

INITIAL STUDY/NEGATIVE DECLARATION

[Pursuant to Public Resources Code Section 21080(c) and California Code of Regulations, Title 14, Sections 15070-15071]

LEAD AGENCY: San Joaquin County Community Development Department

PROJECT APPLICANT: DILLON AND MURPHY

PROJECT TITLE/FILE NUMBER(S): PA-1900108

PROJECT DESCRIPTION: This project is a Minor Subdivision application to subdivide two (2) parcels totaling 151.4 acres into four (4) parcels. Parcel 1 to contain 2 acres as a homesite parcel. Parcel 2 to contain 50.8 acres. Parcel 3 to contain 48.6 acres. Parcel 4 to contain 50.0 acres. All of the resultant parcels will be accessed from N. Davis Road with one exception: The remaining landlocked parcel will be accessed via a proposed 25' access easement crossing one of the resultant parcels. Any residential development will require onsite private well, septic system, and storm drainage.

The project site is located on the east side of North Davis Road, 0.6 miles north of W. Woodbridge Road, northwest of Lodi.

ASSESSOR PARCEL NO.: 013-090-27; -28; -29; -30; and -31

ACRES: 151.56

GENERAL PLAN: A/G (General Agriculture)

ZONING: AG-40 (General Agriculture, 40-acre minimum)

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):
One single family residence and accessory structures on each parcel.

SURROUNDING LAND USES:

NORTH: Agriculture with scattered residences

SOUTH: Agriculture with scattered residences

EAST: Agriculture with scattered residences, Mokelumne River, Woodbridge Irrigation canal

WEST: Agriculture with scattered residences

REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc.

TRIBAL CULTURAL RESOURCES:

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Yes.

GENERAL CONSIDERATIONS:

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?

☐ Yes ☒ No

Nature of concern(s):

PA-1900108 (MS) – Initial Study

2. Will the project require approval or permits by agencies other than the County?

☐ Yes ☒ No

Agency name(s):

3. Is the project within the Sphere of Influence, or within two miles, of any city?

☒ Yes ☐ No

City: Lodi

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

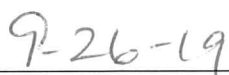
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| ☐ Aesthetics | ☐ Agriculture and Forestry Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Energy |
| ☐ Geology / Soils | ☐ Greenhouse Gas Emissions | ☐ Hazards & Hazardous Materials |
| ☐ Hydrology / Water Quality | ☐ Land Use / Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population / Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☐ Tribal Cultural Resources |
| ☐ Utilities / Service Systems | ☐ Wildfire | ☐ Mandatory Findings of Significance |

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, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature


Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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I. AESTHETICS.

Except as provided in Public Resources Code Section 21099, would the project:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | ☐ | ☐ | ☐ | ☒ | ☐ |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | ☐ | ☐ | ☐ | ☒ | ☐ |

Impact Discussion:

- a-d) This project is a Minor Subdivision application. No development is proposed with this application. The project will have no impact on aesthetics as the project falls outside a scenic vista and scenic resource area.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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II. AGRICULTURE AND FORESTRY 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 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 nonagricultural use? | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) 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))? | ☐ | ☐ | ☐ | ☒ | ☐ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ | ☐ |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ | ☐ |

Impact Discussion:

- The project is a Minor Subdivision creating four parcels from two parcels. The parcels are located in an agriculturally-zoned area. Three of the four parcels will remain large enough to sustain their agricultural use. The fourth parcel is being created as a homesite parcel, which is permitted under Development Title Section 9-610.3(a). The homesite parcel will be 2.0 acres in size and will continue to be zoned AG-40, therefore the impact to the conversion of farmland will be less than significant.
- The project is a Minor Subdivision creating four parcels from two parcels. The zoning of the parcels will remain the same and the parcels are not under a Williamson Act contract, therefore, the project will not impact existing agricultural zoning or a Williamson Act contract.
- The project is a Minor Subdivision creating four parcels from two parcels. The project is located in an agriculturally-zoned area and is not located within forest land or timberland, therefore, the project will not impact existing forest land or timberland zoning or result in the loss of forest land.

- e) The project is a Minor Subdivision creating four parcels from two parcels. No other changes to the existing environment are anticipated.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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III. 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:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☐ | ☒ | ☐ |
| d) Result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people? | ☐ | ☐ | ☐ | ☒ | ☐ |

Impact Discussion:

- a-d) This project is a Minor Subdivision application. No development is proposed with this application. Therefore, any impacts to air quality are expected to be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analysed No Impact Prior EIR
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IV. BIOLOGICAL RESOURCES:

Would the project:

- | | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| 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? | ☐ | ☒ | ☐ | ☐ | ☐ |
| 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? | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☐ | ☒ | ☐ |
| 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? | ☐ | ☐ | ☐ | ☒ | ☐ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☐ | ☒ | ☐ |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☒ | ☐ |

Impact Discussion:

- a) The California Department of Fish and Wildlife Natural Diversity Database lists *Buteo swainsoni* (Swainson's Hawk) and *Lepidurus packardii* (vernal pool tadpole shrimp) as rare, endangered, or threatened species or habitat located on or near the site for the proposed project. Referrals have been sent to the San Joaquin Council of Governments (SJCOG), the agency responsible for verifying the correct implementation of the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP), which provides compensation for the conversion of Open Space to non-Open Space uses which affect the plant, fish and wildlife species covered by the Plan. Pursuant to the Final EIR/EIS for SJMSCP, dated November 15, 2000, and certified by SJCOG 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.

SJCOG responded in a letter dated June 26, 2019, that the project is subject to SJMSCP and is located within the unmapped land use area. The applicant's participation in SJMSCP will ensure any impacts on biological species are mitigated to less than significant.

- b-c) The project will have no impact on a riparian habitat as the project is a subdivision of two parcels into four parcels and does not include ground disturbance as no development is proposed with this application.
- d-f) The project will have no impact on resident or migratory wildlife corridors, protected biological resources, nor will it conflict with habitat conservation plans as the project is a subdivision of two parcels into four parcels and does not include ground disturbance.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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V. CULTURAL RESOURCES.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | ☐ | ☐ | ☐ | ☒ | ☐ |

Impact Discussion:

- a-c) The proposed project is a subdivision of two parcels into four parcels, a process that does not include any ground disturbance. Therefore, the project will have no impact on a historical resource or an archaeological resource, nor will the project disturb any human remains.

Project referrals were sent June 21, 2019 to the California Tribal TANF Partnership, the California Native American Heritage Commission, the California Valley Miwok Tribe, the North Valley Yokuts Tribe, and the United Auburn Indian Community. In response to the project referral, the United Auburn Indian Community (UAIC) requested a consult and requested copies of any archeological studies and environmental documents prepared for the proposed project. In the course of the consult, the UAIC provided informational materials to the lead agency to, in turn, provide to the project applicant with the stipulation that any future ground disturbance to the project site is subject to the protection measures and protocols for inadvertent discoveries of archeological resources, as outlined in the information provided.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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VI. ENERGY.

Would the project:

- a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

☐	☐	☐	☒	☐
☐	☐	☐	☒	☐

Impact Discussion:

- a-b) The project will have no impact on cultural resources as the project is a subdivision of two parcels into four parcels and does not include ground disturbance. No development is proposed with this application.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>VII. GEOLOGY AND SOILS.</u>					
Would the project:					
a) Directly or indirectly cause 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.	☐	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
d) Be located on expansive soil and create direct or indirect risks to life or property?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒	☐

Impact Discussion:

- a-d) The project will have no impact on cultural resources as the project is a subdivision of two parcels into four parcels and does not include ground disturbance. No development is proposed with this application.
- e) The project is a subdivision of two parcels into four parcels and does not include ground disturbance. No development is proposed with this application. Any future development requiring the use of septic tanks or alternative waste water disposal systems will be required to meet the County standards for septic system installation under permit from the San Joaquin County Environmental Health Department. Therefore, this project will have no impact on soils.
- f) The San Joaquin County General Plan 2035 indicates that the county will protect significant archeological and historical resources by requiring an archeological report prepared by a qualified cultural resource specialist prior to the issuance of any discretionary permit or approval in areas determined to contain significant historic or prehistoric archeological artifacts that could be disturbed by project construction. However, this project is a subdivision of two parcels into four parcels and does not include ground disturbance. No development is proposed with this application.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analyzed No Impact Prior EIR
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VIII. GREENHOUSE GAS EMISSIONS.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☐ | ☒ | ☐ |

Impact Discussion:

- a-b) Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO_{2e}/yr).

As noted previously, the proposed project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*.¹¹ The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002-2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy-efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. As such, the analysis herein is limited to discussion of long-term operational GHG emissions.

¹¹ San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17, 2009. San Joaquin Valley Air Pollution Control District. *District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. December 17, 2009.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☐ | ☒ | ☐ |
| 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? | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☐ | ☒ | ☐ |
| 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? | ☐ | ☐ | ☐ | ☒ | ☐ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ | ☐ |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ | ☐ |
| g) Expose people or structures, either directly or indirectly, 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? | ☐ | ☐ | ☐ | ☒ | ☐ |

Impact Discussion:

- a-c) This project will not have an impact on hazards and hazardous materials as the project is a subdivision of two parcels into four parcels and does not include the use or transport of hazardous materials. No development is proposed with this application.
- d) The project site is not included on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and, therefore, will not create a significant hazard to the public or the environment.
- e) The project site is not located within an airport land use plan. Therefore, the project will have no impact on people residing or working in the project area.
- f) The proposed project, a subdivision of two parcels into four parcels, is located within an agricultural area with existing roadways. Each resultant parcel will access directly onto a county-maintained roadway.
- g) The project location is in the urban community of Stockton, CA, which is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

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

Impact Discussion:

- a-b) This project will not result in any ground disturbance and therefore will not have any impact on hydrology and water quality. There is no development proposed for the resultant parcels with this application.
- c) The project is the subdivision of two parcels into four parcels and there is no ground disturbance involved. No development is proposed with this application. Therefore, the project will have no impact on existing drainage patterns.
- d-e) No development is proposed with this application. The project site is not in a tsunami or seiche zone. The site is located in an 'A' flood designation area, which is defined as areas subject to 1% annual chance (100-year) flood. Therefore, there is no risk of release of pollutants due to inundation. The project itself, a subdivision of two parcels into four parcels, if approved, will not result in an increase to surface, channel or stream volumes, or alterations to drainage patterns or streams, nor will it result in any erosion of or sedimentation to a channel, river or body of water. If approved, any new development will have to comply with Development Title Section 9-1605 regarding flood hazards. Compliance with the Development Title will ensure that the proposed project will have a less than significant impact on the local water.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XI. LAND USE AND PLANNING.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Physically divide an established community? | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☐ | ☒ | ☐ |

Impact Discussion:

- a-b) This project is a Minor Subdivision application to subdivide two parcels into four parcels. Each parcel will have an area of a minimum of 40 acres with the exception of the one homesite parcel, which will consist of two acres. No development is proposed with this application.

The parcel is zoned General Agriculture, with a 40-acre minimum size (AG-40). The proposed subdivision may be conditionally permitted in this zone with an approved Minor Subdivision application. Therefore, the project will have no impact on land use and planning nor will it cause a significant environmental impact.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XII. MINERAL RESOURCES.

Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

☐	☐	☐	☒	☐
☐	☐	☐	☒	☐

Impact Discussion:

- a-b) This project will not result in any ground disturbance because the project does not propose any development. Therefore, the project will not have any impact on mineral resources.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIII. NOISE.

Would the project result in:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☐ | ☒ | ☐ |
| c) For a project within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ | ☐ |

Impact Discussion:

- a-c) The proposed project is a General Plan Map Amendment and Zone Reclassification with no proposed development. Therefore, the project will not result in any ground disturbance or construction and the project will not result in an increase in noise levels and will have no impact on noise.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIV. POPULATION AND HOUSING.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ | ☐ |

Impact Discussion:

- a-b) This project is a subdivision of two parcels into four parcels. No development is proposed with this project, therefore, the project is not anticipated to have an impact on population and housing.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XV. PUBLIC SERVICES.

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:

Fire protection?	☐	☐	☐	☒	☐
Police protection?	☐	☐	☐	☒	☐
Schools?	☐	☐	☐	☒	☐
Parks?	☐	☐	☐	☒	☐
Other public facilities?	☐	☐	☐	☒	☐

Impact Discussion:

- a) This project is a subdivision of two parcels into four parcels. No development is proposed with this project, therefore, the project is not anticipated to have an impact on public services.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVI. RECREATION.

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?

☐	☐	☐	☒	☐
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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?

☐	☐	☐	☒	☐
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Impact Discussion:

a-b) This project is a subdivision of two parcels into four parcels. No development is proposed with this project and the project is not anticipated to have an impact on recreation.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVII. TRANSPORTATION.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities? | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | ☐ | ☐ | ☒ | ☐ | ☐ |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☒ | ☐ | ☐ |
| d) Result in inadequate emergency access? | ☐ | ☐ | ☒ | ☐ | ☐ |

Impact Discussion:

- a-d) The project is a subdivision of two parcels into four parcels. No development is proposed with this project. A project referral was sent to the Department of Public Works on June 21, 2019, and the Department responded that the project is anticipated to have a less-than-significant impact on transportation.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVIII. TRIBAL CULTURAL RESOURCES.

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

☐ ☐ ☐ ☒ ☐

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

☐ ☐ ☐ ☒ ☐

Impact Discussion:

a) The proposed project is a subdivision of two parcels into four parcels, a process that does not include any ground disturbance. Therefore, the project will not cause a substantial adverse change in the significance of a tribal cultural resource.

Project referrals were sent June 21, 2019 to the California Tribal TANF Partnership, the California Native American Heritage Commission, the California Valley Miwok Tribe, the North Valley Yokuts Tribe, and the United Auburn Indian Community. In response to the project referral, the United Auburn Indian Community (UAIC) requested a consult and requested copies of any archeological studies and environmental documents prepared for the proposed project. In the course of the consult, the UAIC provided informational materials to the lead agency to, in turn, provide to the project applicant with the stipulation that any future ground disturbance to the project site is subject to the protection measures and protocols for inadvertent discoveries of archeological resources, as outlined in the information provided.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIX. UTILITIES AND SERVICE SYSTEMS.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☒ | ☐ |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | ☐ | ☐ | ☐ | ☒ | ☐ |
| 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? | ☐ | ☐ | ☐ | ☒ | ☐ |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | ☐ | ☐ | ☐ | ☒ | ☐ |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | ☐ | ☐ | ☐ | ☒ | ☐ |

Impact Discussion:

- a-e) The project is the subdivision of two parcels into four parcels. No development is proposed with this application. Any future residential development on the resultant parcels will be required to install private wells for water and onsite septic systems for sewage. Therefore, the project will not have a significant impact on utilities and service systems.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XX. WILDFIRE.</u>					
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒	☐

Impact Discussion:

a-d) The project area is outside of high fire hazard severity zones and is not anticipated to be impacted by wildfire.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XXI. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

☐	☐	☐	☒	☐
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b) 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)?

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

☐	☐	☐	☒	☐
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Impact Discussion:

Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or surrounding area. Mitigation measures have been identified in areas where a potentially significant impact has been identified and these measures have reduced these impacts to a less than significant level.

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

PA-1900108 (MS) – Initial Study

