

**INITIAL STUDY/NEGATIVE DECLARATION**

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

**LEAD AGENCY:** San Joaquin County Community Development Department

**PROJECT APPLICANT:** Blackhawk Management Group c/o Edgar Rizkallah

**PROJECT TITLE/FILE NUMBER(S):** PA-2100275

**PROJECT DESCRIPTION:** This project is a Site Approval application for the ARCO/AMPM development on Eleventh Street in Tracy, to include construction of fueling stations for autos and for trucks, a convenience market to include wine and beer sales, and a carwash with vacuum stations. Structure area will total approximately 17,000 square feet. The project will also include an underground fuel storage tank, an underground water reclaim system for the carwash, a grease interceptor, a propane filling tank, a trash enclosure, parking, landscaping, and a future electric vehicle charging station. Private, on site utilities will be constructed for the facility and include a septic system, well, and retention pond. Three driveways from Eleventh Street are proposed, one for ingress, one for egress for the truck fueling station, and one for the auto fueling station. An additional driveway is proposed from S. Chrisman Road. (Use Types: Fuel Sales – Automotive; Fuel Sales – Trucks; Automotive Sales and Services – Washing, Detailing; and, Retail Sales and Services – Convenience Store; Retail Sales and Services – Alcohol Beverage Sales, Off Premises).

The project site is located on the southwest corner of W. Eleventh Street and S. Chrisman Road, Tracy.

**ASSESSORS PARCEL NO(S):** 250-150-16, 250-150-17, and 250-150-18

**ACRES:** 4.1 acres

**GENERAL PLAN:** General Commercial (C/G)

**ZONING:** General Commercial (C-G)

**POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):**  
Structures totaling 17,000 square feet for use in a commercial development.

**SURROUNDING LAND USES:**

**NORTH:** Commercial, Industrial, City of Tracy

**SOUTH:** Residential, Agriculture

**EAST:** Commercial, Agricultural, City of Tracy

**WEST:** Commercial, Agricultural, City of Tracy

**REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:**

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

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources which should be specifically cited below include on-site visits by staff (note date); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application. Copies of these reports can be found by contacting the Community Development Department.

**TRIBAL CULTURAL RESOURCES:**

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

No

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**GENERAL CONSIDERATIONS:**

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

Yes  No

Nature of concern(s): Enter concern(s).

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

Yes  No

Agency name(s): **California Alcohol and Beverage Control**

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

Yes  No

City: **City of Tracy**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION:** (To be completed by the Lead Agency) On the basis of this initial evaluation:

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

Alisa Goulart  
Signature

2-16-2023  
Date

## EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

**Impact Discussion:**

- a) San Joaquin County is set within the greater San Joaquin Valley, with the delta and large expanses of generally flat, agricultural lands and urban development framed by the foothills of the Diablo Range to the west and the foothills of the Sierra Nevada to the east. According to the County's General Plan, scenic resources within the County include waterways, hilltops, and oak groves (County of San Joaquin 2035).

The project site is located on a commercial section of W. Eleventh Street, in an unincorporated part of Tracy, separated from the city by the Union Pacific Railroad tracks. It is currently the site of a structures from a gas station developed in 1958, a restaurant, and a convenience store, all of which are vacant and will be demolished for the proposed project development. Adding to the existing winery would not further obstruct views of scenic resources within the vicinity of the project site. There are no scenic vistas in the project area, therefore, the project would have a less-than-significant impact associated with scenic vistas.

- b) There are two officially designated state scenic highways in San Joaquin County: I-580 and I-5 (County of San Joaquin 2035). I-580 is located approximately 4.5 miles west of the project site. I-5 is located approximately 3 miles east of the project site. Due to distance, the project site is not visible from I-580 or I-5.

In addition, the County has designated 26 roadways within the County as local scenic routes (County of San Joaquin 2035). The nearest locally designated scenic routes are sections of Highway 4, located approximately 15 miles north of the project site, which, due to distance, does not have a view of the project site. Therefore, the project would have a less-than-significant impact associated with scenic resources within a state- or locally-designated scenic highway.

- c) The project site is located in a generally flat area and is surrounded commercial uses. The project includes demolishing unused commercial structures that are a maximum of 60 years old, to be replaced by a new commercial development. There is no existing visual quality of character of the site or its surroundings, therefore, the project would have a less-than-significant impact associated with these elements.

- d) The existing lighting and glare conditions in the project area are typical of a rural commercial area. New lighting for the project would include outdoor building lighting and parking lot lighting. Parking lot lighting standards stipulate that all lighting be designed to confine direct rays to the premises, with no spillover beyond the property line except onto public thoroughfares, provided that such light does not cause a hazard to motorists (Development Title Chapter 9-403). Therefore, the project is expected to have a less than significant impact from new sources of light or glare on day or

nighttime views in the area.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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**II. AGRICULTURE AND FORESTRY RESOURCES.**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) The project parcel is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The parcel is designated as Urban and Built-up Land on maps provided by the California Department of Conservation's Farmland Mapping and Monitoring Program. Therefore, the project would have no impact associated with Prime Farmland, Unique Farmland, or Farmland of State Importance conversion.
- b) The project site is zoned General Commercial (C-G), therefore, the project will not conflict with existing agricultural zoning or a Williamson Act contract.
- c-d) There are no forest resources or zoning for forestlands or timberland, as defined by Public Resources Code and Government Code, located on or near the project site, therefore, the project will have no impact on corresponding zoning or conversion of such land.

- e) The proposed project is a commercial development in a commercially-zoned area. Therefore, the project would have no impact on farmland and forest land conversion.

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

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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

**Impact Discussion:**

- a-d) The proposed project includes construction of structures totaling 17,000 square feet for use as a fueling station, carwash, and convenience store. The San Joaquin Valley Air Pollution Control District (APCD) has been established by the State in an effort to control and minimize air pollution. The project was referred to the APCD for review on February 1, 2022. APCD responded in a letter dated February 28, 2022, with recommendations to reduce impacts on air quality and public health, including utilizing clean off-road construction equipment, incorporating solar power systems, and installing electric vehicle chargers. Additionally, the project will be subject to various District rules and regulations aimed at reducing a project's impacts on air quality through compliance with regulatory requirements, some requiring District permits. For example, stationary sources of emissions are addressed in District Rule 2010 which requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO), and District Rule 2201, requiring mitigation of emissions with the use of best available control technology (BACT). District Rule 9510, requiring an Air Impact Assessment application, addresses mobile sources and encourages clean air design elements be incorporated into a development project. If such elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions. Other District rules and regulations may apply to the project.

The project site is located on the corner of W. Eleventh Street and S. Chrisman Road, west of the Union Pacific Railroad tracks, and outside of the city limits of Tracy, among a mix of industrial and commercial uses. East of the railroad tracks, in the City of Tracy, are extra-large warehouses and other industrial development. West of S. Chrisman Road is agricultural production for approximately 3 miles to Interstate 5. MacArthur Blvd., a main route to Interstate 205 1.75 miles to the north, is 0.6 miles west of the site. Most truck traffic utilizing the new development will be traveling on these routes through industrial, commercial, and agricultural uses and will encounter few sensitive receptor areas such as residential or medical uses.

Because of the project location and the requirement to meet existing rules and regulations related to air quality and emissions as established by SJVAPCD, any impacts to air quality are expected to be reduced to less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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**IV. BIOLOGICAL RESOURCES.**

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a) The project California Department of Fish and Wildlife Natural Diversity Database lists *California microphyllum* (round-leaved filaree), *Taxidea taxus* (American badger), *Tropidocarpum capparideum* (caper-fruited tropidocarpum), *Blepharizonia plumosa* (big tarplant), *Aster lentus* (Suisun Marsh aster), *Athene cunicularia* (burrowing owl), and *Buteo Swainsoni* (Swainson's hawk) as rare, endangered, or threatened species or habitat located on or near the site for the proposed project. Referrals have been sent to the San Joaquin Council of Governments (SJCOG), the agency responsible for verifying the correct implementation of the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP), which provides compensation for the conversion of Open Space to non-Open Space uses which affect the plant, fish and wildlife species covered by the Plan. Pursuant to the Final EIR/EIS for SJMSCP, dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

SJCOG responded to this project referral in a letter dated February 2, 2022, that the project is subject to the SJMSCP. The applicant has confirmed that he will participate in SJMSCP. With the applicant's participation, the proposed project is consistent with the SJMSCP and any impacts to biological resources resulting from the proposed project will be reduced to a level of less-than-significant.

- b-c) The subject property is not the site of riparian habitat or wetlands within its boundaries, therefore the proposed project, a commercial development, is not expected to have an impact on riparian habitat or wetlands.
- d-f) This application, a commercial development, will be conditioned to participate in the SJMSCP. The applicant has confirmed his intention to participate in the SJMSCP, therefore, any impacts to biological resources resulting from the proposed project will be reduced to a level of less-than-significant.

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

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) The proposed project is the expansion of a commercial development on the west side of the city of Tracy. The site is approximately 1,500 feet from the Union Pacific Railroad tracks to the north and approximately 2.5 miles from Tom Paine Slough also to the north. Approximately 1/3 of the project parcel was previously developed.

Pursuant to CEQA Guidelines Section 15064.5(a), a "historical resource" is any site listed or eligible for listing in the California Register of Historical Resources or in a local register of historic resources. The project site and area is not listed on the State Office of Historic Preservation list of California Historical Landmarks in San Joaquin County. Additionally, a review of historic aerial photographs through the Nationwide Environmental Title Research (NETR) shows the presently-developed portion of the site developed in 1958 with little changes up to the present. The same aerial photographs show the undeveloped portion in the same undeveloped state back to 1958. Therefore, as no historical resources are listed and aerial photographs show little to no changes in 60 years, impacts to the significance of a historical resource are expected to be less than significant.

- b) According to the County's General Plan EIR (County of San Joaquin 2014), several paleontological specimens have been discovered in the County. Although the vast majority of specimens have been found in the foothills of the Diablo Mountain Range, remains of extinct animals could be found virtually anywhere in the County, especially along watercourses such as the San Joaquin River and its tributaries.

A portion of the project site has been subject to extensive disturbance, including previous grading and utility excavation activities, making it unlikely that paleontological resources would remain intact. However, the remaining project site does not appear to have been the site of past development. Therefore, mitigation is required in the case of inadvertent discovery of archeological resources. In the event that potential archaeological resources (sites, features, or artifacts) are exposed during construction activities for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether Policy NCR-6-2 No Destruction of Resources: The County shall ensure that no significant architectural, historical, archeological, or cultural resources are knowingly destroyed through County action or not additional study is warranted. Depending on the significance of the find under the California Environmental Quality Act (CEQA) (14 CCR 15064.5(f); California Public Resources Code Section 21082), the archaeologist may simply record the find and allow work to continue. Avoidance shall be considered the preferred option for treatment of identified archaeological resources. If the discovery proves significant under CEQA, additional work, such as preparation of the archaeological treatment plan, testing, or data recover, may be warranted.

- c) In the event human remains are encountered during any portion of the project, California state law requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has determined manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation (California Health and Safety Code - Section 7050.5). In this way, any disturbance to human remains will be reduced to less than significant.

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

Would the project:

- |  |                          |                          |                                     |                          |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- a-b) The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. The Energy Code contains energy and water efficiency requirements for newly constructed buildings, additions to existing buildings, and alterations to existing buildings throughout California. These requirements will be applicable to the proposed project ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and preventing any conflict with state or local plans for energy efficiency and renewable energy.

**VII. GEOLOGY AND SOILS.**

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil and create direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) According to the California Department of Conservation's California Geological Survey, the project site is not located within an earthquake fault zone. However, similar to other areas located in seismically active Northern California, the project area is susceptible to strong ground shaking during an earthquake, although the site would not be affected by ground shaking more than any other area in the region.

The Project would be required to comply with the most recent version of the California Building Code (CBC), which contains universal standards related to seismic load requirements and is codified within the San Joaquin County Ordinance Code under Section 8-1000. In addition, a soils report is required pursuant to CBC § 1803 for foundations and CBC appendix § J104 for grading. All recommendations of the Soils Report will be incorporated into the construction drawings. As a result, impacts associated with seismic ground shaking or possible ground liquefaction are expected to be less than significant.

The project site is located in an area that is relatively flat and does not contain any slopes that could result in landslides. Therefore, impacts associated with landslides are expected to be less than significant.

- b) The project would not result in substantial soil erosion or the loss of topsoil because the project will require a grading permit in conjunction with a building permit. Therefore, the grading will be done under permit and inspection by the San Joaquin County Community Development Department's Building Division. As a result, impacts to soil erosion or loss of topsoil will be less than significant.
- c) As part of the project design process, a soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans. As a result of these grading recommendations, which are required by the California Building Code (CBC), the project would not be susceptible to the effects of any potential lateral spreading, subsidence, or liquefaction. Compliance with the CBC and the engineering recommendations in the site-specific soils report would ensure structural integrity in the event that seismic-related issues are experienced at the project site. Therefore, impacts associated with unstable geologic units are expected to be less than significant.
- d) Expansive soils are characterized by their potential shrink/swell behavior. The Soil Survey of San Joaquin County classifies the project site as having a high potential for expansive soil. As a result, engineering specifications to reduce the potential for damage to the planned structures, required by the California Building Code (CBC) specifically for expansive soil, will ensure that the effects of expansive soil on the project buildings are less than significant.
- e) The project includes installation of an on-site septic tank and associated leach fields to treat wastewater generated by the commercial buildings. Septic systems in the County are subject to County Ordinance Code Section 9-1100, et seq., which requires issuance a permit by the San Joaquin County Environmental Health Department (EHD). A soil suitability and nitrate loading study incorporating proposed staff and customer use must be submitted to EHD, indicating that the area is suitable for septic system usage. A percolation test conducted in accordance with the E.P.A. Design Manual - Onsite Wastewater and Disposal Systems is also required. The sewage disposal system must comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. Compliance with this process would ensure adverse impacts associated with on-site soils and septic systems do not occur. Therefore, impacts associated with underlying soils' ability to support septic systems would be less than significant.
- f) Pursuant to the County's General Plan EIR (County of San Joaquin 2014), several paleontological specimens have been discovered in the County. Although the vast majority of specimens have been found in the foothills of the Diablo Mountain Range, remains of extinct animals could be found virtually anywhere in the County, especially along watercourses such as the San Joaquin River and its tributaries.

A portion of the project site has been subject to extensive disturbance, including previous grading and utility excavation activities, making it unlikely that paleontological resources would remain intact. However, the remaining project site does not appear to have been the site of past development. Therefore, mitigation is required in the case of inadvertent discovery of archeological resources. In the event that potential archaeological resources (sites, features, or artifacts) are exposed during construction activities for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether Policy NCR-6-2 No Destruction of Resources: The County shall ensure that no significant architectural, historical, archeological, or cultural resources are knowingly destroyed through County action or not additional study is warranted. Depending on the significance of the find under the California Environmental Quality Act (CEQA) (14 CCR 15064.5(f); California Public Resources Code Section 21082), the archaeologist may simply record the find and allow work to continue. Avoidance shall be considered the preferred option for treatment of identified archaeological resources. If the discovery proves significant under CEQA, additional work, such as preparation of the archaeological treatment plan, testing, or data recover, may be warranted.

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

Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Impact Discussion:**

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

Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO<sub>2</sub>) and, to a lesser extent, other GHG pollutants, such as methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO<sub>2</sub> equivalents (MTCO<sub>2</sub>e/yr).

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

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

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

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

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a-c) The proposed project is a commercial development to include fueling stations for vehicles and trucks, a convenience store, and a carwash. Before any hazardous materials/waste can be stored or used on site, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) and must comply with all applicable federal, state, and local regulations pertaining to the storage of hazardous materials. This includes storage of a minimum of 1,320 gallons of petroleum above ground or any amount of petroleum stored below grade in a vault, which requires a Spill Prevention, Countermeasures and Control Plan. Additionally, an underground storage tank (UST) system requires a permit approved by the San Joaquin County Environmental Health Department (EHD) before installation work can begin. After installation, a permit from EHD is required to operate the approved UST system. In this way, impacts related to the use, transport, or disposal of hazardous materials are expected to be less than significant.

The safe transportation of petroleum is overseen by the U.S. Department of Transportation. The Federal hazardous materials transportation law (49 U.S.C. 5101 et seq.) requires the training of all hazmat employees to increase safety awareness and reduce hazmat incidents and accidents. With this required training, impacts and hazards to the public

from the transport of hazardous materials are expected to be less than significant.

- d) The project site is not listed as a hazardous materials site on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and, therefore, will not result in creating a significant hazard to the public or the environment.
- e) The project site is not located within an airport land use plan nor is it within 2 miles of an airport. Therefore, the project's risk of exposing people residing or working in the project area to safety hazards or excessive noise is less than significant.
- f) The project site is located in the Urban Community of Tracy, west of the city limits. The project does not propose any construction on the adjacent roads. All project work will be done onsite. Therefore, the project is not expected to have a significant impact on the execution of an emergency plan.
- e) The project location is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

**X. HYDROLOGY AND WATER QUALITY.**

Would the project:

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

**Impact Discussion:**

a-e) Construction of the proposed project could result in sedimentation in stormwater runoff. The project developer will be required to submit a Storm Water Pollution Prevention Plan to the Department of Public Works as well as filing a Notice of Intent with the State water Resources Control Board and comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity". Compliance with these requirements is expected to lessen runoff violations to less than significant. For the operation phase of the development, the developer must provide drainage facilities in accordance with the San Joaquin County Development Standards. Required retention basin capacity will be calculated and submitted along with a drainage plan prepared and signed by a registered engineer for review and approval by the Department of Public Works prior to release of building permits. Additionally, developers are required to submit a drainage report for all development projects. The report must be submitted for review at the time of submission of grading/drainage plans.

Additionally, the project will be subject to the Central Valley Regional Water Quality Control Board's (CVRWQCB) rules and regulations to mitigate for any impacts to surface and ground water. The proposed wastewater disposal and facility must meet approved waste discharge requirements from the CVRWQCB for management of the domestic and winery

process wastewater to be generated by the facility. Therefore, compliance with the rules and regulations of the Public Works Department and the CVRWQCB will ensure any impacts associated with water quality standards, waste discharge requirements, and surface water or groundwater quality would be reduced to less than significant.

The construction of the proposed project would result in grading and soil-disturbing activities and the installation of new impervious surfaces. A grading permit will be required which requires plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan must show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the California Building Code (CBC). The plans must also show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of the CDC. Additionally, the developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Required retention basin capacity must be calculated and submitted along with a drainage plan for review and approval, prior to release of a building permit. In this way, any impacts to the existing drainage pattern of the site will be less than significant.

The project site is not in a tsunami, seiche, or flood zone. Therefore, there is no risk of release of pollutants due to inundation of the project site.

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

Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) The proposed project includes construction of 17,000 square feet of commercial structures. All improvements will be located on the parcel and the expansion will not construct any barriers that would result in physically dividing an established community.
- b) The project site has a General Plan Designation of C/G (General Commercial) and is zoned C-G (General Commercial). A commercial development to include auto and truck fueling stations, a convenience store with off-premise liquor sales, and a carwash is a permitted use in the C-G zone with an approved Site Approval. Therefore, the proposed project is consistent with all land use policies and regulations of the County Development Code and 2035 General Plan, therefore, the project's impact on the environment due to land use conflict is expected to be less than significant.

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

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a-b) The proposed project, a commercial development, will not result in the loss of availability of a known mineral resource of a resource recovery site because the site does not contain minerals of significance or known mineral resources. San Joaquin County applies a mineral resource zone (MRZ) designation to land that meets the significant mineral deposits definition by the State Division of Mines and Geology. The project site in Tracy has been classified as MRZ-1. The San Joaquin County General Plan 2035 Volume II, Chapter 10-Mineral Resources, Table 10-7, defines MRZ-1 as "Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence." Therefore, the project will not result in the loss of mineral resources or mineral resource recovery sites within the region and in the Tracy community.

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

Would the project result in:

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

**Impact Discussion:**

- a) The project site is located on the corner of W. Eleventh Street and S. Chrisman Road, west of the Union Pacific Railroad tracks, and outside of the city limits of Tracy, among a mix of industrial and commercial uses. East of the railroad tracks, in the City of Tracy, are extra-large warehouses and other industrial development. West of S. Chrisman Road is agricultural production for approximately 3 miles to Interstate 5. MacArthur Blvd., a main route to Interstate 205 1.75 miles to the north, is 0.6 miles west of the site.

The noise from the new commercial development may be slightly increased with the additional operations of a truck fueling station and a carwash. However, the site is in a commercial zone and a commercial development has existed at this location as early as 1958. The majority of surrounding uses are industrial in nature. The nearest residence is located 275 feet southwest of the proposed development area. In addition, the project will result in a temporary increase in ambient noise level associated with project construction activities to include grading and use of heavy machinery and equipment. However, pursuant to Development Title Section 9-1025.9(c)(3), noise sources associated with construction, provided such activities do not take place before 9:00 a.m. or after 9:00 p.m. on any day, are exempt from the county noise ordinance.

Therefore, due to the location in an appropriately zoned area and the lack of residential uses in the area, impacts from increased noise are expected to be less than significant.

- b) The project does not include any operations that would result in excessive ground-borne vibrations or other noise levels therefore, the project's impact from vibrations or other noise levels is expected to be less than significant.
- c) The project site is not located within an airport land use plan or in the vicinity of a private airstrip, therefore, the potential for exposing future workers at the project site to excess noise levels is considered low and impacts resulting from airport noise levels to people residing or working in the project area are expected to be less than significant.

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

Would the project:

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

**Impact Discussion:**

- a-b) The project site is located in unincorporated San Joaquin County, west of the City of Tracy. The proposed project is a commercial development and does not propose any residential development and will not generate substantial employment opportunities. The project will not induce substantial population growth in the area either directly or indirectly because the project is not anticipated to result in an increase in the number of jobs available. The proposed project would not displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere because there are no residences on the project site and the zoning will remain the same if the project is approved. Therefore, the project would have no impact on population and housing.

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

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

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a) The project site is located in unincorporated San Joaquin County just west of the city limits of Tracy, in the South San Joaquin County Fire Authority district and in Tracy Unified School District. Both agencies were provided with the project proposal and invited to respond with any concerns or conditions. A response was not received from the school district. The South San Joaquin County Fire Authority responded in a letter dated February 17, 2022, with requirements that are to be incorporated into construction documents prior to approval of building construction permits. The project site is served by the San Joaquin County Sheriff's Office. The office was provided with the project proposal and invited to respond with any concerns or conditions. A response was not received from that office. As proposed, and with the requirements from the fire district, the project is not anticipated to result in a need for a substantial change to public services.

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

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Impact Discussion:**

a-b) The project, a commercial development, is not expected to substantially increase employment in the area. Therefore, the project would not result in an increase in demand for neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, because the project will not generate any new residential units and the project, an expansion of an existing winery, is not expected to result in an increased demand for recreational facilities. Therefore, the project will have no impact on recreation facilities.

	<b>Less Than</b>			
	<b>Potentially Significant</b>	<b>Less Than</b>	<b>Less Than</b>	<b>Analyzed</b>
	<b>Significant</b>	<b>Mitigation</b>	<b>Significant</b>	<b>No</b>
	<b>Impact</b>	<b>Incorporated</b>	<b>Impact</b>	<b>Impact</b>
				<b>In The</b>
				<b>Prior EIR</b>

**XVII. TRANSPORTATION.**

Would the project:

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

**Impact Discussion:**

- a) The project is a commercial development consisting of fueling stations for trucks and autos, a convenience store, and an automated carwash. A Traffic Impact Report completed by TJKM and dated October 18, 2022, reviewed anticipated traffic impacts from the proposed project on the surrounding transportation system. TJKM concluded that the site plan will operate acceptably and will provide adequate connection to existing streets and circulation within the site. Additionally, the proposed project does not conflict with existing and planned pedestrian, bicycle, or transit facilities, and project trips can be accommodated by the existing transit capacity. Therefore, the project's impact on the transportation circulation system of the area is expected to be less than significant.
- b) The September 2020 San Joaquin County Transportation Analysis Guidelines screen out land use projects from detailed Vehicle Miles Transportation (VMT) analysis based on multiple criteria, including locally-serving retail. The Guidelines state that retail projects that are less than 50,000 square feet shall be presumed to have a less-than-significant VMT impact if they are not regionally serving. The proposed convenience store/gas station can be considered a local-serving retail use, due to its size and the nature of the goods sold. Based on thresholds established by San Joaquin County, the project would have a less-than-significant impact on VMT.
- c) Pursuant to Traffic Impact Report completed by TJKM and dated October 18, 2022, the project site plan provides adequate connection to existing streets, therefore, no design feature will substantially increase hazards. Additionally, a fueling station is a permitted use in the general commercial zone making the project compatible with the surrounding area.
- d) The project site is accessed from both W. Eleventh Street and S. Chrisman Road. Pursuant to Traffic Impact Report completed by TJKM and dated October 18, 2022, site access and circulation for vehicles, pedestrians, and bicycles are considered adequate, TJKM noted potential conflicts at the truck stop and carwash exit. Because trucks must perform a U-Turn to access the fueling stations, conflicts may arise for larger trucks during peak hours. Changes to the site plan are recommended to improve on site circulation and reduce queuing.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>	<b>Analyzed In The Prior EIR</b>
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**XVIII. TRIBAL CULTURAL RESOURCES.**

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

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

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Impact Discussion:**

a) The project is a commercial development on a previously developed site. At the time development, if Human burials are found to be of Native American origin, the developer shall follow the procedures pursuant to Title 14, Division 6, Chapter 3, Article 5, Section 15064.5(e) of the California State Code of Regulations. A project referral was sent to the North Valley Yokuts Tribe, the California Native American Heritage Commission, the Buena Vista Rancheria, the California Tribal TANF Partnership, the California Valley Miwok Tribe, and the United Auburn Indian Community for review. If human remains are encountered, all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the finds. If Human burials are found to be of Native American origin, steps shall be taken pursuant to Section 15064.5(e) of Guidelines for California Environmental Quality Act.

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

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) The proposed project is a commercial development on a previously developed site where no public services are available. The commercial development will utilize a private well and onsite wastewater treatment system. A retention pond is proposed for stormwater drainage. Therefore, the project will be served by private, onsite services and will not require relocation of existing facilities or require new facilities.
- b) The project will be served by a private well. The applicant is in the process of obtaining a permit for a Small Public Water System through the California State Water Resources Control Board, Division of Drinking Water (Water Board). The Water Board will provide oversight of the onsite water system and impacts on water supplies are expected to be less than significant.
- c) The project includes installation of an on-site septic tank and associated leach fields to treat wastewater generated by the commercial buildings. Therefore, there is not a wastewater treatment provider for the project which may or may not have adequate capacity.
- d-e) All collection, transportation, and disposal of solid waste generated by the Project would comply with all applicable federal, state, and local statutes and regulations. Under AB 939, the Integrated Waste Management Act of 1989, local jurisdictions are required to develop source reduction, reuse, recycling, and composting programs to reduce the amount of solid waste entering landfills. Local jurisdictions are mandated to divert at least 50% of their solid waste generation into recycling. The Project would be required to submit plans to the County's Public Works Department for review and approval to ensure the plan would comply with AB 939.

In addition, the state has set an ambitious goal of 75% recycling, composting, and source reduction of solid waste by 2020. To help reach this goal, the state has adopted AB 341 and AB 1826. AB 341 is a mandatory commercial recycling bill, and AB 1826 is mandatory organic recycling. Waste generated by the Project would enter the County's waste

stream but would not adversely affect the County's ability to meet AB 939, AB 341, or AB 1826, since the Project's waste generation would represent a nominal percentage of the waste created within the County. The Project, much like other projects, would be required to comply with these solid waste provisions during both construction and operational phases. Therefore, impacts associated with solid waste disposal regulations would be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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**XX. WILDFIRE.**

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a-d) The project location is in the Urban Community of Tracy and is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

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

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Impact Discussion:**

a-c) Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or surrounding area. Mitigation measures have been identified in areas where a potentially significant impact has been identified and these measures, included as conditions of approval, will reduce these impacts to a less than significant level.



Impact	Mitigation Measure/Condition	Type of Review	Agency for Monitoring and Reporting Compliance	Action Indicating Compliance or Review	Verification of Compliance or Annual Review of Conditions	Remarks
		Monitoring X	San Joaquin Council of Governments	Certificate of Payment and Signed ITMM	By Date	
V. Cultural Resources	<p>Participation in the SIMSCP</p> <p>In the event that potential archaeological resources (sites, features, or artifacts) are exposed during construction activities for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find pursuant to the Department of the Interior's Professional Qualification Standards. The County shall ensure that no significant architectural, historical, archeological, or cultural resources are knowingly destroyed through County action or not additional study is warranted. Depending on the significance of the find under the CEQA (14 CCR Section 15064.5(f)) the archaeologist may simply record the find and allow work to continue. Avoidance shall be considered the preferred option for treatment of identified archaeological resources. If the discovery proves significant under CEQA, additional work, such as preparation of the archaeological treatment plan, testing, or data recover, may be warranted.</p>	X	San Joaquin County Community Development	Submittal and Approval of MMP		
VII.1. Geology and Soils	<p>In the event that potential archaeological resources (sites, features, or artifacts) are exposed during construction activities for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find pursuant to the Department of the Interior's Professional Qualification Standards. The County shall ensure that no significant architectural, historical, archeological, or cultural resources are knowingly destroyed through County action or not additional study is warranted. Depending on the significance of the find under the CEQA (14 CCR Section 15064.5(f)) the archaeologist may simply record the find and allow work to continue. Avoidance shall be considered the preferred option for treatment of identified archaeological resources. If the discovery proves significant under CEQA, additional work, such as preparation of the archaeological treatment plan, testing, or data recover, may be warranted.</p>					
XVIII.a. Tribal Cultural Resources	<p>At the time development, if human remains are discovered, the developer shall follow the procedures pursuant to Title 14, Division 5, Chapter 3, Article 5, Section 15064.5(e) of the California State Code of Regulations. If human remains are encountered, all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the finds. If human burials are found to be of Native American origin, steps shall be taken pursuant to Section 15064.5(e) of Guidelines for California Environmental Quality Act.</p>					