due to seiche, tsunami or mudflows.

MITIGATION:

None required.

I. LAND USE					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,15
b) 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, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3,4,15
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

DISCUSSION:

a) Physically divide an established community?

The project would introduce new residential housing units and commercial development into an established, dense urban environment. Existing development in the project area contains an estimated 134 residential units, though these units are located within vacant or abandoned buildings. Up to 1,400 residential units would be constructed as part of the proposed project. The existing community within Downtown Stockton is highly fragmented due to vacant and underutilized properties. The project would strengthen the established community as a result of development as it will include emphasis on pedestrian and bicycle mobility, in addition to automobile circulation, as part of a live-work environment, thereby further connecting downtown properties and uses. The project therefore will not result in any significant division of the established community.

b) 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?

The project is subject to the 2035 General Plan, which prescribes a multitude of policies that encourage infill development, high density residential development, and commercial revitalization, including, but not limited to, the following:

LU-3.2 Residential Infill Densities – The City shall encourage higher residential densities at appropriate infill locations through the design flexibility made possible by the Planned Development provisions of the Development Code.

LU-4.1 Commercial Revitalization – The City shall encourage the upgrading, beautification, revitalization, and appropriate reuse of existing commercial areas and shopping centers.

DV-2.1 Revitalize Downtown Stockton – The City shall promote the revitalization of Downtown Stockton, including increased employment opportunities, expanded private investment, construction of new housing, and the provisions of various services to address existing social problems.

DV-2.2 High-Density Residential Development – The City shall encourage high-density residential uses to locate in the downtown area and along transit corridors (such as a BRT corridor) to support the area’s commercial activities.

DV-2.3 Downtown Housing Goals – The City shall actively pursue short- and long-term housing goals for the downtown area. The short-term goal shall be the construction or rehabilitation of at least 1,000 housing units in the first seven years of the General Plan (by 2014). The long-term goal is to create a total, of 3,000 new units in the downtown by 2035.

DV-2.4 Incentives to Create Downtown Housing – The City shall review and revise, as necessary, its redevelopment/revitalization strategy and programs for downtown and other redevelopment areas to ensure they adequately implement the downtown infill and redevelopment policies of the General Plan. The City shall establish a schedule of reduced public facilities fees for new development in the central city areas as an encouragement to develop vacant or under-utilized parcels. The City shall adopt density bonus standards to encourage the intensification of housing and promote affordable housing opportunities in the downtown.

DV-2.13 Building Rehabilitation – The City shall encourage and assist in the rehabilitation of existing buildings in downtown and use historic buildings as resources for future development.

The project is consistent with these applicable policies of the 2035 General Plan. Additionally, the project will help implement City vision for downtown development through its adopted Climate Action Plan and Sustainable Communities Strategy by providing for dense residential and mixed-use land uses in the downtown core area, allowing for reduced vehicle trips while encouraging and providing for pedestrian and bicycle movements between residences, places of employment, shopping and entertainment venues.

The MDP proposes a mixed-use development concept. The MDP may include development with a maximum of 130 dwelling units per acre on any one property, with an average density not exceeding 87 dwelling units per acre on any one block, for a total of 1,033 units and consistent with current General Plan land use policy. However, the City is currently working on a General Plan update, which is expected to address residential density in the downtown area. It is anticipated that the downtown area would be identified for higher residential density limits than those allowed under the current General Plan. If such changes to the General Plan are ultimately adopted as part of the General Plan update review, increased residential densities would be an option for the Open Window properties. Therefore, for the purposes of this Initial Study, the analysis assumes that up to 1,400 residential units would be constructed, primarily built at higher densities as part of apartments or other multi-family unit developments.

The project is designated Commercial under the General Plan, which supports residential and mixed residential/commercial uses. The project consists of a Master Development Plan (MDP), which is authorized by Stockton Municipal Code (SMC) 16.140. According to SMC 16.140.010.A, the intent of a MDP is to provide flexibility in the planning review process so that land use requirements and development standards, as well as design and architectural parameters, are identified in a master development plan, necessitating only minimal review of subsequent approvals to ensure consistency with the adopted MDP. The proposed MDP identifies the maximum number of residential units and maximum commercial floor area, prescribes site development standards, and addresses site planning, architectural design and related improvement requirements. This thereby reduces the need for subsequent reviews and discretionary approvals for the implementation of the MDP, though certain uses and design features may trigger review by the Planning Commission.

No other adopted land use plans apply to the project area. The project therefore will not substantially conflict with any adopted land use or policy plans.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

There are no habitat conservation plans or natural community conservation plans that apply to the project area. As such, the project would not impact a habitat conservation plan or natural community conservation plan.

Open Window – Initial Study

MITIGATION:

None required.

J. MINERAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
b) Result in the loss of availability of a locally-important mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

DISCUSSION:

a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state? and

b) Result in the loss of availability of a locally-important mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan?

The 2035 General Plan does not identify any areas for mineral resource recovery within the project site. Additionally, the project is located in a developed, dense urban environment. Due to the proximity to established urban uses, there are no opportunities for mineral extraction. Therefore, the project will have no impact upon any significant mineral resources.

MITIGATION:

None required.

K. NOISE					
WOULD THE PROJECT:	IMPACTS				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,4,15
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,15
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,15
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,15
e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or private airstrip would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

DISCUSSION:

a) 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?

Noise policies and standards are contained in the Health and Safety Element of the 2035 General Plan and in SMC Chapter 16.60. Under the SMC, noise-sensitive land uses which are approved for development or expansion on noise-impacted infill sites shall only be required to mitigate the existing and projected noise levels from those sources so that the resulting noise levels within the interior of the noise-sensitive land uses do not exceed the indoor space standards of 45 db Ldn for residential and similar uses. Otherwise, residential and live-work outdoor spaces have a 65 db Ldn noise limit. Noise generation standards for commercial and light industrial uses vary from 65 to 70 db Leq for hourly limits and 75 to 80 db max for maximum sound generation; lower standards apply closer to sensitive users.

These standards and compliance measures are obligatory for all new development and apply to all construction in the City of Stockton. Based on SMC provisions, the Community Development Director may require the preparation of an acoustical study, as determined in review of individual development proposals as part of the project. Compliance with any required acoustical study will be determined as part of plan check review for new development (to include, for example, use of necessary sound-insulating glazing on multi-family residential units where exposure to external noise sources may be significant) and confirmed as part of final building and site inspections. Impacts related to noise generation are anticipated to meet City standards and therefore would present a less than significant impact.

The project will result in use of construction vehicles, such as backhoes and graders. This noise will be temporary in nature, and limited to daytime construction hours as regulated by the City, 7:00 a.m. to 7:00 p.m., Monday through Saturday, which will ensure temporary construction noise is less than significant. As a precaution, a mitigation measure will be imposed regulating construction activities.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Use of heavy construction equipment, such as backhoes, bulldozers, jackhammers, dump trucks and graders, will result in generation of some temporary and intermittent groundbourne vibration and related noise. Noise levels for this type of construction equipment at 50 feet from the noise-generating source can be in the 75 to 90 decibel range (Noise Control for Buildings and Manufacturing Plants; Bolt, Beranek and Newman, 1987). The use of construction equipment will be temporary and short-term in nature and limited to daytime hours, as regulated by the City. Therefore, persons are not expected to be exposed to significant groundborne vibrations or noise levels.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

The project will include professional office, residential apartment and restaurant uses. As such, there are no aspects of the proposed land uses that would result in a significant increase in ambient noise levels above and beyond existing levels (which relate to existing urban development within the project site and along City streets, and which include a similar range of land uses) without the project. Additionally, the project will result in fewer vehicle trips for new residential and commercial development as a result of increased pedestrian and bicycle trips and use of public transit, reducing potential noise generation from on-road mobile sources. The project therefore will not result in a significant increase in ambient noise levels on the property over that which already exists.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

The project will result in use of construction vehicles, such as backhoes and graders. This noise will be temporary and intermittent in nature. Additionally, mitigation is included, below, that will ensure limitation of construction hours and use of heavy equipment at the site to 7AM to 7PM, Monday through Saturday. Temporary construction activity noise levels will therefore be less than significant.

e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or private airstrip would the project expose people residing or working in the project area to excessive noise levels?

The project is not located within an airport land use plan area and is not located within two miles of a public airport, public use airport, or private airstrip. The project will therefore have no potential to expose people residing or working in the project area to excessive noise levels due to airport operations.

MITIGATION:

NOI-1: Limitation on Construction Hours

Construction activities at the site, including use of heavy equipment, delivery vehicles and staging of vehicles and construction equipment, shall be limited to 7AM to 7PM weekdays and 8AM to 7PM on Saturdays.

L. POPULATION AND HOUSING					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4
b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,15

DISCUSSION:

a) 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)?

The project would result in a net increase of up to 1,400 housing units. Based on Stockton’s average household size of 3.0 people per unit, the project would increase the population of the City by approximately 4,200 persons. Residential growth in the downtown area was anticipated and planned for as part of the City’s General Plan. It is anticipated that a portion of the project residents would likely come from existing housing units elsewhere in the City of Stockton, combined with movement of residents to Stockton from other locations. The Master Development Plan anticipates a range in housing unit types, including for-ownership condominiums and rental apartment units, with unit sizes varying from studios to three-bedrooms. This diversity in housing types is consistent with Housing Element goals and policies, including a focus on provision of additional housing units in the downtown. Therefore, while the project will result in an increase in housing units, the housing growth would be consistent with City housing policy and plans, making this impact less than significant.

b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

The project proponents indicate that future development may include the demolition of buildings containing housing units, though the buildings have been abandoned and are unoccupied. No residents would therefore be displaced as a result of the project. Additionally, the project would result in a net increase in housing units. This impact would therefore be less than significant.

MITIGATION:

None required.

M. PUBLIC SERVICES					
WOULD THE PROJECT:	IMPACT				
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4
iii) School facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,14
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,4,15

DISCUSSION:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire Protection?

Downtown Stockton was historically occupied by higher density residential and commercial uses and, as such, is served by existing emergency service providers, including the Stockton Fire Department. Additional residential development resulting from the project, combined with new commercial, mixed-use and entertainment uses, would result in an increased demand for Fire protection and emergency medical services. The City has a policy of that it shall work to maintain a fire response time of five minutes or less for new development areas through the locations of stations, staffing, and adequate funding. The closest fire station is Company 2, located at 110 West Sonora Street, less than one-half mile to the project boundary, allowing for rapid response to fire emergencies. Company's 3, 6 and 9 would be included on the first alarm assignment into the downtown district. Requirements for fire servicing will be reviewed as each individual project is proposed, including ability to serve with appropriate equipment. This will include City Fire and Planning staff working closely with project developers as part of the planning, permitting and plan check actions to evaluate project designs and emergency access, to ensure use of appropriate built-in fire detection and protection systems, construction materials, and similar considerations, including apparatus. Impacts to fire protections services are therefore anticipated to be less than significant.

ii) Police protection?

The Stockton Police Department headquarters is also located in the downtown area, four blocks southwest of the project area along North El Dorado Street. The average response time to in-progress life

threatening emergencies has been between three and five minutes. Project designs would be required to include Community Policing through Environmental Design features, along with inclusion of sufficient lighting and security features, which will be considered as each project comes forward for review and development. The project therefore is not expected to result in significant impact related to fire or police protection services or facilities.

iii) Schools?

The construction of new residential units will increase the number of school-aged children in the downtown area, as was also anticipated by the General Plan and analyzed within the General Plan EIR. The project would be expected to generate approximately 425 new students at the K-8 levels, and 125 new high school (9-12) students. Payment of school impact fees to Stockton Unified School District will be required at the time of building permit issuance to offset impacts related to increased number of students generated by new residential development of the project. These fees will assist the School District in supporting facility needs, offsetting any potentially significant impacts of the project on local schools.

iv) Parks?

The project would introduce new residents to downtown Stockton. These new residents would use existing neighborhood public parks within the greater downtown area, including Constitution, Freedom and Independence Neighborhood Parks. This level of use is not anticipated to cause substantial physical deterioration of existing recreation facilities as new residential development would be required to pay appropriate parkland impact fees to offset the demand on public recreation facilities. Additionally, the Master Development Plan anticipates that private recreational facilities (courtyards, tot lots, community recreation rooms, etc.) would be included as part of new residential development projects, lessening potential impacts on public recreation facilities. The impact to neighborhood and regional parks is therefore expected to be less than significant.

v) Other public facilities?

The City of Stockton has an adopted public facilities fee program that accounts for the impact on parks, municipal buildings, and other public services. Collectively, the project is not expected to result in any significant, adverse physical impacts associated with provision of necessary public services or in ability to provide such services to support the project.

MITIGATION:

None required.

N. RESOURCES AND RECREATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,15
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,15

DISCUSSION:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The project would introduce new residents to downtown Stockton. These new residents would use existing neighborhood public parks within the greater downtown area, including Constitution, Freedom and Independence Neighborhood Parks. This level of use is not anticipated to cause substantial physical deterioration of existing recreation facilities as the new residential development associated with the project would be required to pay appropriate parkland impact fees to offset the demand on public recreation facilities, and as the Master Development Plan anticipates that private recreational facilities (courtyards, tot lots, community recreation rooms, etc.) would be included as part of new residential development projects, lessening potential impacts on public recreation facilities. The impact to neighborhood and regional parks is therefore expected to be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The project would include the provision of private on-site recreational facilities that would be integrated into the design of new residential developments, including use of courtyards, tot lots, community recreation rooms and similar features. Design of these features will be considered in review of new building and site plans to ensure that the potential environmental impact is less than significant.

MITIGATION:

None required.

O. TRANSPORTATION / TRAFFIC					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,13-15
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,13
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,13-15
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,13-15
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,4,13

DISCUSSION:

a) 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?

b) 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?

The circulation infrastructure network within the project area is a traditional grid network that dates to the beginning of the City of Stockton. The project applicant’s traffic engineer, Fehr & Peers, prepared a transportation assessment, examining trip generation of the project and existing traffic volumes in the area. The project traffic analysis considered the potentially higher level of residential development, with up to 1,400 residential units to this project area. The traffic analysis found the project would generate an

average of 9,310 weekday daily trips and 8,950 Saturday trips. In addition, the project would result in up to 200,000 square feet of supporting retail and commercial space, 90,000 square feet of office/commercial space, and 110,000 square feet of industrial/art space which would collectively generate 12,090 average weekday daily trips and 14,190 Saturday. In total, the project would produce up to 21,400 average daily trips. However, as trips would be shared and that the dense urban nature of the project would discourage vehicle trips while encouraging pedestrian, public transit and bicycle trips, along with pass-by trips, this overall number is expected to be substantially reduced, creating a predicted average weekday daily vehicle trip total of 10,980 and Saturday 11,400 Saturday trips. When compared to existing and prior land uses in the development area, the proposed project is expected to generate approximately 3,350 additional daily trips. These trips would be dispersed throughout the project area and, due to the project's central location, with no more than 50 peak hour trips expected to be added to any one roadway segment in the area.

The Stockton General Plan 2035 establishes a Level of Service (LOS) of F as the absolute minimum standard for this area after consideration of physical or environmental constraints, and other City goals and policies. LOS F is the lowest measured standard and represents constant slow-moving traffic with consistent stops, or gridlock conditions at peak traffic periods. Under LOS F, all degrees of traffic congestion are accepted and no amount of increased congestion is unacceptable. The project will contribute vehicular traffic to the existing roadway network. However, this increase in traffic will be within the accepted LOS standard, while the project's live-work and walkability design provisions will reduce overall daily vehicle trips compared to standard, stand-alone development. This impact is therefore considered less than significant.

The project will not have a significant impact to State Route 4 or at the following local ramps:

- El Dorado Street Westbound on/off-ramp
- El Dorado Street Eastbound on/off-ramp
- Center Street Westbound on/off-ramp
- Center Street Eastbound on/off-ramp

The proposed project could increase vehicle activity as compared to existing and planned growth. However, net-new vehicle traffic would be dispersed over the 15-block project area, and then further dispersed as trips access the regional roadway network. Based on the estimated net-change in vehicle trip generation, and an estimate of project trip distribution (from where net-new vehicle trips generated by this project would travel to and from), the level of additional traffic that could be added to Caltrans facilities in downtown Stockton was estimated. The project is expected to increase vehicle traffic through the noted ramp terminal intersections by less than 20 vehicles in either the morning or evening peak hours, with even less traffic added to the on/off ramps. The City of Stockton has established level of service (LOS) E as the standard for intersections in the Downtown area, and permits LOS F for vehicles if physical or environmental constraints preclude intersection improvements, or if physical improvements would conflict with other goals and policies. The most recent *Congestion Management Program Technical Analysis for 2014 Conformance Report*, January 27, 2015, SJCOG, documents the existing service levels of Caltrans facilities in the downtown area of LOS C or better.

As the project would be required to pay applicable local and regional transportation impact fees that would assist in funding planned roadway network enhancements and it would not increase peak hour traffic through the above intersections by more than 20-vehicles, the potential project impact is considered less-than-significant.

Based on the project net-new trip generation and assignment, the project would increase directional vehicle traffic on State Route 4 by less than 60 vehicles in either peak hour, which equates to less than 1 percent of the freeway capacity (60 vehicles over 3 freeway lanes with an hourly capacity of approximately 2,000 vehicles). As State Route 4 currently operates at LOS C, the addition of project

traffic would not result in a project specific freeway impact. However, project traffic in combination with increased traffic from other developments could cumulatively degrade freeway operations. Therefore, as the project would pay applicable local and regional transportation impact fees to assist in funding improvements on the state highway system that could include ramp meters on State Route 4.

The City of Stockton maintains traffic signals at all non-Caltrans controlled intersections in the Downtown Stockton area, and periodically evaluates signal timing. The City of Stockton and Caltrans may coordinate as traffic signal timings are modified to better accommodate changed travel patterns in the downtown area. Local fees to be paid by the project sponsors include a traffic signal fee.

The following Regional Congestion Management Program (RCMP) facilities are located in the immediate project area:

- State Route 4 (segment)
 - Airport Way (segment)
 - Wilson Way/Lafayette Street at State Route 4 Eastbound Ramps
 - Stanislaus Street/Washington Street at State Route 4 Westbound Ramps
- Other RCMP facilities that the project may affect include Interstate 5 and State Route 99. SJCOG had requested that these facilities be evaluated in addition to the following:

- State Route 4 westbound ramps at Wilson Way/Washington Street
- State Route 4 eastbound ramps at Stanislaus Street/Lafayette Street
- State Route 4 westbound ramps at El Dorado Street
- State Route 4 eastbound ramp at El Dorado Street
- State Route 4 westbound ramps at Center Street
- State Route 4 eastbound ramps at Center Street

RCMP facilities in the immediate project area are operating at LOS C or better, with project traffic resulting in minimal peak hour increases in traffic volumes. Of the intersection noted above, Stanislaus Street/Washington Street at State Route 4 Westbound Ramps would experience the largest potential traffic increase from the proposed project (62 AM and 111 PM peak hour trips). Using the information presented in the RCMP, peak hour intersection operations with the addition of project traffic were evaluated, as presented in Table 1. As shown, the intersection level of service would not change in either the morning or evening peak hours with the net-change in traffic from the project in the existing plus project condition, and average intersection delay would increase by less than half a second. As project traffic would be further dispersed at other locations noted above as compared to the Stanislaus Street/Washington Street at State Route 4 Westbound Ramps intersection, the project is not expected to result in project specific intersection or roadway segment impacts. However, the proposed project would be required to pay applicable local and regional transportation impact fees to assist in funding planned improvements to the transportation system.

As stipulated within the RCMP Project Review Criteria in Chapter 6 of the 2012 RCMP, the project is required to show consistency with all applicable regional transportation planning documents. Following is a summary of these Plans and proposed project compliance with the Plans:

Regional Transportation Demand Management Plan – the proposed project is located in downtown Stockton in close proximity to a variety of transit options and would develop a mixture of land uses, including residential and daily-need retail, including a grocery store. Based on a mixed-use trip generation model, 30 to 40 percent of the trips generated by the project would be walk, bike or transit trips. Design elements to improve pedestrian and bicycle circulation within the project area are also proposed as part of the project, including considerations for consolidated site access, building entrances fronting the street, reduced parking requirements, and on and off-street bicycle facilities. Based on these considerations, the project does not conflict with the *Regional Transportation Demand Management Plan*.

Park-and-Ride Master Plan – the Park-and-Ride Master Plan identifies the proposed location of several new park-and-ride facilities in Stockton. The proposed project would not preclude the construction of new park-and-ride facilities. The project is in an area well served by transit and is not expected to increase demand for park-and-ride facilities.

Regional Bicycle, Pedestrian and Safe Routes to School Master Plan – this plan identifies one improvement project within the proposed project boundaries – Phase 2 of the Weber Avenue beautification project. Construction of the improvement project occurred in 2014/2015, and the proposed project is consistent with the land use revitalization that was projected to occur with the streetscape improvement project.

Regional Smart Growth Transit Oriented Development Plan – this plan identifies portions of the project site as potential infill opportunity sites. The proposed project land uses and design elements meet or exceed the Smart Growth, Transit Oriented Development, and Infill Development metrics outlined in the plan.

Regional Transportation Impact Fee Program – the proposed project does not preclude the construction of projects identified in the RTIF. Additionally, the housing portion of the project could qualify for a discounted fee, specifically housing located within a half-mile of a transit station and convenience retail uses, including food sales, and no more than the minimum number of parking spaces as required by code is provided.

Regional Transit Systems Plan – the Regional Transit Systems Plan identifies Downtown Stockton, including the proposed project site, as a transit oriented development (TOD) opportunity site. The project provides a mixture of uses that are expected to increase transit ridership and would improve pedestrian circulation within the project area to the Downtown Stockton Transit Center.

Regional Transportation Plan – the proposed project does not preclude the construction of projects identified in the RTP, and would be required to pay applicable local and regional transportation impact fees to fund the construction of transportation improvements.

Interregional STAA Study for I-5 and SR 99 – the project does not preclude the construction of improvement projects identified in the STAA study, nor does it propose land uses that are expected to have large truck-trip generating components.

As discussed above, the proposed project does not conflict with local and regional transportation plans.

Project site designs will be required to conform to City design standards and the project is not expected to create any significant impacts to pedestrians, bicyclists or traffic operations. Therefore, impacts related to site access and circulation to the proposed project would be less-than-significant.

The proposed project would provide an adequate supply of off-street parking based on the City's requirements. The project will be required to meet the City's parking requirements and subject to final City approval of proposed parking plans. Therefore, there would be no significant parking impacts expected to surrounding properties or City streets.

c) 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?

The project will therefore not have an impact on any airports or airstrips traffic levels or result in changes to air traffic safety. See related discussion under the Hazards section, above.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

There are no sharp turns or curves or other design features which may result in creation of a safety hazard for pedestrians, bicyclists or vehicles. The project does not include the construction of new streets or other potential road hazards. All driveways, garage entrances, and other vehicle access points are subject to the adopted standards of the City of Stockton, which are designed to address potential traffic hazards. A short-term impact to circulation may occur related to replacement or new construction of sewer lines in

the public streets of the project area. This would occur as part of utility line excavations, and may temporarily reduce the number of vehicle travel lanes available. This impact is not expected to be significant as the City will require appropriate traffic control measures, including use of a field crew and signage of the excavation work, and as the impact will be short-term in nature.

e) Result in inadequate emergency access?

The project will utilize the existing circulation infrastructure in the downtown area, along with site plan review of new development proposals as part of the project, which will ensure adequate emergency vehicle access.

f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The City of Stockton has an adopted Bicycle Master Plan that identifies a Class III bike lane on East Weber Avenue within the project site. The project does not preclude development of this bike lane and is otherwise consistent with the Plan. The San Joaquin Regional Transit District maintains the Downtown Transit Center, a major bus hub that serves much of San Joaquin County. The Downtown Transit Center is located within the project area. The project will not detract from the existing serviceability of the Center and will likely result in increased public ridership as a result of increased residential and commercial/mixed-use development.

MITIGATION:

None required.

P. UTILITIES AND SERVICE SYSTEMS					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,4,7
b) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,4,7,15
c) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,4,7,15
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4,16
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,4,7
f) Not be able to be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
g) Be in non-compliance with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

DISCUSSION:

- a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*
- b) *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?*
- c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

The project will connect to the City of Stockton Municipal Sanitary Sewer and Storm Sewer systems. Both systems are under the regulatory authority of the City of Stockton Municipal Utilities Department (MUD) and the Central Valley Regional Water Quality Control Board.

The Stockton Regional Wastewater Control Facility (RWCF) provides the wastewater service for the Stockton service area. The wastewater at the RWCF undergoes tertiary treatment. Tertiary treatment includes nitrification, dual media filtration, chlorination, and dechlorination prior to discharge to the San Joaquin River. The RWCF currently treats about approximately 30 million gallons per day (average annual flow) of wastewater, with a remaining permitted capacity of approximately 55 mgd.

The applicant provided an overview of wastewater and storm drainage demands anticipated from development of the project (Dillon and Murphy, July 2015), considering both an expected average development scenario on a per-lot basis, and for demands created from the entire project at buildout. The analysis determined sewer flows based on residential and non-residential uses proposed by the project, and showed the project area sewer lines are 6-inch diameters. Peak factor sewer flows were calculated at 2.31 cfs. With a projected wastewater generation demand of approximately 0.4 mgd, and with the RWCF having capacity to treat 55 mgd, wastewater generated by the project can be readily treated at the RWCF.

The City's sanitary sewer analysis has demonstrated that some local sewer lines bordering the project boundaries can accommodate a portion of the project development. Other local sewer lines bordering the project boundaries are at flow capacity; and will require upsizing to accommodate higher density land uses than currently existing. In the case of phased development, there are opportunities where redevelopment to higher densities can occur in specific areas within the project area without requiring sewer line improvements.

The Municipal Utilities Department's (MUD) analysis also shows that larger sewer trunk mains leading away from the downtown area west, along Market Street, to the RWCF are presently nearing capacity during peak flow periods. The addition of wastewater flows into the City's sewer trunk mains in this downtown area therefore could adversely impact the City's conveyance system. However, as many of the properties as part of the project are already developed (and therefore have allocated conveyance capacities), the net impact on sewer conveyance for some parcels in the project area may not significantly increase over that already existing conditions. Further, the City anticipates that sewer lines in the Market Street area west of the project area would be upsized in response to future downtown redevelopment.

As actual wastewater demands upon City utility systems in the immediate project area and downstream would not be known until such time as specific developments are proposed, City MUD review of the project engineering analysis identified that additional study will be required. This analysis would be used to determine the wastewater flow from each proposed building (including an analysis of any existing sewer flows into the system for buildings which may be demolished or rehabilitated) to determine necessary pipe size capacity in the immediate area, as well as, for any upsizing of downstream sewer trunk mains that may be required. A mitigation measure requiring this analysis and possible sewer main is provided below. With implementation of the mitigation measure, the project is not anticipated to produce any type of wastewater discharge that would exceed any applicable standards or present a significant impact upon City sewer systems.

Water facilities for the project area include existing infrastructure (water delivery lines) located within public street rights-of-way throughout the downtown area. The California Water Company – Stockton Division (Cal Water) is the provider of water for the project area. Cal Water receives its supplies from two sources: purchased water from the Stockton East Water District (SEWD), and groundwater wells located in the District. Water from both sources is delivered to the Dr. Joe Waidhofer Drinking Water Treatment Plant located in east Stockton, with treated water then pumped through transmission mains to Cal Water's service area. This plant currently has the capacity to treat up to 50,400 acre-feet per year, and produces an average of approximately 41,100 acre-feet per year of treated surface water. Based on water demand estimates generated through the project Water Supply Assessment, there are no anticipated

improvements required to the water delivery system beyond possible upgrades to some downtown transmission lines; this would be determined by Cal Water in reviewing developer requests for water service. Water supply issues are addressed below, under item e).

d) 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?

Review of the analysis by the City's Municipal Utility Department (MUD) found that the City's storm drainage system is generally considered to be sufficient to accommodate any increased demand upon and discharges to the system, in large part due to the urbanized nature of the project area and extent of existing impervious surfaces. However, review of final design plans will be considered as part of standard site and improvement plans submitted to the City for new development. This may include replacement of existing sewer lines and mains. This would result in a temporary impact upon air quality, noise and traffic (related to dust generation and use of heavy equipment and travel lane closures while existing underground lines in the project area are excavated and new, larger lines are installed). See the Air Quality, Noise and Traffic sections of this Initial Study for further discussion of these impacts.

The project is not anticipated to produce any type of wastewater discharge that would exceed any applicable standards. An Erosion Control plan is also required to be incorporated into the project plans and/or grading plans prior to approval. Depending upon the nature of particular site development, developers may also be required to apply for obtain MUD approval of a Storm Water Pollution and Prevention Plan prior to City issuance of a grading permit. On-site storm drainage systems will be built as part of the project development, and will include use of Best Management Practices that will include any appropriate on-site pre-treatment, with connections made to existing storm drain systems in place along City streets. The project will be conditioned to comply with the Storm Water Quality Control Criteria Plan, per SMC Section 13.20.010, and as outlined in the City's Phase 1 Storm Water NPDES permit issued by the California Water Quality Control Board, Central Valley Region. Therefore, impacts to utility storm drain systems is expected to be less than significant.

e) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The project will obtain water from the California Water Service Company (Cal Water), the local water purveyor. Provision of water is contingent upon a commitment to serve from Cal Water, which draws its water from a variety of legally-entitled sources. Cal Water issued a Water Supply Assessment for the project on October 9, 2015. The Assessment, prepared by Yarne & Associates, Inc., examined the supply sources for Cal Water (groundwater and water purchased from the Stockton East Water District), including the ability to serve the project during multiple dry years, and compared it to projected water demand for the project. The project would be expected to require a collective net 94.52 acre feet/year at buildout. The Assessment determined that, even during periods of prolonged drought, Cal Water would have the ability to fully meet water demands of the project and its Stockton District users for the next 20 years (with amounts varying from 24,600 to 28,251 AF/year through a combination of SEWD treated water and groundwater pumping) from existing wells. Therefore, the project is anticipated to have sufficient water supplies to serve the project from existing entitlements and resources.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The project will be served by one of the several landfills and recovery facilities in San Joaquin County, including the North County Recycling Center and Sanitary Landfill, and the Lovelace Materials Recovery Facility and Transfer Station near Manteca. The project is not anticipated to require any expansion of the landfills; the North County Landfill site is expected to have adequate capacity for operations through 2046. Additionally, new development will be required to divert wastes from placement in landfills (including an emphasis on recycling and composting), reducing impacts on the landfills.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

The City complies with the requirements of the California Integrated Waste Management Act through implementation of its Integrated Waste Management Plan. The California Integrated Waste Management Act, adopted in 1989 under AB939, requires each city and counties in the State of California to divert 25% of its waste stream by 1995 and 50% by 2000. The project is expected to comply with all federal, state, and local statutes and regulations related to solid waste.

MITIGATION:

Mitigation Measure UTIL-1

At the discretion of the Municipal Utilities Department, a sanitary sewer analysis will be required for new development to examine the sewer generation from each existing and proposed building that contributes new flows to sewer lines and mains in the project area, and to determine pipe size capacities. This shall include an analysis of any existing sewer effluent capacities that are in place for existing buildings which may be proposed for demolition/new construction or rehabilitation. As necessary, the project shall also provide for design and construction of sewer line and main replacements or upsizing to support the project, including at downstream locations, either as part of the proposed project or in conjunction with any City plans for sewer line replacements, upsizing, or pump station construction. The analysis shall be required prior to City issuance of any building permits for new construction. New line construction shall be completed prior to issuance of a project building permit. Should the developer front costs for this work, the developer may be eligible for reimbursement of costs based on terms of a reimbursement agreement entered into with the City for any oversizing of lines that may be required; from other contributing developments; from the establishment of an area of benefit; or the establishment of a financing mechanism acceptable to the City to provide funding for the design and construction of sewer infrastructure improvements.

Q. MANDATORY FINDING OF SIGNIFICANCE					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Does the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1 to 16
b) Does the project have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of an individual 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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 to 16
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 to 16

DISCUSSION:

Does the project 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

The project site is located in an urbanized area, and is largely surrounded by existing residential, commercial, light industrial and office uses. The project site contains no identified wildlife habitat, water courses or similar features which might support wildlife use. Therefore, there are no aspects of the project which might substantially reduce fish or wildlife habitat, eliminate plant or animal communities, or reduce or restrict the number of rare or endangered plant or animal species. Based on a site Cultural Resources Survey, there are no identified sites of California history or prehistory affecting the project site.

Does the project 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)?

The project provides for a general level of development consistent with that previously considered under the General Plan and the General Plan EIR, as well Climate Action Plan implementation measures through provision of mixed-use development in the downtown core. Mitigations are required for the

project to address both on-site and off-site potential improvements to City sewer lines that will accommodate the project plus planned development in the downtown area. The project therefore would not produce impacts that are individually limited but cumulatively considerable.

Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The project is expected to result in a densely populated range of development in the downtown area, which would include use of public transit, pedestrian and bicycle activity. Greenhouse gas emissions, as a result, will be substantially reduced compared to a less-dense and more traditional stand-alone development. Protections mechanisms are in place through City and agency requirements regulating potential hazardous conditions, including noise generation, with the latter including mitigation to ensure short-term noise impacts related to construction are regulated. The City also has the ability to provide all necessary urban services for the project, including police and fire protection. Additionally, the project will connect to City utility systems, including sewer and storm drain, as well as to Cal Water facilities for water delivery. The project therefore is not expected to result in environmental effects that may cause substantial impacts on human beings, either directly or indirectly.

Initial Study Resource List:

1. City of Stockton General Plan, 2008
2. City of Stockton Zoning Ordinance (multiple amendments)
3. City of Stockton, Climate Action Plan, December 2014
4. Open Window Master Development Plan, September 2015
5. City of Stockton, Downtown Stockton Historical Resources Survey, 2000
6. Historic Resource Evaluation of 431 East Main Street, Garavaglia Architecture, Inc., April 2015
7. Sewer and Storm Drain Analysis, Open Window Project, Dillon & Murphy Engineers, July 2015
8. FEMA Map: Flood Insurance Rate Map
9. San Joaquin County Important Farmland Map, 2012, State Department of Conservation
10. State Geological Survey, Alquist-Priolo Earthquake Fault Zone Map, 2012
11. State Geological Survey, Landslide Hazard Map, 1989
12. State Environmental Protection Agency, hazardous materials tracking database, August 2015
13. Transportation Impact Analysis, Open Window Project, Fehr & Peers, July 2014
14. Responses to Agency Comments, Open Window Project, Fehr & Peers, November 2015
15. Project site inspections, 2015
16. Water Supply Assessment, Open Window Project, Yarne & Associates, September 2015