PUBLIC REVIEW

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

LODI UNIFIED FOURTH HIGH SCHOOL STORM DRAINAGE PUMP STATION, OUTFALL, AND BIKE PATH PROJECT

Near West Lane and Morada Lane,
STOCKTON, CA

June 22, 2004

Prepared for:
Lodi Unified School District
1305 E. Vine Street
Lodi, CA 95240

Prepared by:
INSITE ENVIRONMENTAL. INC.
6653 Embarcadero Drive, Suite Q
Stockton, CA 95219

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ENVIRONMENTAL INFORMATION AND INITIAL STUDY FORM
(Pursuant to Cal. Code of Regulations, Title 14, Sections 15063-15065)

INITIAL STUDY FILING DATE: **June 22, 2004**

LEAD AGENCY

Lodi Unified School District
1305 E. Vine Street
Lodi, CA 95240
(209) 331-7219

Note: *The purpose of this document is to describe the project, its environmental setting, any potentially significant adverse environmental impacts which may be caused by the project or which may affect the project site and/or surrounding area, and any mitigation measures which will be incorporated into the project. Please complete all applicable portions of Section A (General Information/Project Description) and as much of Section B (Project Site Characteristics) as possible. If a question is not applicable, then, respond with "N/A". After completing Sections A and B, please sign the certification following Section B and attach any supplemental documentation and exhibits as deemed necessary. The completed form and applicable fees should be filed at the above-noted Lead Agency address.* PLEASE TYPE OR PRINT IN DARK INK.

A. GENERAL INFORMATION/PROJECT DESCRIPTION *(Completed by Applicant)*

1. Project Title: **LODI UNIFIED 4TH HIGH SCHOOL STORM DRAINAGE PUMP STATION, OUTFALL AND BIKE PATH PROJECT**

2. Property Owner(s): **LODI UNIFIED SCHOOL DISTRICT**

   Address: **1305 E. VINE STREET, LODI, CA** Zip **95240** Phone **(209) 331-7219**

3. Applicant/Proponent: **LODI UNIFIED SCHOOL DISTRICT**

   Contact Person: **MAMIE STARR**

   Address: **1305 E. VINE STREET, LODI, CA** Zip **95240** Phone **(209) 331-7219**

4. Consulting Firm: **INSITE ENVIRONMENTAL** Contact Person: **CHARLIE SIMPSON**

   Address: **6653 EMBARCADERO DRIVE, SUITE Q, STOCKTON** Zip **95219** Phone **(209) 472-8650**

5. Project Site Location:
   a. Address (if applicable) or Geographic Location: **NORTH OF THE FUTURE WESTWARD EXTENSION OF WESTWARD EXTENSION OF MORADA LANE, WEST OF WEST LANE, SOUTH OF AND ADJACENT TO BEAR CREEK**

   b. Assessor's Parcel Number(s): **084-05-20**

   c. Legal Description *[Attach metes and bounds (bearings and dimensions) description and corresponding map(s) or list existing lots of record from recorded deed]*: **N/A**

6. General Project Description: (*Describe the whole action, including later phases of the project and any secondary, support, or offsite features necessary for its implementation. Attach additional sheets if necessary.*)

   THE PROPOSED PROJECT INVOLVES CONSTRUCTION OF A STORM DRAINAGE PUMP STATION, AN OUTFALL STRUCTURE AND A BIKE PATH TO SERVE AN APPROVED HIGH SCHOOL, LIBRARY AND PARK SITE WITHIN THE CITY OF STOCKTON.

   AN ENVIRONMENTAL IMPACT REPORT (EIR) WAS PREPARED FOR THE LODI UNIFIED SCHOOL DISTRICT (LUSD) IN 1995, ADDRESSING THE ANNEXATION AND DEVELOPMENT OF A FOURTH HIGH SCHOOL, LIBRARY FACILITY, AND PUBLIC PARK IN THE VICINITY OF WEST LANE AND MORADA LANE IN NORTH STOCKTON (SCH# 1993042006). THE LUSD BOARD OF TRUSTEES REVIEWED AND CERTIFIED THE EIR ON JUNE 4, 1996 (LUSD RESOLUTION #96-27). ALTERNATIVE AREA ONE IN THIS EIR, LOCATED WEST OF WEST LANE AND SOUTH OF BEAR CREEK, WAS IDENTIFIED AS THE PREFERRED ALTERNATIVE. THIS INITIAL STUDY WILL NOT ADDRESS THE ENVIRONMENTAL IMPACTS ASSOCIATED WITH DEVELOPMENT OF THE HIGH SCHOOL, LIBRARY OR PARK FACILITIES. THESE IMPACTS WERE TREATED IN THE PREVIOUS EIR.

THIS INITIAL STUDY WILL ADDRESS A MODIFIED STORM DRAINAGE SYSTEM AND PROPOSED BIKE PATH THAT WERE NOT INCLUDED IN THE PROJECT DESCRIPTION OF THE PREVIOUS EIR. THE PREVIOUS EIR PROPOSED GRAVITY COLLECTION LINES FOR THE SITE, AN ON-SITE DETENTION BASIN TO HOLD STORM WATER DURING PEAK FLOW EVENTS, AND AN INTERIM PUMP STATION ADJACENT BEAR CREEK TO PUMP RUNOFF OVER THE LEVEE AND INTO THE WATER CHANNEL. THE CURRENT STORM DRAINAGE PROPOSAL INVOLVES A CHANGE IN THE STORM DRAINAGE SYSTEM DESCRIBED BY THE PREVIOUS EIR. IT IS FOR A STAND ALONE STORM DRAINAGE SYSTEM CONSISTING OF A PERMANENT PUMP STATION IN THE NORTHWEST CORNER OF THE HIGH SCHOOL, PARK AND LIBRARY SITE, AN OUTFALL STRUCTURE CONSTRUCTED THROUGH THE BEAR CREEK LEVEE, AND A BIKE PATH ATOP THE BEAR CREEK LEVEE. TERMINAL DRAINAGE WOULD FLOW INTO BEAR CREEK. NO DETENTION BASIN IS PROPOSED. THE PREVIOUSLY APPROVED STORM DRAINAGE GRAVITY LINES WOULD SERVE THE 71-ACRE HIGH SCHOOL, PARK, LIBRARY AND AN APPROXIMATELY 17-ACRE SITE SOUTH OF THE SCHOOL AND DRAIN INTO THE PROPOSED PUMP STATION. EACH OF THE PROJECT ELEMENTS IS DETAILED BELOW.

A 30-FOOT WIDE UTILITY EASEMENT TO THE CITY OF STOCKTON IS PROPOSED OVER PORTIONS OF THE PROPOSED STORM DRAINAGE SYSTEM ON THE PROPOSED HIGH SCHOOL AND PARK SITE.

THE PROPOSED PUMP STATION WOULD BE LOCATED ON APPROXIMATELY 0.4 ACRES IN THE NORTHWEST CORNER OF THE HIGH SCHOOL AND PARK SITE. THE DESIGN CAPACITY OF THE PUMP STATION IS 58 CFS, BASED ON THE CITY OF STOCKTON 10-YEAR STORM. THE STATION WOULD INCLUDE THREE PRIMARY ELECTRIC PUMPS AND ONE LOW-FLOW ELECTRIC PUMP FOR MINOR STORMS. THE SUMP WOULD BE LOCATED IN AN OPEN AIR STATION, ENCLOSED BY FENCING PER CITY STANDARDS. PAVED AREAS WOULD BE PROVIDED FOR VEHICULAR TRAFFIC.

THE PUMP STATION WOULD DISCHARGE RUNOFF TO BEAR CREEK VIA THREE 24-INCH UNDERGROUND DISCHARGE PIPES. THE LOW-FLOW PUMP WOULD DISCHARGE TO BEAR CREEK VIA A 12-INCH UNDERGROUND PIPE. THESE DISCHARGE PIPES WOULD TRAVEL THROUGH THE EXISTING BEAR CREEK LEVEE AT OR ABOVE THE 100-YEAR FLOOD ELEVATION AND BE COVERED WITH TWO FEET OF COMPACTED COVER AND FOUR INCHES OF AGGREGATE BASE. EARTH DISPLACEMENT FROM DISCHARGE PIPES AND ADDITION OF LEVEE FILL WOULD RAISE THE LEVEE ELEVATION +/- 0.7 FEET, FROM 30.3 TO 31 FEET ABOVE SEA LEVEL. APPROXIMATELY 1,500 SQUARE FEET OF RIP RAP SLOPE PROTECTION WOULD BE CONSTRUCTED IN THE BEAR CREEK CHANNEL, ADJACENT TO THE OUTFALL STRUCTURE.

THE SUMP WOULD INCLUDE A SEDIMENT SUMP TO COLLECT POLLUTANTS FOR REMOVAL DURING ROUTINE MAINTENANCE. THE SEDIMENT SUMP IS PART OF THE CITY OF STOCKTON BEST MANAGEMENT PRACTICES FOR STORM WATER QUALITY. THE SEDIMENT SUMP WILL REDUCE POLLUTANT DISCHARGE INTO BEAR CREEK.

THE STORM DRAINAGE PROJECT WOULD INCLUDE AN EMERGENCY GENERATOR WITH A TRANSFORMER AND CONTROL PANEL, SIZED TO OPERATE THE PUMP STATION AT DESIGN CAPACITY. THE GENERATOR WOULD BE NATURAL GAS OR DIESEL POWERED. THE EMERGENCY GENERATOR WOULD BE PROVIDED IN ACCORDANCE WITH CITY OF STOCKTON STANDARDS.

IN ADDITION TO THE PROPOSED STORM DRAINAGE IMPROVEMENTS, A CLASS I BIKE PATH IS PROPOSED ON TOP OF THE EXISTING LEVEE, EXTENDING FROM THE OUTFALL STRUCTURE TO WEST LANE. THE BIKE PATH WOULD CONSIST OF A 12-FOOT WIDE PAVED SURFACE ON AN AGGREGATE BASE. A RAMP LEADING UP TO THE PATH WOULD ORIGINATE WITHIN THE PARK SITE, EAST OF THE PUMP STATION. THE BIKE PATH AND LEVEE AREAS WILL NOT BE LANDSCAPED, BUT WILL BE MAINTAINED FOR WEED CONTROL. THIS BIKE PATH IS DESIGNATED AND PLANNED FOR IN THE CITY OF STOCKTON'S BICYCLE FACILITIES MASTER PLAN (1995).

STORM DRAINAGE LINES WERE APPROVED AS PART OF THE PREVIOUS EIR AND NO IMPACT ANALYSIS FOR THEM WILL BE INCLUDED IN THIS DOCUMENT. DESIGN PLANS FOR THE PROPOSED STORM DRAINAGE LINES ARE AS FOLLOWS. PROPOSED DRAINAGE LINES WOULD BE LOCATED ALONG THE PERIMETER OF THE HIGH SCHOOL AND LIBRARY SITE (SEE FIGURE 7) AND WOULD BE CONSTRUCTED WITH PROPOSED STREET IMPROVEMENTS ON THE HIGH SCHOOL, PARK AND LIBRARY SITE. DRAINAGE LINES ARE NOT PROPOSED NORTH OF THE PARK SITE, ADJACENT TO BEAR CREEK. THE PARK SITE WILL DRAIN TO LINES LOCATED ON THE NORTHERN BOUNDARY OF THE HIGH SCHOOL SITE. DRAINAGE LINE SIZES RANGE FROM 12 TO 48 INCHES. THE INTERIOR DRAINAGE OF THE SITE IS STILL IN THE DESIGN STAGE. AN 84-INCH INTAKE PIPE WITH AN INTAKE TRANSITION WOULD CONNECT THE SITE'S DRAINAGE LINES TO THE PUMP STATION SUMP.

THE DRAINAGE LINE LOCATED ON THE WESTERN EDGE OF THE PROPERTY IS SIZED TO ACCOMMODATE DEVELOPMENT OF THE 17-ACRE ALPINE PACKING PROPERTY SOUTH OF THE MORADA LANE ALIGNMENT

UNDER ITS CURRENT GENERAL PLAN DESIGNATION OF LOW-MEDIUM DENSITY RESIDENTIAL. THIS LINE MAY REQUIRE UPSIZING TO ACCOMMODATE HIGHER INTENSITY DEVELOPMENT, IF PROPOSED IN THE FUTURE.

7. Applications Currently Under City Review: File Number(s):

NONE

8. Other Permits/Reviews Required By The City, County, State, Federal Or Other Agencies For Project Implementation:

Agency:	Permits/Reviews:
CITY OF STOCKTON	**BUILDING PERMITS**
SJVAPCD	**AUTHORITY TO CONSTRUCT/PERMIT TO OPERATE (BACKUP GENERATOR)**
STATE RECLAMATION BOARD	**ENCROACHMENT PERMIT**
SJAFCA	**ENCROACHMENT PERMIT**
ARMY CORP OF ENGINEERS	**SECTION 404**
DEPT. OF FISH AND GAME	**STREAM ALTERATION AGREEMENT**
RWQCB	**SECTION 401 WATER QUALITY CERTIFICATION**

9. Describe Proposed General Plan (GP) Amendments and/or Prezoning/Rezoning (Zoning) Requests, If Applicable:

Existing GP Designation	Proposed GP Desig.	Acres	Existing Zoning	Proposed Zoning	Acres
N/A					

10. Describe Any Site Alterations Which Result From The Proposed Project: (*Address the amount and location of grading, cuts and fills, vegetation/tree removal, alterations to drainage, removal of existing structures, etc.*)

DEVELOPMENT OF THE PROJECT SITE IS REQUIRED TO SUPPORT PROPOSED INSTITUTIONAL AND RECREATIONAL USES FOR THE SITE. THE PROPOSED PROJECT WILL INVOLVE GRADING OF THE 0.4-PROJECT SITE AND CONSTRUCTION OF A PUMP STATION AND OUTFALL STRUCTURE. GRAVITY LINES WOULD BE INSTALLED IN CONJUNCTION WITH STREET IMPROVEMENTS, NO ADDITIONAL GRADING WOULD BE REQUIRED. THE PROJECT WILL RESULT IN MINOR ALTERATIONS IN TOPOGRAPHY. STORM DRAINAGE WILL BE DIRECTED TO BEAR CREEK.

11. Specific Project Description/Operational Characteristics:

a. Describe Proposed Commercial, Industrial, Institutional, and Recreational Uses (*all non-residential uses*):

SEE SECTION 6. PROJECT DESCRIPTION, ABOVE.

(1)	Proposed Land Use(s)	Zoning	Site Acreage	Structure Sq. Ft.	Required Parking	Parking Provided
	INSTITUTIONAL	**R-1**	**0.4**	**N/A**	**N/A**	**N/A**

(2) Describe Project Phasing (*location/timing*): **THE PROJECT DOES NOT INCLUDE A PHASING PROPOSAL.**

(3) Days/Hours of Operation: **N/A;** Work Shifts Per Day: **NONE**

(4) Total Number of Employees: **N/A;** Number Of Employees Per Work Shift: **N/A**

(5) Number of Company Vehicles/Trucks: **N/A**

(6) Estimated Number Of Vehicle Trip Ends (TE) Per Day Generated By Project: **INCIDENTAL**

(7) Estimated Maximum Number Of TE/Day Based On Proposed General Plan Designation: **INCIDENTAL**

(8) Will Land Use-Related Noise Produced On Site Exceed Adopted Noise Standards (*i.e.: 45 Leq dB during nighttime or 55 Leq dB during daytime hours at nearest residential property line; 75 Lmax dB at nearest commercial property line; and/or 80 Lmax dB at nearest industrial property line*)? **NO** If Yes, Describe Sources And Levels Of Noise: **N/A**

(9) Other operational or design characteristics: **NONE**

b. Describe Proposed Residential Land Uses: [check (√) or specify applicable types]
NO RESIDENTIAL USES ARE PROPOSED.

12. Will the project generate any substantial short-term and/or long-term air quality impacts, including regional/ cumulative contributions? **YES** If so, estimate the type and amount of emissions below *(e.g., tons per year of PM10, ROG, Nox, and CO)*: **POTENTIAL AIR QUALITY IMPACTS OF THE PROJECT ARE ADDRESSED IN DETAIL IN THE IS/MND, SECTION 3 AIR QUALITY.**

a. Construction Emissions: **SEE IS/MND, SECTION 3 AIR QUALITY.**
b. Stationary Source Emissions: **SEE IS/MND, SECTION 3 AIR QUALITY.**
c. Mobile Source Emissions: **SEE IS/MND, SECTION 3 AIR QUALITY.**

B. PROJECT SITE CHARACTERISTICS (*Completed by Applicant and/or Lead Agency, as applicable*):

1. Total Site Acreage (Ac.) (or) Square Footage (S.F.): **0.4 AC.**

2.

Ex. General Plan Designations	Acres (net)	Ex. Zoning (*City or County*)	Acres
LOW-MEDIUM DENSITY RESIDENTIAL,	**0.4**	**R-1 SINGLE FAMILY RESIDENTIAL**	**0.4**

3. Identify and describe any specific plans, redevelopment areas, and/or other overlay districts/zones which are applicable to the project site: **NONE**

4.

Identify Existing On-Site Land Uses and Structures:	Acres or Sq. Ft.:
VACANT	**0.4**

5. Prior Land Uses if Vacant: **N/A**

6. Describe Any On-Site And Adjacent Utility/Infrastructure Improvements And Right-Of-Ways/Easements:
THE PROJECT SITE IS LOCATED ADJACENT TO THE BEAR CREEK LEVEE SYSTEM.

7. Adjacent Land Uses, Zoning And General Plan Designations:

Adjacent Uses	Zoning	General Plan Designations
North: **VACANT/AGRICULTURE**	**AU-20 AGRICULTURE URBAN RESERVE (COUNTY)**	**LOW-MEDIUM DENSITY RESIDENTIAL**
South: **CONSTRUCTION OF SCHOOL AND LIBRARY SITE**	**PROPOSED R-1 (CITY)**	**LOW-MEDIUM DENSITY RESIDENTIAL**
East: **VACANT/AGRICULTURE**	**AU-20 AGRICULTURE URBAN RESERVE (COUNTY)**	**LOW-MEDIUM DENSITY RESIDENTIAL**
West: **VACANT/AGRICULTURE**	**R-1 (CITY)**	**LOW-MEDIUM DENSITY RESIDENTIAL**

8. If site contains at least ten (10) acres of undeveloped and/or cultivated agricultural land, complete the following:

a. Is the land classified as "Prime Farmland" and/or "Farmland Of Statewide Importance" (*as identified on the San Joaquin County "Important Farmland Map"*)? **N/A**
b. Is the site under a Williamson Act Land Conservation contract? **N/A**
c. If the site is under contract, has a "Notice of Non-Renewal" been filed? **N/A**

9. Describe important on-site and/or adjacent topographical and water features:
On-Site: **BEAR CREEK, SEE IS/MND, SECTION 8 WATER QUALITY.**
Adjacent: **BEAR CREEK, SEE IS/MND, SECTION 8 WATER QUALITY.**

10. Describe any important on-site and/or adjacent vegetation/wildlife habitat:
On-Site: **NONE, SEE IS/MND, SECTION 4 BIOLOGICAL RESOURCES.**
Adjacent: **NONE, SEE IS/MND, SECTION 4 BIOLOGICAL RESOURCES.**

11. Describe any general and special status wildlife species known to inhabit the site or for which the site provides important habitat: **SITE PROVIDES FORAGING HABITAT FOR SWAINSON'S HAWK. NO OTHER KNOWN SPECIAL STATUS SPECIES. SEE IS/MND, SECTION 4 BIOLOGICAL RESOURCES.**

12. Identify and describe any significant cultural resources on or near the site (*attach a "Records Search", "Site Survey", and/or other documentation, if applicable*): **NONE, SEE IS/MND, SECTION 5 CULTURAL RESOURCES.**

13. Identify and describe any on-site or nearby public health and safety hazards or hazardous areas (*attach a "Preliminary Site Assessment" and/or "Remediation Plan", if applicable*): **NONE, SEE IS/MND, SECTION 7 HAZARDS AND HAZARDOUS MATERIALS.**

14. Identify and describe any potentially hazardous geologic/soil conditions: **SOILS HAVE HIGH SHRINK-SWELL POTENTIAL, SEE IS/MND, SECTION 6 GEOLOGY AND SOILS**

15. Is any portion of the site subject to a 100-year flood? **YES, BEAR CREEK CHANNEL** If so, what flood zone? **FEMA ZONE A**

16. Identify and describe, below, any existing and/or projected on-site ambient noise levels which exceed adopted noise standards (*plot noise contours on proposed tentative maps or on a site plan for the project, if applicable*):

    a. Do on-site ambient noise levels from existing land uses (locally regulated noise sources) located on-site or off-site exceed adopted noise standards? **NO** If so, describe: **N/A**

    b. Does or will transportation-related noise exceed 60 Db Ldn at any exterior location or 45 Db Ldn at any interior location? **NO** If so, describe: **N/A.**

17. Indicate by checking (√) whether the following public facilities/infrastructure, utilities, and services are presently or readily available to the project site and whether the proposed project can be adequately served without substantial improvements or expansion of existing facilities and services. If new or expanded/modified facilities or services are necessary, explain below.

		Yes	No	N/A
a.	Water Supply/Treatment Facilities	√		
b.	Wastewater Collection/Treatment Facilities	√		
c.	Storm Drainage, Flood Control Facilities	√		
d.	Solid Waste Collection/Disposal/Recycling Services	√		
e.	Energy/Communication Services	√		
f.	Public/Private Roadway And Access Facilities	√		
g.	Public/Private Parking Facilities	√		
h.	Other Public/Private Transportation Services (public transit, railway, water or air transport, etc.)	√		
i.	Fire And Emergency Medical Services	√		
j.	Police/Law Enforcement Services	√		
k.	Parks And Recreation Services	√		
l.	Library Services	√		
m.	General Government Services	√		
n.	School Facilities	√		

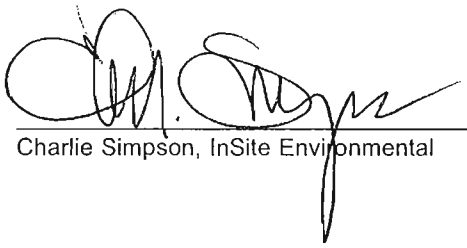
Explanation(s): N/A

SIGNATURE (*Completed by Owner or Legal Agent*)

I certify, under penalty of perjury, that the foregoing is true and correct and that I am (*check one*):

Legal property owner (*owner includes partner, trustee, trustor, or corporate officer*)

√ Owner's legal agent, authorized project applicant, or consultant (*attach proof of consent to file on owner's behalf*)



Charlie Simpson, InSite Environmental

6/21/04

Date

C. ENVIRONMENTAL SIGNIFICANCE CHECKLIST (*Completed by Lead Agency or Authorized Consultant - - Check (√) Responses and Provide Supporting Documentation and References, as applicable]:)*

- *In completing this Checklist, the Lead Agency shall evaluate each environmental issue based on the preceding Sections A and B of this Initial Study and shall consider any applicable previously-certified or adopted environmental analysis. The decision as to whether a project may have one or more significant effects shall be based on substantial evidence in light of the whole record before the Lead Agency. All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.*

- *Following each section of this Checklist is a subsection to incorporate environmental documentation and to cite references in support of the responses for that particular environmental issue. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources the Lead Agency cites (in parentheses) at the end of each section. This subsection provides (a) the factual basis for determining whether the proposal will have a significant effect on the environment; (b) the significance criteria or threshold, if any, used to evaluate each question; and (c) the new or revised mitigation measures and/or previously-adopted measures that are incorporated by reference to avoid or mitigate potentially significant impacts. Mitigation measures from Section D, "Earlier Analyses", may be cross-referenced. In addition, background and support documentation may be appended and/or incorporated by reference, as necessary. This section is required to support a "Mitigated Negative Declaration". If an Environmental Impact Report (EIR) will be prepared, this section shall provide an "EIR Scope of Work" in order to focus on issues to be addressed in the Draft EIR.*

- *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 site is not subject to flooding). A "No Impact" answer should be explained if 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).*

- *Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is "Potentially Significant", "Less-than-Significant with Mitigation Incorporated", or "Less-than-Significant". "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant and mitigation measures to reduce the impact to a less-than-significant level have <u>not</u> been identified or agreed to by the project applicant. If there are one or more "Potentially Significant Impact" entries upon completing the Checklist, an Environmental Impact Report (EIR) is required.*

- *The "Less-than-Significant with Mitigation Incorporated" category applies when revisions in the project plans or proposals made, or agreed to, by the applicant would avoid or mitigate the effect(s) of the project to a point where, clearly, no significant adverse environmental effect would occur. The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level. Upon completing the Checklist, if there is no substantial evidence in light of the whole record before the Lead Agency that the project, as revised, may have a significant effect on the environment, then, a "Mitigated Negative Declaration" shall be prepared.*

- *The Checklist shall incorporate references to common or comprehensive information sources [e.g., the City's General Plan, redevelopment plans, infrastructure master plans, zoning ordinance/development code(s), and related environmental documents, etc.] for potential regional (Citywide) and cumulatively considerable impacts. In addition, any prior site-specific environmental documents and/or related studies (e.g., traffic studies, geo-technical/soils reports, etc.) should be cited and incorporated by reference, as applicable. Reference to a previously prepared or outside document should, when appropriate, include a reference to the page or pages where the statement is substantiated. Referenced documents shall be available for public review in the City of Stockton Community Development Department, Planning Division, 345 N. El Dorado St., Stockton, CA.*

- *Supporting Information Sources: A source list should be attached and other sources used and/or individuals contacted should be cited in the discussion.*

1. AESTHETICS -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
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 along a scenic highway?				√
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			√	
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?			√	

DISCUSSION

The project site is located at the northwest corner of Lodi Unified School District's planned and approved high school, park and library site. The site currently consists of vacant land, but development of this site as a high school and park is expected to occur in conjunction with the proposed storm drainage improvement. The proposed pump station discharge pipe and outfall would cross the existing Bear Creek levee, which is vegetated with non-native grasses and other plant species associated with disturbed areas. The project site consists of an entirely human-altered landscape that does not offer any scenic vistas or substantial scenic resources.

ENVIRONMENTAL IMPACTS

Construction disturbance of the proposed project would be temporary and would involve relatively incidental disturbance of the existing landscape (approx 0.4 acres). Post-construction, the project would involve the visible presence of a small cement utility slab, fencing, and the outfall structure on the Bear Creek levee. These features would be unobtrusive, and similar facilities are a common sight in riverside areas in and around the City of Stockton. The project site would not be a significant source of light or glare. Potential effects on visual character or quality in the project vicinity would be less than significant.

MITIGATION MEASURES None required.

2. AGRICULTURAL RESOURCES -- In determining whether impacts on 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 Department Of Conservation. Would the project:

	Potentially Significant Impact	Less than Significant w/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?				√
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?				√
c. Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				√

DISCUSSION

The proposed 0.4-acre site is located on lands formerly used for agriculture. The San Joaquin County Important Farmland Map designates the project site as "Prime Farmland," and project site soils are considered "prime." There are no Williamson Act contracts on the project site. The site is not currently used for agricultural production, and the site is designated and zoned to permit urban development. The project site and the greater high school site, park and library site are located within the Stockton City limits, contiguous to existing urban development.

ENVIRONMENTAL IMPACTS

The project involves no impact on agricultural resources and the project area has been approved for urban development. Agricultural impacts are considered less than significant.

MITIGATION MEASURES None required.

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
3. AIR QUALITY -- When available, the significance criteria established by the applicable air quality management or air pollution control district maybe relied upon to make the following determinations. Would the project:				
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 a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?			√	
d. Expose sensitive receptors to substantial pollutant concentrations?		√		
e. Create objectionable odors affecting a substantial number of people?				√

DISCUSSION

The State of California and the federal government have established ambient air quality standards for pollutants of concern. San Joaquin County and the Stockton area have been designated an attainment area for the carbon monoxide air quality standards. San Joaquin County is considered a non-attainment area for ozone and particulate matter (PM-10). The San Joaquin Valley Air Pollution Control District (SJVAPCD) has jurisdiction over most air quality matters in the San Joaquin Valley Air Basin (SJVAB). Analysis of air quality impacts is ordinarily conducted using the APCD's adopted Guide to Assessing and Mitigating Air Quality Impacts (GAMAQI).

ENVIRONMENTAL IMPACTS

Project construction would involve minor amounts of excavation and other earth moving during the construction of the project and restoration of the disturbance area. Construction activities could involve the potential for releases of fugitive dust to the atmosphere. The APCD's GAMAQI indicates that construction emissions will be less than significant if the project complies with APCD Regulation VIII. Compliance with Regulation VIII is required by the permits for the adjoining residential project, and these requirements are also included in the mitigation measures below.

No design specifications for the emergency generator are available at this time. The generator would, however, require an authority to construct/permit to operate from the SJVAPCD. Single generators are exempt from specific emissions limits (Amin Kazemi, MUD, pers. communication) and ultimate approval of the generator is up to the discretion of the air district. Backup pump station generators generally involve very little emissions due to their infrequent operation and are routinely approved by the SJVAPCD.
MITIGATION MEASURES:

1. The project sponsor shall comply with SJVAPCD Regulation VIII, including compliance with mitigation measures 2 through 8.

2. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.

3. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.

4. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

5. When materials are transported off-site, all material shall be covered and effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.

6. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)

7. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/ suppressant.

8. Traffic speeds on unpaved roads shall be limited to 15 mph.

9. Authority to Construct Permit to Operate shall be obtained from the SJVAPCD for the backup diesel generator.

4. BIOLOGICAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less than Significant w/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?		√		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				√
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, marshes, vernal pools, coastal wetlands, 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?		√		

DISCUSSION

The project site is located on and adjacent to the Bear Creek levee. South of the levee, the project site consists of fallow agricultural fields. The project site has been subject to complete disturbance in conjunction with construction and maintenance of the existing Bear Creek levee, and previous agricultural operations. There are no trees or shrubs on the project site.

Moore Biological was retained to conduct a baseline biological resources assessment for the proposed project site. The assessment included a record search of the California Department of Fish and Game's (CDFG) California Natural Diversity Database (CNDDB, 2003), and a field survey on June 13, 2003.

No existing native vegetation or sensitive plants were observed on the project site during the field survey. The site provides appropriate habitat for a limited number of common mammals and amphibians. Although no mammals or amphibians were noted, common birds and a western fence lizard were observed on the site.

The biological study noted that the central portion of the Bear Creek levee (the low flow channel) is considered a jurisdictional Water of the U.S. The U.S. Army Corp of Engineers (ACOE) has jurisdiction over jurisdictional Waters of the U.S.

An irrigation canal is located south of the project site, on the landward side of the levee and conveys flows from the Woodbridge Irrigation District's (WID) South Main Canal located further to the east of the site. WID will abandon this canal before park construction occurs. Water flow from this canal is currently being re-rerouted to the Peters-Castle lateral and around the project site to the south.

The proposed project site is located within the City's Urban Service Boundary and is within the area covered by the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSHCP). The SJMSHCP is a comprehensive program for assessing and mitigating the biological impacts of land development. A project that complies with the Plan can be considered to result in less than significant impacts on biological resources under CEQA. However, participation is generally optional; that is, projects may use the SJMSHCP to reach compliance with the various statutes and regulations that apply to biological resource protection or it may comply with those requirements independently, without the benefit of the Plan.

The SJMSCP is to be locally implemented by the San Joaquin County Council of Governments (COG). The compliance process outlined in the Plan has been adopted by federal and state agencies with jurisdiction or trusteeship over biological resources. In addition, the SJMSHCP has been adopted locally by San Joaquin County, the COG, the City of Stockton and other incorporated cities and entities in San Joaquin County.

IMPACTS ON BIOLOGICAL RESOURCES:

Construction of the proposed outfall structure could encroach into jurisdictional waters of Bear Creek. Based on the engineer's description of the outfall and slope protection, these structures would not encroach on wetland areas as defined by the biology report, therefore, no effect on wetlands is anticipated. Jurisdictional Waters of the U.S. should be avoided to the maximum extent practicable through thoughtful project design, however, if encroachment occurs within jurisdictional Waters of the U.S. (including wetlands), wetland permits and/or certification will be required from ACOE, CDFG, State Reclamation Board and Regional Water Quality Control Board (RWQCB). These requirements are imposed by the mitigation below.

A number of sensitive fish species also occur in Delta waterways during various times of the year. It is likely that some of these fish utilize the lower reaches of Bear Creek, at least on a seasonal basis. If construction activities affect water quality of Bear Creek during times when sensitive fish are present, the project could result in potentially adverse impacts to sensitive fish. Potential construction within aquatic habitats would be subject to wetland permitting. Potential impacts to sensitive species would be mitigated through the formal permitting process and the recommendations of the ACOE, CDFG, and the Regional Water Quality Control Board (RWQCB).

There are no known sensitive plant or animal species or their habitat located on the project site. The potential for extensive use of habitats within the project site by sensitive wildlife species is considered low. Moderate potential exists on the project site for the occurrence of Swainson's hawk, giant garter snake, western pond turtle and burrowing owl. These species could be adversely affected by site construction if they occurred or nested on or near the project site during construction. Impact assessment and mitigation measures for sensitive species is addressed by implementation of the adopted San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJCMSHCP), listed as mitigation below.

MITIGATION MEASURES:

1. Final construction plans shall be reviewed in the field with a qualified wetland biologist to determine the degree of encroachment on jurisdictional waters.

2. Permits shall be obtained prior to construction on the levee from the ACOE, CDFG, State Reclamation Board, and RWQCB. The owners, developers and successors-in-interest shall comply with all applicable requirements of the permits. If fill encroaches on jurisdictional waters, then a water quality certification shall be obtained from the RWQCB.

3. The owners, developers, and/or successors-in-interest shall mitigate for the proportionate loss of potential wildlife habitat from the project site by paying any required fee (if project site fees have not already been paid) and taking any other action required by the adopted SJCMSHCP.

5. CULTURAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				√
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		√		
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				√
d. Disturb any human remains, including those interred outside of formal cemeteries?		√		

DISCUSSION

The proposed site consists of land adjacent to Bear Creek and a human-constructed levee, upon which some of the proposed facilities would be located.

An archaeological record search and survey of the 0.4-acre project site was conducted by Jensen and Associates in April 2003 in conjunction with preparation of this initial study. A copy of the survey report is available for review for qualified persons at the City of Stockton Community Development Department. The record search and survey identified no existing or known cultural resources on the project site.

Native American representatives were consulted in the process of preparing the cultural resource survey. Two response letters were received from Katherine Perez of Repatriation, Inc. (see Appendix B) The letters pertained to the increased probability of finding buried Native American artifacts due to the project's proximity to Bear Creek. However, no specific information concerning known sites was offered.

Most recently, ASI prepared a report for Lodi Unified School District entitled Archaeological Investigations McNair High School Campus dated June 2003. This survey included site specific investigations of potential prehistoric archaeological sites on the high school and park sites that were identified in the previous EIR. No evidence of human use or occupation was discovered, however, mitigation measures were prescribed to prevent inadvertent destruction of archaeological resources.

ENVIRONMENTAL IMPACTS

As the levee structure is human-constructed and contains completely disturbed materials, potential artifact discovery would be limited to the pump station and outfall areas outside the levee structure.

Jensen's April 2003 study indicated that the project would result in no disturbance of known archaeological or historic sites or resources. Although no physical evidence of prehistoric use or occupation was discovered at this locale, project construction may unearth unknown resources. Potentially significant impacts due to inadvertent discovery of cultural resources would be mitigated through adherence to the construction monitoring measures outlined on pages 25 and 26 of the June 2003 ASI Report. Adherence to these stipulations and guidelines would reduce potential impacts to less than significant. Construction of the Bike Path and areas within the levee structure would not be bound by the following mitigation measure.

MITIGATION MEASURES

1. The proposed project shall be governed by the construction monitoring guidelines as found on pages 25 and 26 of the June 2003 ASI Report.

2. In the event that cultural materials (prehistoric as well as historic) are unearthed and/or encountered during the course of future development or construction activities, the owners, developers and/or successors-in-interest shall seek an archaeological consultation immediately.

3. In order to ensure proper identification of any cultural materials that might inadvertently be encountered during future construction activity, the use permit should include a provision for training of the field personnel in identification procedures, prior to implementing construction work. The training would take the form of a two-hour seminar in which a professional archaeologist would review with equipment operators the natural and cultural history of the project area, archaeological sensitivity, the most likely locations of buried cultural materials, and what kinds of cultural materials would be seen if prehistoric artifacts are in fact unearthed. The seminar would conclude with specific instructions on how to address such discoveries and what immediate actions to take, particularly if human remain are found.

4. In accordance with the California Health and Safety Code, if human remains are uncovered, discovered or otherwise detected or observed during project grading and construction operations, work shall immediately cease and a qualified archaeologist shall be brought to the site for an assessment of the remains and the San Joaquin County Coroner contacted in accordance with the California Health and Safety Code Section 7050.5. If the coroner determines that the remains are those of a Native American, the Native American Heritage Commission in Sacramento shall be consulted to identify the most likely descendants and the appropriate action and disposition of the remains shall be done in accordance with Public Resources Code Sections 5097.94, 5097.98, and 5097.99.

6. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less than Significant w/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:				
(1) 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.				√
(2) Strong seismic groundshaking?			√	
(3) Seismic-related ground failure, including liquefaction?			√	
(4) 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 an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?			√	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1998), creating substantial risks to life or property?			√	

6. GEOLOGY AND SOILS -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?				√

DISCUSSION

The project site is adjacent to Bear Creek in a predominantly upland portion of the alluvial Central Valley. The site includes the incised creek channel, the levee and adjoining land. Site elevations range from about 20 to 25 feet above sea level. There are no faults near the site, but the Stockton area is subject to potentially intense seismic shaking. Project site soils are classified as Stockton Clay. These soils have a typically high shrink swell potential.

The proposed project would not be subject to known fault-rupture hazards. Proposed improvements would be subject to strong seismic shaking; however, potential for damage associated with soil constraints during seismic conditions would be accounted for in the project engineering design. The project site is not subject to landslide hazards.

ENVIRONMENTAL IMPACTS

The project would result in incidental disturbance of existing soils in the vicinity of the proposed pump station and bike path. The planned pump station is located within a site approved by the City of Stockton for urban development. Soil disturbance that is required for installation of the bike path, discharge pipeline, and outfall would be located in disturbed soils that are associated with Bear Creek levee construction. The project would result in no significant potential for erosion or loss of topsoil. Mitigation measures listed in the Hydrology and Water Quality section of this Initial Study would avoid potential discharge of sediment to Bear Creek.

Project site soils are considered highly expansive, however, this will be accounted for in the project engineering design.

MITIGATION MEASURES None required.

7. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

	Potentially Significant Impact	Less than Significant w/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?			√	
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 involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				√
d. Be located on a site that 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. Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area?				√
f. Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area?				√

7. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				√
h. 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?				√

DISCUSSION

The project site is a vacant area adjacent to Bear Creek. There is no existing or known history of substantial industry or commercial development in the project vicinity, and there is no record of environmental contamination on or near the project site (BBL, 2003). There are no highways, railroads or wildlands in the project vicinity. The site is not within two miles of any known airport or airstrip.

ENVIRONMENTAL IMPACTS

Project construction would involve the use of minor amounts of hazardous materials, including vehicle and equipment fuel, adhesives and concrete, as some of this use would occur adjacent Bear Creek. Care will be required during the construction process to isolate potential hazardous material spills from the creek; this is provided for in the following mitigation measures.

Construction activities, will include work on the levee crown which will be limited to the removal of the existing aggregate base, tie-in of the bike path approach, compaction, grading the approach area and 40-feet in each direction of the levee crown, and resurfacing the levee crown and bike path. Although, no work is required on the waterside slope, there is potential for erosion on this side of the levee and proper erosion control mitigation will need to be enforced.

Maintenance and operation of the project would involve no substantial additional use of hazardous material, no known potential for upset and hazardous material releases and no toxic emissions. Operation of the project would involve no conflict with airports, airstrips or wildlands and no conceivable interference with emergency response plans.

The proposed project would be subject to the requirements of the Stockton Storm Water Management Program discussed in detail in section 8 Hydrology and Water. Participation in this program would reduce potential environmental effects to less than significant.

MITIGATION MEASURES

1. Construction of the portions of the proposed outfall within the Bear Creek levee system shall be separated from Bear Creek flows by use of a silt fence, a coffer dam or other measures approved by the California Department of Fish and Game in their Stream Alteration Agreement. Separation measures shall be sufficient to prevent release of sediment or other deleterious materials to Bear Creek waters.

8. HYDROLOGY AND WATER QUALITY: Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?		√		
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in 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 that would not support existing land uses or planned uses for which permits have been granted)?				√
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 that would result in substantial erosion or siltation onsite or			√	

8. HYDROLOGY AND WATER QUALITY: Would the project:	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
offsite?				
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 that would result in flooding onsite or offsite?			√	
e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			√	
f. Otherwise 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?				√
h. Place within a 100-year flood hazard area structures that would impede or redirect floodflows?				√
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?			√	
j. Contribute to inundation by seiche, tsunami, or mudflow?				√

DISCUSSION:

The project site is located adjacent to Bear Creek and the Bear Creek levee system. The State Reclamation Board is the permitting authority for work within the levee system while San Joaquin County Flood Control is responsible for maintenance of the levees. The Bear Creek levee system at the point of terminal drainage for the proposed project was recently improved by SJAFCA to withstand 100-year flood conditions.

The proposed pump station and outfall structure are located in FEMA Zone B, areas between the limits of the 100-year flood and the 500-year flood (FEMA Community Panel No. 0602990295C, April 2, 2002). The Bear Creek channel area contains the 100-year floodplain (Zone A).

ENVIRONMENTAL IMPACTS

The proposed project site, and most of the Stockton area is exposed to potential flooding from catastrophic failure of large dams located in the foothill areas to the east of the City. The risk of failure of these facilities has been judged to be acceptable and less than significant by the City of Stockton.

The proposed project would involve no substantial effect on the Bear Creek waterway or adjoining levee system. The proposed outfall pipe would be located primarily within a human-constructed feature. The proposed pipe would be buried within the levee structure, and the proposed addition of rip-rap would involve no substantial change in the creek channel or cross-section.

Project construction would involve no effect on Bear Creek flows. Construction would occur during the non-peak season and would be isolated from open water areas.

The project would transfer runoff from the City-approved high school, park, and library site as well as the 17-acre site south of the site, to Bear Creek at the proposed project site. The potential discharge from the proposed pump station would involve an effect on the volume of Bear Creek flows during storms. Potential effects on flows would be confined to periods of pump station operation during and immediately following rainfall events. The Preliminary Design Report for the LUSD High School No. 4 Storm Pump Station (December 2002) determined that no additional flood control improvements would be necessary as a result of the pump station. This determination was based on a technical memorandum by HDR Engineering (dated January 1998). The memo

stated that the LUSD High School No. 4 site is located in watershed LB35. It also stated that recent SJAFCA levee improvements in LB35 accounted for discharge generated by future urban development. Therefore, no significant impacts are anticipated.

The proposed pump station is located outside of the FEMA 100-year floodplain. The proposed outfall is located within the Bear Creek floodway. However, the proposed outfall would not result in any substantial encroachment on the floodway cross-section.

Project construction would involve the potential for direct effects on Bear Creek water quality. Construction would involve disturbance of soils within the creek wetted area as the outfall is constructed and proposed rip-rap is placed. These activities would involve the potential for direct release of sediment to creek waters. These potential releases can be controlled by the placement of silt fences or other isolating structures, as required by the mitigation measure below.

The proposed pump station and outfall would permit discharge of urban runoff from the high school, park and library site and southerly 17-acres to Bear Creek. Urban runoff from new development within the City of Stockton is regulated under a Phase I Storm Water Management Plan that provides compliance with Federal National Pollutant Discharge Elimination System (NPDES) requirements under the Clean Water Act. . The Stockton Municipal Code also requires projects greater than one acre to implement construction Best Management Practices from October 15 through April 15 and comply with the ordinance during the remainder of the year. A sediment sump for collection removal of coarse sediment and other pollutants, along with grass lines swales for storm water conveyance has been included in the project design as part of the City's BMPs for storm water quality.

These requirements are instituted by City ordinance, and the district's approval of the project requires compliance with all of the applicable provisions of the Management Plan. This should result in less than significant impacts on water quality during project operation.

MITIGATION MEASURES

1. The owners, developers and/or successors-in-interest shall demonstrate compliance with City Code Sections 7-859, 7-859.1 and 7-859.2 to the Municipal Utilities Department to insure that sufficient post-construction storm water pollution prevention practices have been incorporated into the project design. This would include required compliance with the City's Stormwater Quality Control Criteria Plan.

2. The owners, developers and/or successors-in-interest shall submit a Storm Water Pollution Prevention Plan to the Municipal Utilities Department that includes both construction stage and permanent storm water pollution prevention practices. This Plan must be developed during the project design phase and submitted and approved prior to the start of construction.

3. Construction of the portions of the proposed outfall shall be separated from Bear Creek flows by use of a silt fence, a coffer dam or other measures approved by the California Department of Fish and Game in their Stream Alteration Agreement. Separation measures shall be sufficient to prevent release of sediment or other deleterious materials to Bear Creek waters.

9. LAND USE AND PLANNING -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an 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, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				√
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			√	
d. Result in land use/operational conflicts between existing and proposed on-site or off-site land uses?			√	

DISCUSSION

The project site is located in north Stockton just south of the existing City limits. The 0.4-acre project site consists of fallow agricultural land. The proposed bike path would be located on the levee top from the proposed outfall structure to West Lane. The levee is located in a San Joaquin County Flood Control Agency (SJFCA) easement. The proposed project would serve an approved 71-acre high school park and library site to the south, as well as a 17-acre parcel south of Morada Lane. Land use in the project vicinity consists of fallow and active agricultural lands to the west and east, and existing single-family residential south of the high school site. The project site adjoins Bear Creek to the north. Fallow agricultural lands slated for urban development are located north of Bear Creek.

Applications were previously filed for annexation of the entire park, library, high school and southerly 17 acres into the City of Stockton and for rezoning to R-1. These applications have been approved and the formal processes are nearly complete. The project site is designated in the Stockton General Plan for Low-Medium Density Residential use. The Stockton General Plan map also includes proposed senior high school and proposed community park symbols on the project site. Upon completion of annexation, the site will be zoned R-1 Single-Family District by the City of Stockton.

ENVIRONMENTAL IMPACTS

The proposed project would involve construction of the storm drainage services necessary to serve the approved high school, park, and library site. The proposed bike path conforms with the City's Bikeway Plan. Levee function would not be impacted by the proposed bike path. The project would involve no other conflict with existing or planned land uses in the site vicinity. The proposed project is consistent with existing general plan designations and upon completion of annexation, consistent with City zoning.

MITIGATION MEASURES None required.

10. MINERAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				√

DISCUSSION

The proposed project site is located in a urbanizing area. There are no known mineral resources associated with the project site. The Division of Mines and Geology Mineral Classification Map does not identify the project site as potentially containing known valuable mineral resources. The project site is located within MRZ-1, areas with "little likelihood of containing significant deposits" of economic minerals (Jensen and Silva, 1988).

ENVIRONMENTAL IMPACTS

The proposed project would involve no known effect on mineral resources.

MITIGATION MEASURES None required.

11. NOISE -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?			√	
b. Expose persons to or generate excessive groundborne vibration or groundborne noise levels?				√

11. NOISE -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			√	
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			√	
e. Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?				√
f. Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?				√

DISCUSSION

Noise is defined as unwanted sound. On this basis, the project site and vicinity are subject to low noise levels. The principal noise source in the project area is West Lane, located approximately 1,000 feet east of the project site. As noted in the Stockton General Plan Background Study, the projected 2008 60 dB Ldn contour is located 483 feet west of West Lane. A noise level of 60 dB Ldn is the City of Stockton standard for noise-sensitive land uses such as residential areas.

In addition to traffic on West Lane, other streets in the project vicinity generate limited and intermittent noise. These streets include Morada Lane and Eight Mile Road. Proposed future streets associated with the high school, park and library uses would also contribute to future noise levels. There are no highways, railroads or airports in the project vicinity.

ENVIRONMENTAL IMPACTS

The proposed pump station and outfall are not considered noise sensitive land uses. Projected traffic noise levels from West Lane would remain below 60 dB at the project site. Other existing and planned streets in the project vicinity are not considered significant sources of noise. Traffic related noise impacts are considered less than significant.

The proposed project will involve noise associated with the use of heavy construction equipment during the construction of the proposed pump station and outlet. Construction noise levels can reach 85-90 dB within 50 feet of the construction site. These potential effects would be temporary and intermittent; provided that construction activities do not occur during the nighttime, as provided in the mitigation measures, these impacts would be less than significant.

Operation of the proposed pump station would involve no significant noise contribution to the surrounding park. Because the proposed pumps are electric powered, submerged underground, covered by a grate, and operates on a limited basis, no substantial noise is expected. This noise would likely be below existing ambient levels in the project area, and no significant impacts are expected.

The backup generator may be a source of substantial noise, however, no design specifications are available for it at this time and consequently, a noise analysis is not possible. Regardless, use of the generator is for emergency back-up power only and therefore will have limited use. There are also no sensitive receptors in the vicinity of the generator. Contact with City of Stockton Municipal Utilities Department indicate that potential noise impacts due to the backup generator are considered less than significant (Tovar, pers. comm.).

MITIGATION MEASURES: None required.

12. POPULATION AND HOUSING -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?			√	

12. POPULATION AND HOUSING -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?				√
c. Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?				√

DISCUSSION:

The proposed project would serve an 71-acre future high school, park and library site. An existing single-family residential area in the City of Stockton is located south of the approved high school site. The January 2002 population of the City of Stockton was 253,800.

ENVIRONMENTAL IMPACTS:

The proposed project would involve no housing development or demolition of existing housing units. No population would be displaced by the project. The proposed utility improvements would facilitate urban development of the adjacent 71 acres for a high school, park and library site, as well as the 17-acre Alpine Packing site. The high school, library and park project has been approved for developed and the Alpine Pacing site is designated for residential development in the Stockton General Plan. The project would therefore not induce substantial population growth.

MITIGATION MEASURES: None required

13. PUBLIC SERVICES -- Would the project:

	Potentially Significant Impact	Less than Significant w/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 or a 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 following public services:				
(1) Fire protection?			√	
(2) Police protection?			√	
(3) Schools?				√
(4) Parks?				√
(5) Other public facilities?				√

DISCUSSION:

Fire and police protection services within the City of Stockton are provided by the Stockton Fire and Police Departments. School services are provided by the Lodi Unified School District, and parks and recreation services are provided by the City Department of Parks and Recreation.

ENVIRONMENTAL IMPACTS:

The proposed project would involve no demand for new public services and no substantial influence on services. Construction of the proposed storm improvements would serve the planned high school, library and park facilities adjacent the project site. This would involve a beneficial effect.

MITIGATION MEASURES: None required.

14. RECREATION -- Would the project:

	Potentially Significant Impact	Less than Significant w/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?				√
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				√

DISCUSSION:

There are no parks or recreation sites in the immediate vicinity of the proposed project, however, a proposed community park and high school have been approved for construction adjacent to the project site.

ENVIRONMENTAL IMPACTS:

The proposed project would involve construction of a Class I bike path on the Bear Creek levee from the outfall structure to West Lane. Construction of the new bike path would implement the City's Bicycle Facilities Master Plan and create an additional recreation area for the public. The proposed project would also provide the necessary infrastructure to serve the adjacent planned community park and high school. These would be beneficial effects on recreation.

MITIGATION MEASURES: None required.

15. TRANSPORTATION/TRAFFIC -- Would the project

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?			√	
b. Cause, either individually or cumulatively, exceedance of a level-of-service standard established by the county congestion management agency for designated roads or highways?				√
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?				√

d. Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				√
e. Result in inadequate emergency access?				√
f. Result in inadequate parking capacity?				√
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				√

DISCUSSION:

The proposed project site is located within an undeveloped portion of the City of Stockton. There are no access streets in the project vicinity. The closest street to the project site is West Lane which is located approximately 1,000 feet east of the project site, between Eight Mile Road and Morada Lane. New road construction would occur in conjunction with the approved high school, park and library project adjacent to the project site.

ENVIRONMENTAL IMPACTS:

The proposed project would involve very limited traffic generation. During the construction period, construction vehicle and employee traffic would add relatively few trips to local streets. During project operations, occasional maintenance activity would generate infrequent traffic. These trips would involve no substantial increase in street traffic or result in any change in level of service.

The project would involve no long-term changes in existing street structures or other circulation modes. The project would not result in any effect on airport parking or facilities associated with alternative transportation modes. Project impacts on traffic are considered less than significant.

MITIGATION MEASURES: None required.

16. <u>UTILITIES AND SERVICE SYSTEMS</u> -- Would the project:	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
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. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		√		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?			√	
e. Result in a determination by the wastewater treatment provider that 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?			√	

16. UTILITIES AND SERVICE SYSTEMS -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			√	
g. Comply with federal, state, and local statutes and regulations related to solid waste?				√

DISCUSSION:

Sewer and storm drainage services within the City of Stockton are provided by the City Department of Public Works. Water service in the City is provided by the City of Stockton. Electrical and gas services are provided by Pacific Gas and Electric, the phone service is provided by SBC, and cable service is provided by Comcast. Existing utilities are located within and adjacent to existing streets in the project area. A new East/West sewer trunk was constructed in 2003 as part of North Stockton Pipelines water and sewer project.

ENVIRONMENTAL IMPACTS:

The proposed project would involve increased demand for utility services such as electrical service to supply the proposed pump station, and water and sewer for maintenance operations. This demand would be met from existing and proposed City and PG&E facilities in the project area. The purpose of the proposed project is to satisfy the demand for storm drainage generated by an approved school, park and library project adjoining the project site to the south and east. The project would benefit storm drainage services in the project area.

There are no existing utilities located on the pump station site, bike path or along the outfall alignment, and the project would result in no known utility conflicts. Project impacts on utilities are considered less than significant.

MITIGATION MEASURES: None required.

17. OTHER ISSUE(S) -- Would the project:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in, contribute to, or substantially affect other environmental issue(s)? If so, specify below and evaluate:				
(1) None				√

Supporting Documents/References Cited: None

18. MANDATORY FINDINGS OF SIGNIFICANCE:

	Potentially Significant Impact	Less than Significant w/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?		√		
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			√	

18. MANDATORY FINDINGS OF SIGNIFICANCE:

	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
current projects, and the effects of probable future projects.)				
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?			√	

Supporting Documents/References Cited: N/A

The proposed project would involve very limited potential for impacts on biological resources and undiscovered cultural resources. These potential impacts would be reduced to less than significant with proposed mitigation measures. The proposed project would not involve any substantial potential for environmental impact in conjunction with other development; the project would involve no known cumulatively considerable impacts. Other than the environmental effects reviewed in the above narrative, the proposed project would not involve any other potential adverse affects on human beings, either directly or indirectly.

D. EARLIER ANALYSIS *(Completed by Lead Agency or Authorized Consultant):*

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Initial Study/Negative Declaration [Section 15063(c)(3)(d) of the State CEQA Guidelines]. The previously-certified or adopted environmental document(s) and any applicable adopted mitigation measures, CEQA "findings", Statements of Overriding Considerations, and mitigation monitoring/reporting programs are incorporated by reference, as cited below, and discussed on attached sheet(s) to identify the following:

(a) Earlier Analysis Used - - Identify earlier analyses that adequately address project impacts and that are available for review at the City Of Stockton Community Development Department, Planning Division, 345 N. El Dorado Street, Stockton CA:

EIR File No.: **N/A** Title: **Future High School Complex**
State Clearinghouse No.: **93042006**

(b) Impacts Adequately Addressed - - Identify which effects from the above checklist (Section C) were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. **The effects of the project as proposed were not addressed in the earlier document. The earlier document pertained to impacts related to development of the high school, library, park site and a different storm drainage scenario.**

(c) CEQA Findings, Statements Of Overriding Considerations, And Mitigation Monitoring/Reporting Programs – Indicate whether applicable previously adopted CEQA Findings, Overriding Considerations, and Mitigation Monitoring Provisions have been relied upon and incorporated into the proposed project, pursuant to Sections 15150 (incorporation by reference) and 15152(F)(3) (Tiering) of the State CEQA Guidelines. **None, see (b) above.**

E. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED [*Completed by Lead Agency or Authorized Consultant* - -Check (√), as applicable]:

The environmental factors checked below would potentially be affected by this project (i.e., the project would involve at least one impact that is a "Potentially Significant Impact"), as indicated in the preceding Checklist (Section C) and the Earlier Analysis (Section D): √

Aesthetics	Agricultural Resources	Air Quality
Biological Resources	Cultural Resources	Geology/Soils
Hazards and Hazardous Materials	Hydrology/Water Quality	Land Use/Planning
Mineral Resources	Noise	Population/Housing
Public Services	Recreation	Transportation/Traffic
Utilities/Service Systems	Mandatory Findings of Significance	

F. REFERENCES CITED AND PERSONS CONSULTED *(Completed by Lead Agency or Authorized Consultant):*

REREFENCES CITED:

A.R. Sanguinetti & Associates. 2002. Preliminary Design For: Lodi Unified School District High School No. 4 Storm Pump Station. December 2002.

ASI Archaeology and Cultural Resources Management, 2003. Archaeological Investigations McNair High School Campus. June 2003.

BBL. 2003. Environmental Record Search for Lodi Unified Storm Drainage Pump Station. April 24, 2003.

California Department of Conservation, Division of Mines and Geology. 1988. Mineral Land Classification of Portland Cement Concrete Aggregate in the Stockton-Lodi Production-Consumption Region. Special Report 160. 1988.

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City of Stockton. 1990a. City of Stockton General Plan Background Report. Adopted January 22, 1990.

Federal Emergency Management Agency. 2002. FIRM Flood Insurance Rate Map, San Joaquin County, California. PANEL 295 of 925, Community-Panel Number 0602990295C. Revised April 2, 2002.

Jensen & Associates. 2003. Archaeological Inventory Survey, Lodi Unified Pump Station and Outfall Project. April 2003.

Moore Biological. 2004. Baseline Biological Resources Assessment for the Lodi Unified School District Outfall site at Bear Creek, Stockton, CA. March 11, 2004.

Planning Center, The. 1995. Future High School Complex Draft Environmental Impact Report. SCH# 93042006. Prepared for Lodi Unified School District. September 25, 1995.

Planning Center, The. 1995. Appendices to the Future High School Complex Draft Environmental Impact Report. SCH# 93042006. Prepared for Lodi Unified School District. September 25, 1995.

San Joaquin County Flood Control and Water Conservation District, 1999. Groundwater Report, Spring 1999.

San Joaquin Valley Air Pollution Control District. 2002. Guide For Assessing and Mitigating Air Quality Impacts (GAMAQI). January 10, 2002.

PERSONS CONSULTED:

Brennan, Jim. Bollard and Brennan.

Henke, Jim. Biologist, Moore Biological.

Jensen, Peter. Principal Archaeologist, Jensen and Associates.

Kazemi, Amin. Stockton Municipal Utilities Department.

Lemasney, Paula. Construction Projects Specialist, Facility Planning Department, Lodi Unified School District.

Liaw, Jenny. Associate Planner. City of Stockton.

Moore, Diane. Principal, Moore Biological.

Ryan, Susan. Lodi Unified School District.

Sanguinetti, Jeff. Principal. Sanguinetti and Associates.

Tovar, Tony. Stockton Municipal Utilities Department.

Authority: Public Resources Code Sections 21083 and 21087.
Reference: Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 21094, 21151; *Sundstrom v. County of Mendocino*, 202 Cal. App. 3d 296 (1988); *Leonoff v. Board of Supervisors*, 222 Cal. App. 3d 1337(1990).

G. DETERMINATION [*Completed by Lead Agency* - -Check (√), as applicable]:

On The Basis Of This Initial Evaluation And On Substantial Evidence In Light Of The Whole Record Before The Lead Agency:

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, however, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent (see attached Mitigation Agreement). A MITIGATED NEGATIVE DECLARATION or an ADDENDUM to 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 (EIR), SUBSEQUENT EIR, SUPPLEMENT to an EIR, or an ADDENDUM to an EIR is required.

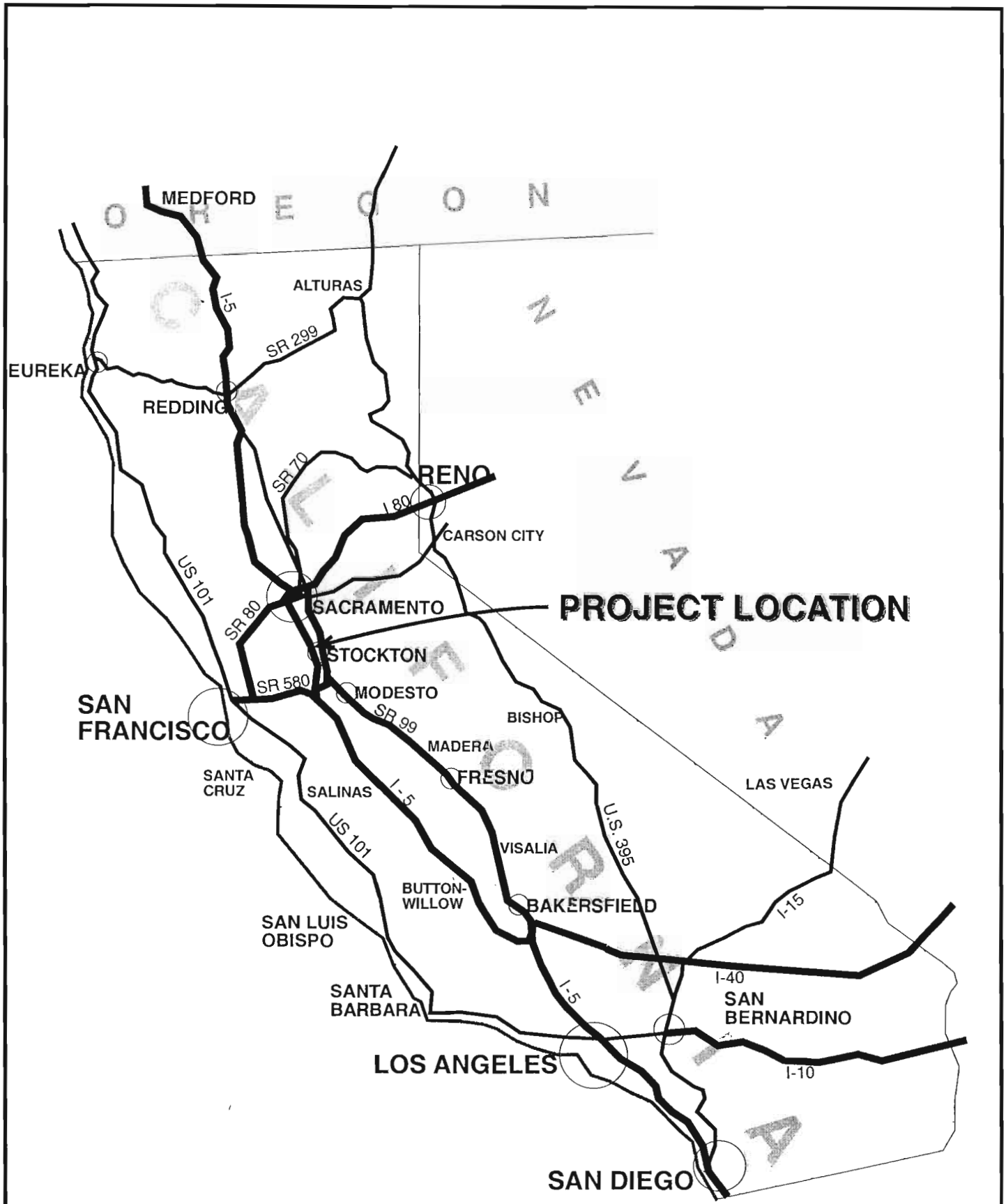
I find that the proposed project MAY have an impact on the environment that is "potentially significant" or "potentially significant unless mitigated" but at least one effect: (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards and (2) has been addressed by 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 ENVIRONMENTAL IMPACT REPORT or MITIGATED NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or MITIGATED NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required. Specifically, the environmental documentation for the proposed project is provided by the following document(s):

SIGNED ORIGINAL ON FILE AT LODI
UNIFIED SCHOOL DISTRICT

_____ _____
Mary Joan Starr Date

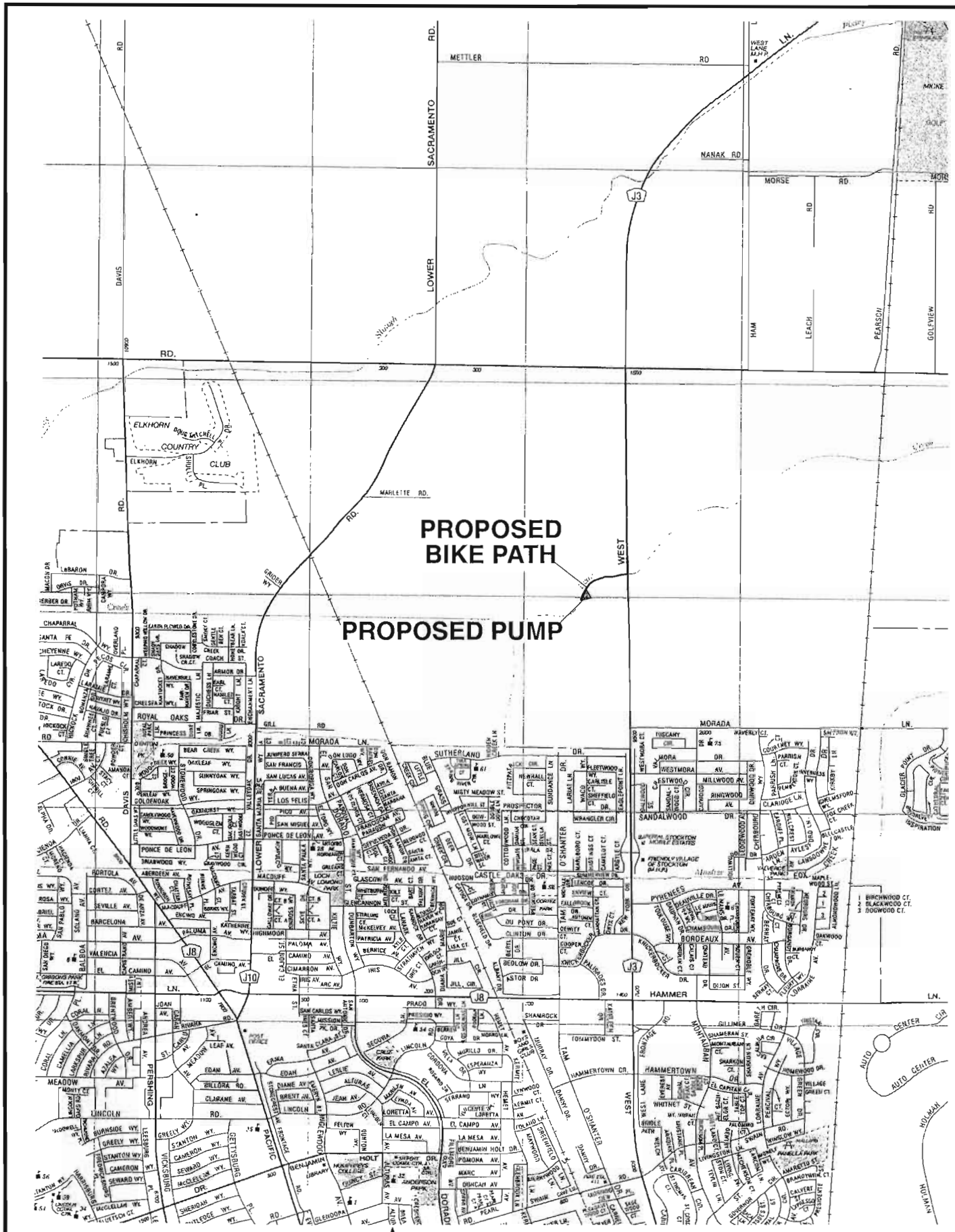
FIGURES



Source: INSITE ENVIRONMENTAL

INSITE ENVIRONMENTAL

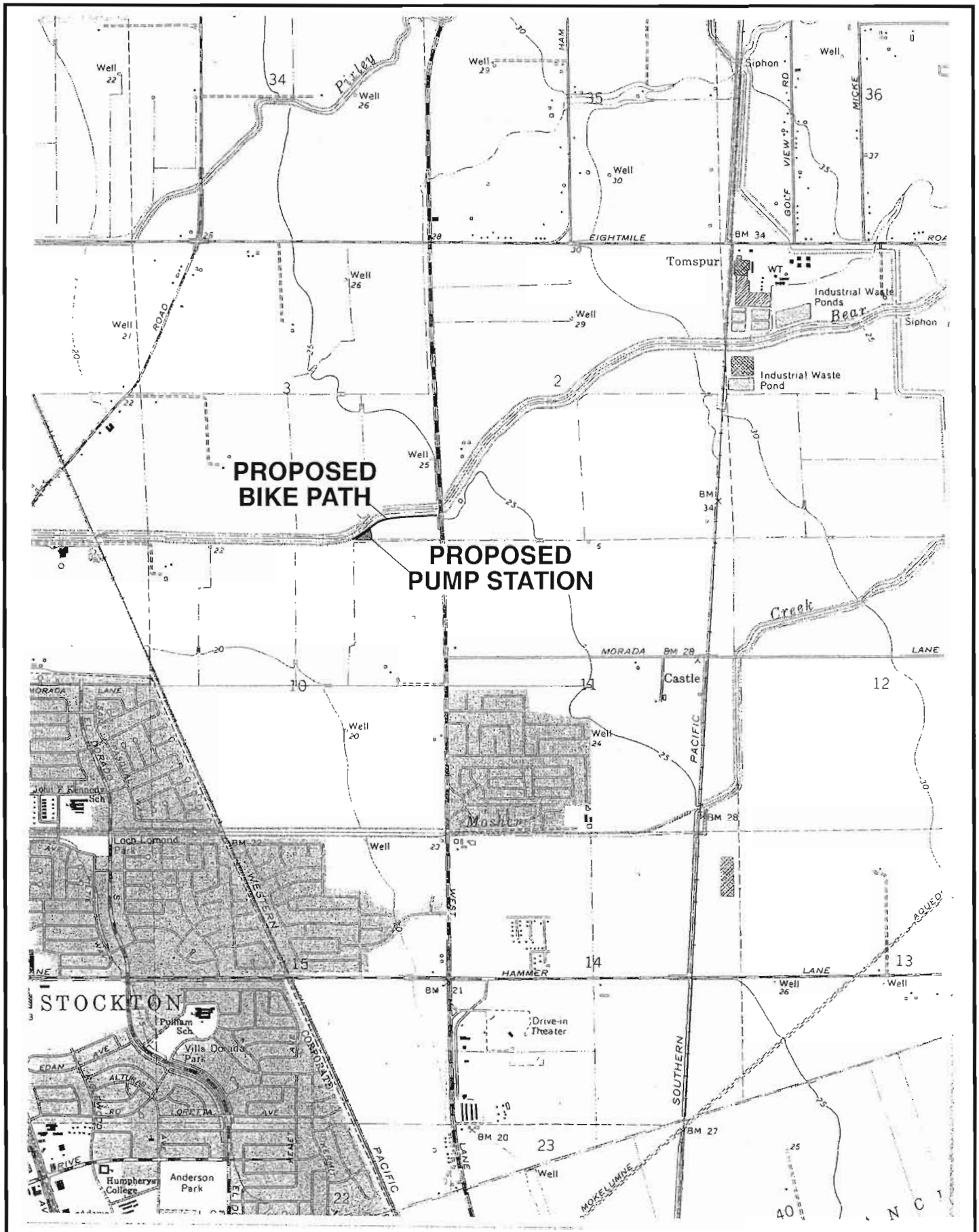
Figure 1
REGIONAL MAP



Source: AAA, STOCKTON CA

INSITE ENVIRONMENTAL

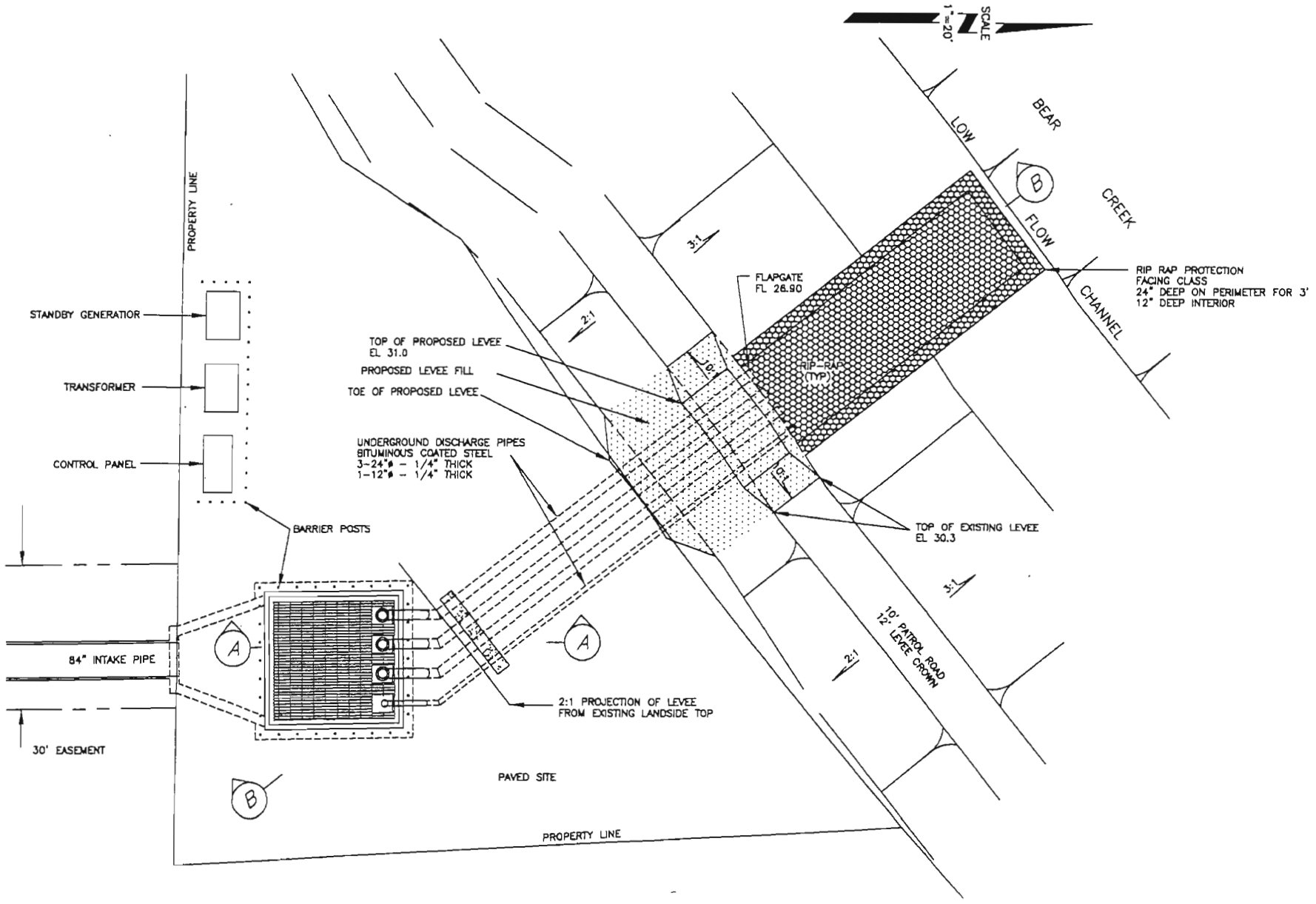
Figure 2
VICINITY MAP



Source: USGS QUADRANGLE
MAP, LODI SOUTH

INSITE ENVIRONMENTAL

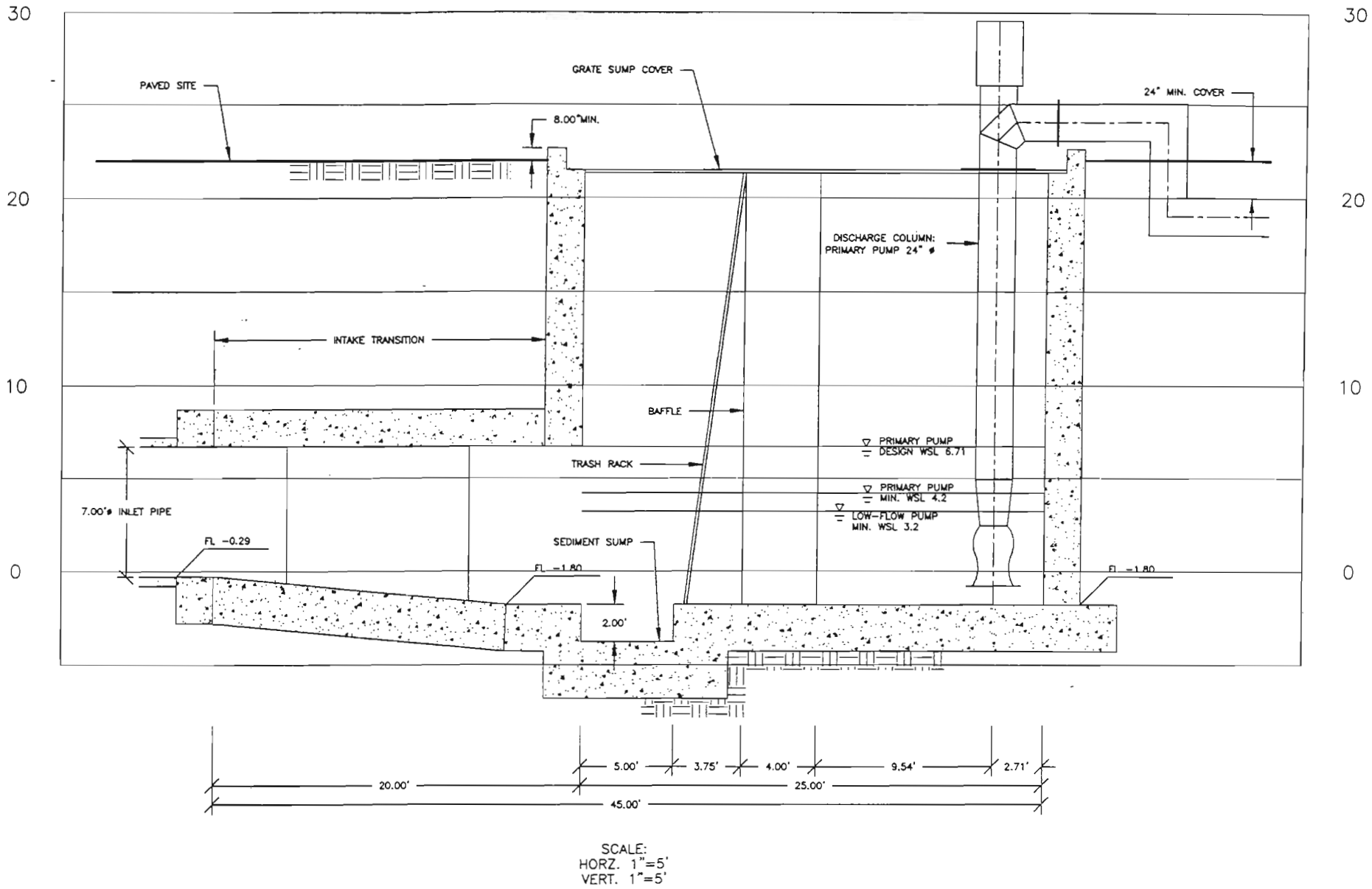
Figure 3
USGS MAP



Source: A.R. SANGUINETTI & ASSOCIATES

Figure 4
SITE PLAN

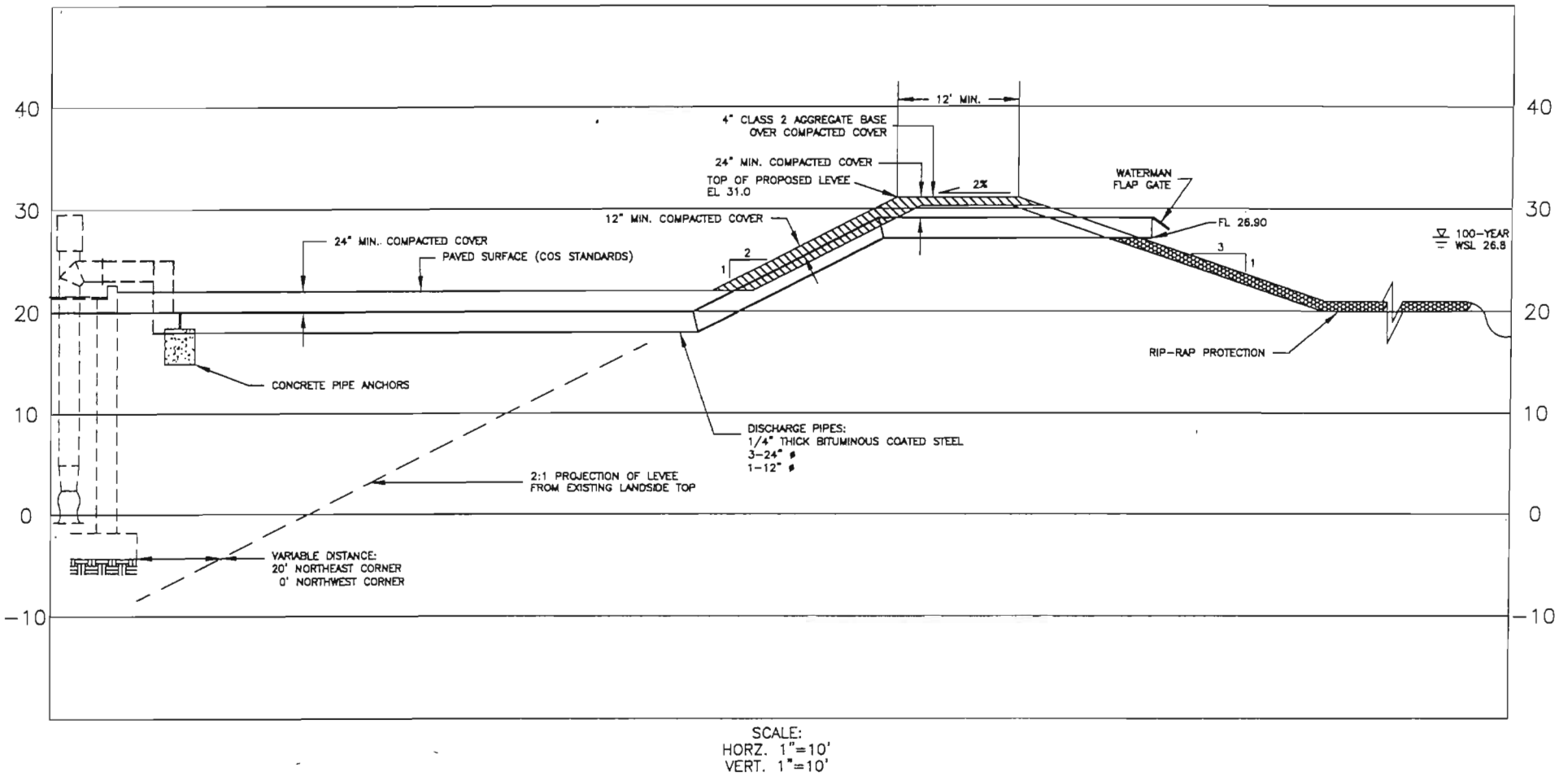
INSITE ENVIRONMENTAL, INC.



Source: A.R. SANGUINETTI & ASSOCIATES

INSITE ENVIRONMENTAL

Figure 5
SUMP PROFILE

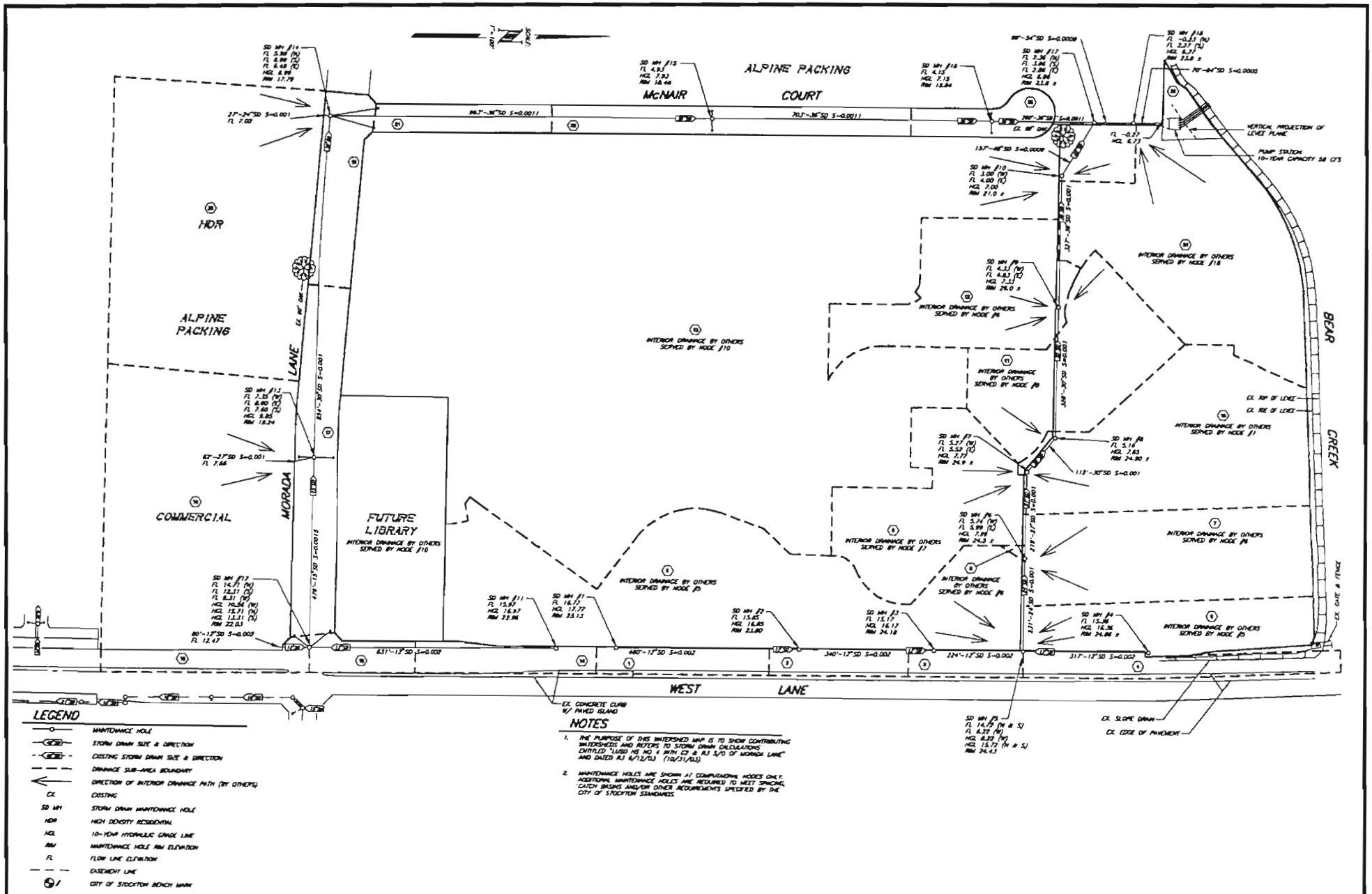


SCALE:
HORZ. 1"=10'
VERT. 1"=10'

Source:A.R. SANGUINETTI AND ASSOCIATES

INSITE ENVIRONMENTAL

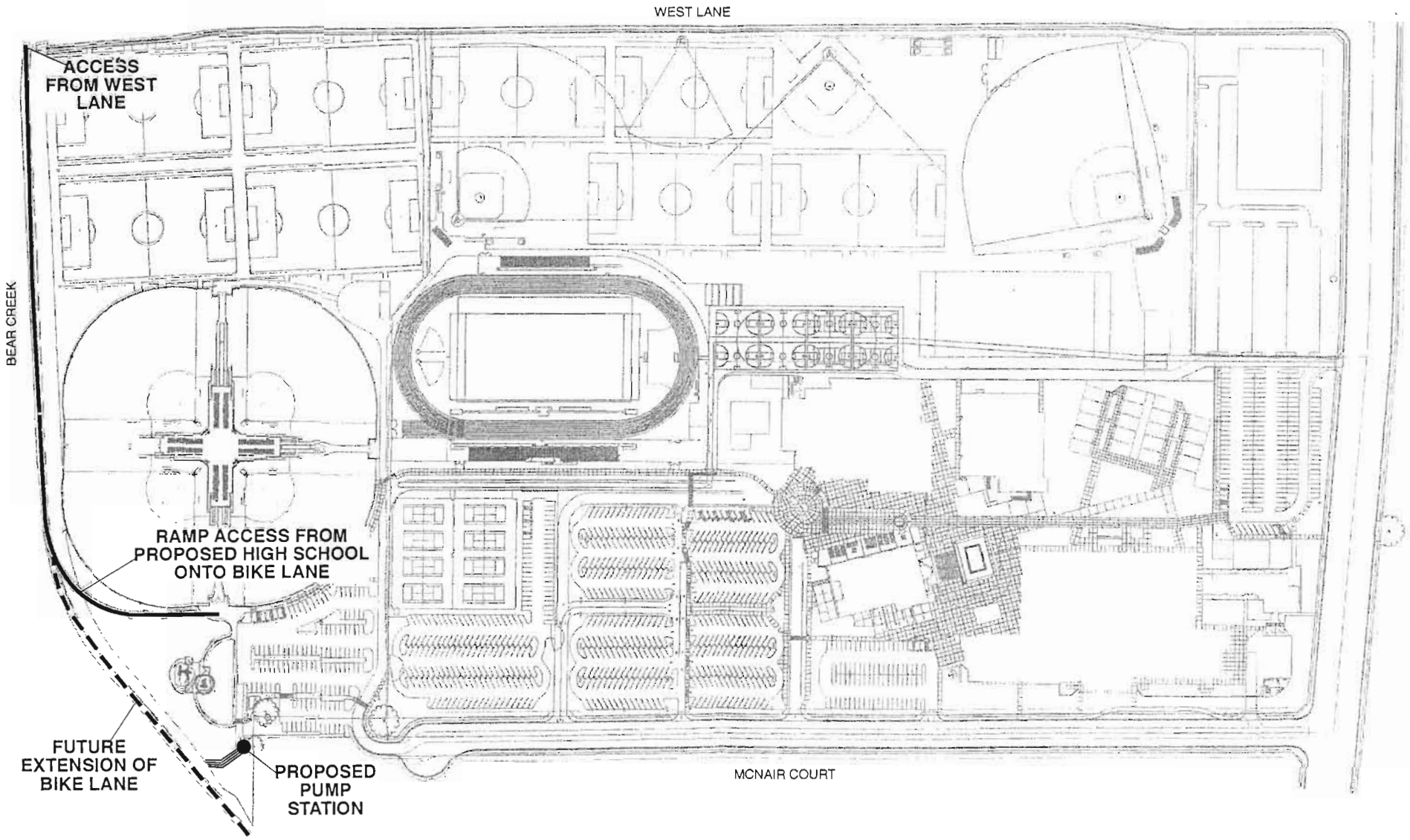
Figure 6
DISCHARGE PROFILE



Source: A.R. SANGUINETTI & ASSOCIATES

INSITE ENVIRONMENTAL

Figure 7
OFF SITE STORM DRAIN PLAN



Source: LUSD ARCHITECT

INSITE ENVIRONMENTAL

Figure 8
BIKE LANE LOCATION IN RELATIONSHIP TO PUMP STATION

Appendix A
BIOLOGICAL RESOURCE STUDY

MOORE BIOLOGICAL CONSULTANTS

March 11, 2004

Mr. Charlie Simpson
Insite Environmental
6653 Embarcadero Dr., Ste. Q
Stockton, CA 95219

Subject: BASELINE BIOLOGICAL RESOURCES ASSESSMENT FOR THE LODI UNIFIED SCHOOL DISTRICT OUTFALL SITE AT BEAR CREEK, STOCKTON, CALIFORNIA

Dear Charlie:

Thank you for contracting with Moore Biological Consultants to conduct a baseline biological resources assessment of the subject property (Figures 1 and 2). The focus of our work was to conduct a site evaluation for wetlands and suitable habitat for or presence of sensitive species. This letter report details the methodology and results of our investigation.

Methods

Prior to the field survey, we conducted an updated search of California Department of Fish and Game's (CDFG) California Natural Diversity Database (CNDDB, 2003). This information was used to identify wildlife and plant species that have been previously documented in the project vicinity or have the potential to occur based on suitable habitat and geographical distribution. The search encompassed the USGS 7.5-minute Lodi South topographic quadrangle.

A field survey was conducted on June 13, 2003. The survey consisted of walking throughout the site making observations of current habitat conditions and noting surrounding land use, general habitat types, and plant and wildlife species. We conducted a search for jurisdictional Waters of the U.S. (a term that includes wetlands) as defined by the U.S. Army Corps of Engineers (ACOE, 1987), sensitive species, and

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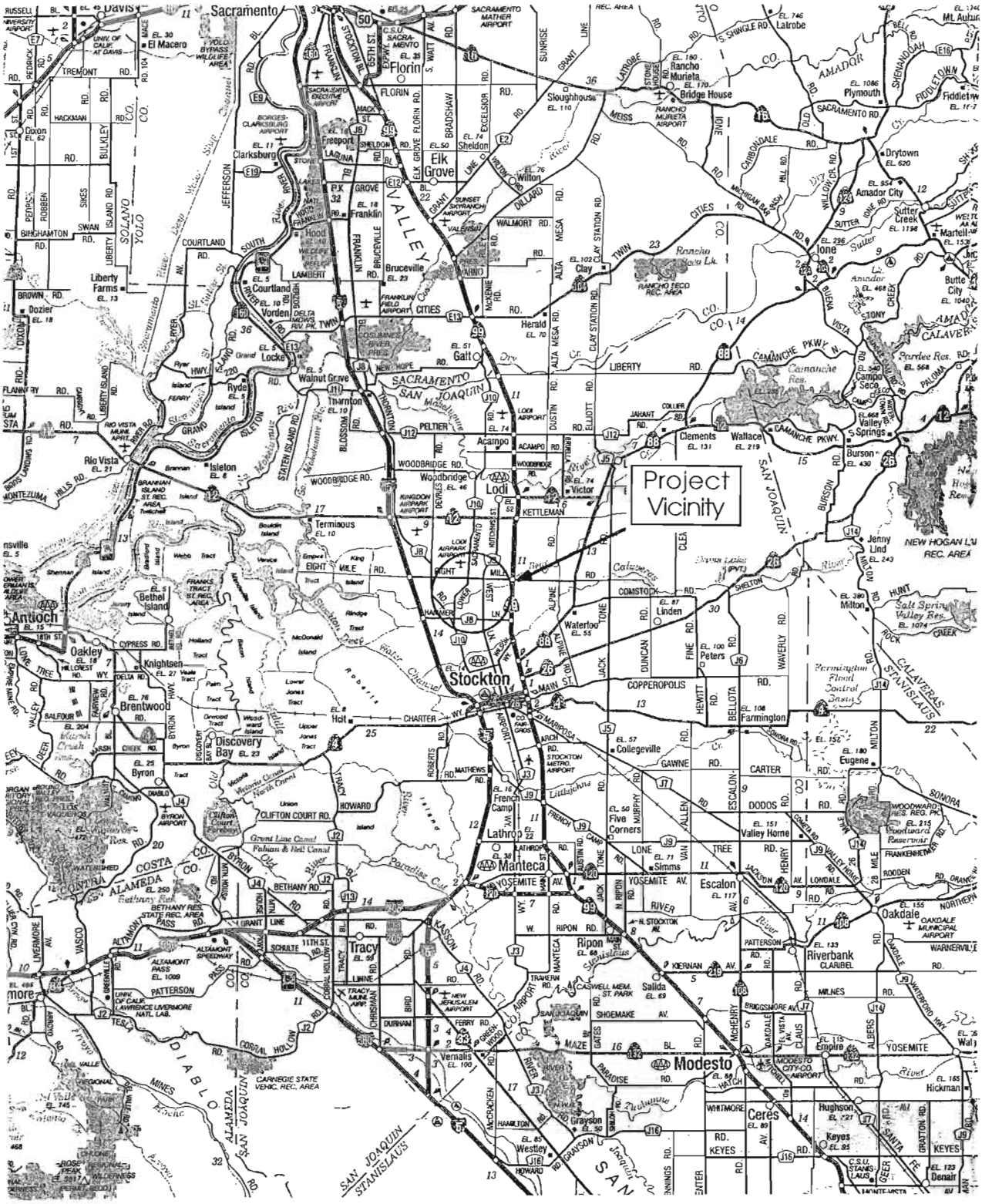
e-mail: moorebio@softcom.net



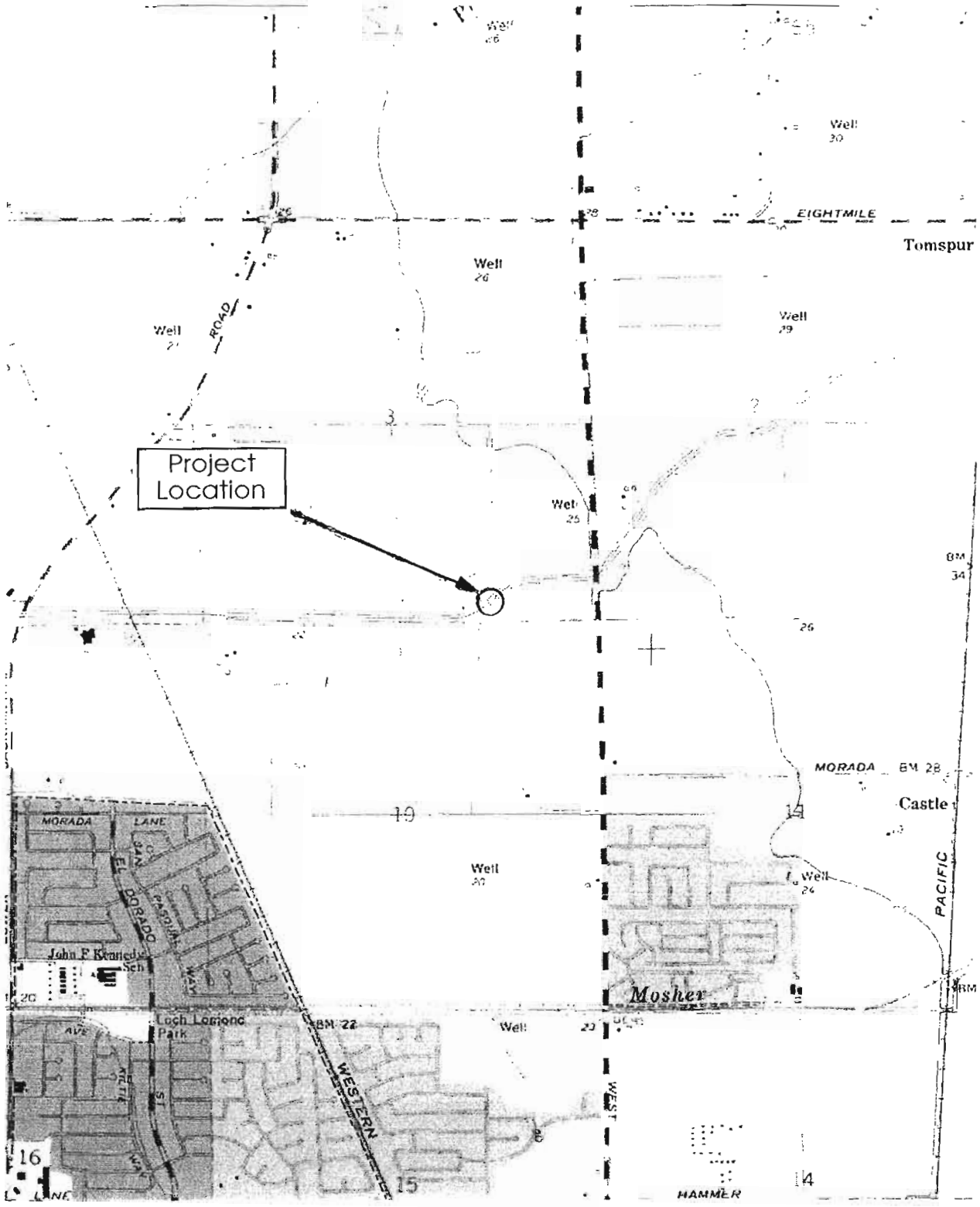
Scale: 1 inch = 9 miles

Source: Calif. State Automobile Association

N

MOORE BIOLOGICAL

FIGURE 1
PROJECT VICINITY



Scale: 1 inch = 2,000 feet
Source: USGS 7.5-minute Lodi South topographic quadrangle

N

MOORE BIOLOGICAL

FIGURE 2
PROJECT LOCATION

suitable habitat for sensitive species (e.g., elderberry shrubs and potential nest trees for Swainson's hawk).

Results

GENERAL SETTING: The project site is located just north of the City of Stockton, California (Figure 1). The site is within Section 3, Township 2 North, Range 6 East of the USGS 7.5-minute Lodi South topographic quadrangle (Figure 2). Surrounding land uses in this urban portion of San Joaquin County are primarily agricultural. Agricultural fields surround the site in all directions (please see attached photograph of the site).

VEGETATION: The landward side of the levee consists of fields that have been leveled for flood irrigation of agricultural crops at some point in the past. The edges of these fields are vegetated with various non-native annual grassland species such as field mustard (*Brassica rapa*), wild radish (*Raphanus sativus*), and bristly ox-tongue (*Picris echioides*). Grasses present include oats (*Avena* sp.), ryegrass (*Lolium perenne*), and foxtail barley (*Hordeum murinum*).

The upland portion of the Bear Creek side of the levee is vegetated in ruderal grass and weed species such as Italian thistle (*Carduus pycnocephalus*), willow herb (*Epilobium brachycarpum*), rattail fescue (*Vulpia myuros*), and soft chess brome (*Bromus hordeaceus*). The wetland edges of the channel are vegetated in typical wetland species that include tule (*Scirpus acutus*), mugwort (*Artemisia douglasiana*), and umbrella sedge (*Cyperus eragrostis*). There are no trees or shrubs within the landward side or creek side of the outfall structure site.

WILDLIFE: A limited number of wildlife species were observed during the recent surveys. Some of the more common birds observed include red-tailed hawk (*Buteo jamaicensis*), yellow-billed magpie (*Pica nuttalli*), northern mockingbird (*Mimus polyglottos*), house finch (*Carpodacus mexicanus*), mourning dove (*Zenaida macroura*), and Brewer's blackbird (*Euphagus cyanocephalus*). All of these are species commonly found in rural areas in the greater project vicinity.

A limited variety of mammals common to agricultural and semi-urban areas occur in the project site. No mammals were observed during the recent survey. Mammals such

as raccoon (*Procyon lotor*), black-tailed hare (*Lepus californicus*) and striped skunk (*Mephitis mephitis*) are expected to occur in the project site. A number of species of small rodents including mice (*Mus musculus, Reithrodontomys megalotis,* and *Peromyscus maniculatus*) and voles (*Microtus californicus*) also likely occur.

Based on habitat types present, a limited number of amphibians and reptiles may use habitats in the project site. Western fence lizard (*Sceloporus occidentalis*) was observed during the recent survey. However, no amphibians were observed in the project site during the recent survey.

WATERS OF THE U.S AND WETLANDS: Determining whether or not a potential wetland feature is jurisdictional can be complex and may be based on a number of different criteria. The jurisdictional status of non-natural wetlands such as irrigation canals or drainage ditches can be especially difficult to determine. In many cases, a wetland delineation needs to be conducted and submitted to the Corps of Engineers for verification in order to determine the jurisdictional status of a specific feature with certainty.

Bear Creek, a perennial drainage that flows in an east to west direction across the project site, is a jurisdictional water of the U.S., as it is tributary to the Delta. Bear Creek has a low flow channel, a flood terrace, and is bounded by levees on either side. This channel generally becomes wider as it reaches the western edge of the site. Vegetation within the wetland boundary (i.e., in the central portion of the leveed waterway) consists of rushes (*Juncus* spp.), tule, umbrella sedge, and mugwort. It appears that a portion of the rock slope protection associated with the proposed outfall will extend into the jurisdictional wetlands in the central portion of the leveed waterway.

SENSITIVE SPECIES: Based on the ongoing level of disturbance from past and ongoing farming practices in the immediate project vicinity, the likelihood of occurrence of listed, candidate, and other sensitive species in the project site is considered to be generally low. Table 1 provides a summary of the listing status and habitat requirements of sensitive species, which have been documented in the CNDDB in the greater project vicinity or for which there is potentially suitable habitat in the greater project vicinity. This table also includes an assessment of the likelihood of occurrence of each of these species within the project site. A few sensitive species of regional concern with the greatest potential of occurrence at the site are further discussed in detail below.

TABLE 1
SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence within Project Site
PLANTS						
Sanford's arrowhead	*Sagittaria sanfordii*	SC	None	1B	Marshes and swamps.	Very low: this species was not observed within Bear Creek during the recent surveys. The nearest occurrence of this species is located upstream in Bear Creek approximately 8 air miles northeast of the site (CNDDB, 2003).
Mason's lilaeopsis	*Lilaeopsis masonii*	SC	R	1B	Freshwater and brackish marshes and riparian scrub. Blooms April through November.	Very low to none: Bear Creek serves as marginally suitable habitat for this species. The closest documented occurrence in the CNDDB (2003) is approximately 4.5 miles southwest of site in Fourteenmile Slough.
WILDLIFE						
Swainson's hawk	*Buteo swainsoni*	None	T	N/A	Nesting: large trees, usually within riparian corridors. Foraging: agricultural fields and annual grassland.	Low: the project site contains suitable foraging habitat and nesting habitat is present near the site (i.e. open field with large trees). The nearest documented occurrence in the CNDDB (2003) is located less than 0.5 mile south of the project site.
Burrowing owl	*Athene cunicularia*	SC	None	N/A	Open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation.	Low: the project site does contain some suitable burrowing habitat although no burrowing owls were observed at the site. This species is documented in the CNDDB (2003) approximately 2 miles south of site.
Tricolored blackbird	*Agelaius tricolor*	SC	None	N/A	Requires open water and protected nesting substrate, usually cattails, and surrounding foraging habitat of annual grassland	Very low: the project site contains marginally suitable nesting and foraging habitat. This species has not been documented within the Lodi South quadrangle of the CNDDB (2003).

TABLE 1
SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence within Project Site
Western pond turtle	*Clemmys marmorata*	None	SC	N/A	Requires permanent or semi permanent bodies of water with basking sites such as partially submerged logs, vegetative mats or open mud banks.	Moderate: Bear Creek serves as suitable habitat for this species. This species has been documented in the CNDDB (2003) approximately 6 miles northwest of the project site.
Giant garter snake	*Thamnophis gigas*	T	T	N/A	Freshwater marsh and low gradient streams. Has adapted to drainage canals and irrigation ditches.	Very low: Bear Creek serves as suitable habitat for this species. However, the closest documented occurrence in the CNDDB (2003) is a 1976 observation located approximately 2air-miles northwest of the project site, along Eight Mile Road.
Midvalley fairy shrimp	*Branchinecta mesovallensis*	SC	None	N/A	Vernal pools in the Central Valley.	None: there is no suitable habitat within the project site for this species. The nearest occurrence is located 3 miles east of the site (CNDDB, 2003).

1 T = Threatened; SC= Species of Concern.

2 T = Threatened; R = Rare; SC= State of California Species of Special Concern.

3 CNPS List 1B includes species that are rare, threatened, or endangered in California and elsewhere.

SENSITIVE PLANTS: No sensitive plants were observed during the recent surveys. Sensitive plants found within the greater project vicinity generally occur in relatively undisturbed areas and are largely found within vegetation communities. Mason's lilaeopsis (*Lilaeopsis masonii*) and Sanford's arrowhead (*Sagittaria sanfordii*) are the only sensitive plants recorded in the CNDDB search area. While these species could conceivably occur in Bear Creek, the fact that they have not been found nearby reduces the potential for occurrence at or near the project site.

SENSITIVE WILDLIFE: The potential for intensive use of habitats within the project site by sensitive wildlife species is generally considered low. Sensitive wildlife species that occur in greater project vicinity include Swainson's hawk (*Buteo swainsoni*), burrowing owl (*Athene cunicularia*), tricolored blackbird (*Agelaius tricolor*), listed vernal pool branchiopods, giant garter snake (*Thamnophis gigas*), and western pond turtle (*Clemmys marmorata*). There are some species with what is considered moderate potential to occur: Swainson's hawk, giant garter snake, western pond turtle, and burrowing owl. These species could be adversely affected by site construction if they occurred or nested on or near the project site during construction and are discussed further herein.

SWAINSON'S HAWK: The Swainson's hawk is a migratory hawk listed by the State of California as a Threatened species. They commonly nest in tall trees with sweeping views of adjacent foraging areas and within riparian corridors. Swainson's hawks occur in the Central Valley primarily during their breeding and nesting season (March 1 through September 15), although a small population has been known to winter in the San Joaquin Delta.

Trees within the greater project vicinity may be used by nesting Swainson's hawks and have likely been used in the recent past. There is a large valley oak located offsite to the southeast. Consequently, there is a potential for noise-related disturbance to nesting Swainson's hawks, if they nest in trees adjacent to or within the site prior to the commencement of construction activities.

BURROWING OWL: The burrowing owl is a State of California Species of Concern and is also protected by the federal Migratory Bird Treaty Act. This species occurs in the Central Valley on a year-round basis. This species could be adversely affected by on-site construction if they nest in burrows within the site or in off-site burrows near the site.

There a few ground squirrels and ground squirrel burrows observed along the irrigation levees and adjacent fields during the recent surveys, although no burrowing owl sign (i.e., whitewash, pellets, feathers) was observed in any of the burrows. However, despite these negative findings, there has been an occurrence of burrowing owl recorded 2 miles southeast of the site. Consequently, the use of the site by nesting burrowing owls cannot be precluded with certainty at this point in time.

GIANT GARTER SNAKE: The giant garter snake is both a State and Federally listed as a Threatened species. This species is associated with freshwater marshes and low gradient streams and has adapted to drainage canals and irrigation ditches within the Central Valley. This species is recorded west of the site, the closest occurrence being approximately 2 air miles northwest of the site. This CNDDB occurrence is a 1976 observation in Pixley Slough. When a follow-up survey was conducted by CDFG in 1995, no giant garter snakes were observed and the habitat was rated only as "fair" (Hansen, 1995).

Bear Creek may be considered potential habitat for giant garter snake, as this waterway does support emergent wetland vegetation such as cattail and tule and year-round inundation, both of which are constituent habitat elements of giant garter snake. However this species has not been observed within the Bear Creek watershed; the nearest occurrence was observed in Pixley Slough northwest of the project site. While habitats within Bear Creek could conceivably be used by giant garter snake, the likelihood of occurrence of this species in the project site is considered very low, as it has not been documented in the greater project vicinity in decades.

WESTERN POND TURTLE: Western pond turtle (*Clemmys marmorata*) is considered a Species of Concern by USFWS and CDFG. This species is found in association with perennial aquatic habitats or in permanent pools in intermittent streams in a variety of habitat types. The CNDDB (2003) does not contain any records of western pond turtle within the Lodi South topographic quadrangle, but there is one occurrence recorded in the Terminous topographic quadrangle, approximately 8 miles northwest of the site. While Bear Creek provides suitable habitat for western pond turtle, none were observed during the recent surveys.

SENSITIVE FISH: A number of sensitive fish species occur in Delta waterways during various times of the year. These include delta smelt (*Hypomesus transpacificus*), Sacramento

splittail (*Pogonichthys macrolepidotus*), fall/late-fall run, spring-run and winter-run chinook salmon (*Oncorhynchus tshawytscha*), Central Valley steelhead (*O. mykiss*), green sturgeon (*Acipenser medirostris*), river lamprey (*Lampetra ayersi*), Pacific lamprey (*Lampetra tridentata*), and longfin smelt (*Spirinchus thaleichthys*). It is considered likely that some of these sensitive fish utilize the lower reaches of Bear Creek, at least on a seasonal basis. If the construction activities affect water quality of Bear Creek during times when sensitive fish are present, the project could result in potentially adverse impacts to sensitive fish.

Conclusions and Recommendations

- Bear Creek is a water of the U.S. and is under the jurisdiction of ACOE and CDFG. A formal wetland delineation would need be conducted and submitted to the Corps of Engineers for verification in order to determine the jurisdictional status of wetlands and canals in the project site with certainty.

- Jurisdictional Waters of the U.S. should be avoided to the maximum extent practicable through thoughtful project design. If fill (i.e. utility lines, structures, culverts, road crossings, outfall structures, etc.) is to be placed within jurisdictional Waters of the U.S., including wetlands, wetland permits and/or certification will be required from ACOE, CDFG, State Reclamation Board and Regional Water Quality Control Board (RWQCB).

- The only foreseeable potential project impacts to sensitive aquatic species would result from work within aquatic habitats that would be subject to wetland permitting. Any needed mitigation to offset potential impacts to sensitive aquatic species (e.g., construction scheduling) should be expected to be attached to permits issued by ACOE, CDFG, and RWQCB.

- If the project participates in the HCP, standard Take Avoidance measures outlined in the HCP for nesting Swainson's hawks should be undertaken. Alternately, pre-construction surveys for nesting Swainson's hawks could be conducted annually for construction activities between March 1 and September 15 pursuant to CDFG (1994). In the event an active nest is found,

the need for construction setbacks should be developed in consultation with recommendations from the Swainson's Hawk Technical Advisory Committee (SHTAC, 2000).

- We observed no other outstanding wetlands, sensitive species, or biological issues of concern within the project site.

Thank you, again, for asking Moore Biological Consultants to assist Insite Environmental with the project. Please feel free to call me at (209) 365-6828 with any questions.

Sincerely,

Diane S. Moore, M.S.
Principal Biologist

References

ACOE (U.S. Army Corps of Engineers). 1987. Technical Report Y87-1. U.S. Army Corps of Engineers Waterways Experiment Station, Vicksburg, MI.

CDFG (California Department of Fish and Game). 1994. Staff Report regarding Mitigation for Impacts to Swainson's Hawks (*Buteo Swainsoni*) in the Central Valley of California. November.

CNDDB (California Natural Diversity Database). 2002. California Department of Fish and Game's Natural Heritage Program, Sacramento, California.

Hansen. G. E. 1996. Status of the Giant Garter Snake (*Thamnophis gigas*) in the San Joaquin Valley – 1995. Prepared for the California Department of Fish and Game under Standard Agreement No. FG40521F. Section 6 Project EF94-XX Objectives 3 and 5, November.

Sawyer, J.O. and T. Keeler-Wolf. 1995. A Manual of California Vegetation. California Native Plant Society, Sacramento. California.

SHTAC (Swainson's Hawk Technical Advisory Committee). 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. May 31.

Approximate location of the proposed outfall structure at the southern edge of Bear Creek, looking east; 6/13/03

Appendix B

CULTURAL RESOURCE STUDY

(This document is available to qualified reviewers at the City of Stockton Community Development Department, 345 N. El Dorado St., Stockton, CA)

ASSESSOR RECORDER
COUNTY CLERK
GARY W. FREEHAN

04 AUG 16 PM 3:09

SAN J... COUNTY

BY ... DEPUTY

NOTICE OF DETERMINATION

To: **County Recorder/County Clerk**
COUNTY OF SAN JOAQUIN
6 South El Dorado St.
Stockton, CA 95202

From: Lodi Unified School District
1305 East Vine Street
Lodi, CA 95242
Attn: Mamie Starr

Governor's Office of Planning and Research
STATE OF CALIFORNIA
1400 Tenth Street
Sacramento, CA 95814

Subject: Filing of Notice of Determination per Section 21108 or 21152 of the Public Resources Code.

Project Title: Lodi Unified Fourth High School Storm Drainage Pump Station, Outfall and Bike Path Project

State Clearinghouse Number: 2004062118

Contact Person: Charlie Simpson

Area Code/Telephone/Extension: 209-472-8650

Project Location: The south bank of Bear Creek, west of West Lane, in the City of Stockton.

Project Description: The proposed project involves construction of a storm drainage pump station and outfall to serve a new Lodi Unified School District high school and nearby areas as well as a paved bicycle and pedestrian way atop an existing levee..

This notice is to advise that the Lead Agency, LODI UNIFIED SCHOOL DISTRICT has approved the above-described project on AUGUST 3, 2004 and has made the following determinations regarding the above described project:

1. The project WILL NOT have a significant effect on the environment.
2. A NEGATIVE DECLARATION was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures WERE made a condition of the approval of the project.
4. A Statement of Overriding Considerations WAS NOT adopted for this project.

This is to certify that the NEGATIVE DECLARATION with comments and responses and record of project approval is available to the General Public at: LODI UNIFIED SCHOOL DISTRICT, 1305 EAST VINE STREET, LODI, CA 95242.

Date received for filing and posting:

Signature (Public Agency)	Title	Date
	Consultant	8-16-04