

Public Review Draft

**Initial Study/
Mitigated Negative
Declaration**

For the

**City of Lodi Industrial
Wastewater Pipeline**

Extension



August 2014

PUBLIC REVIEW DRAFT

INITIAL STUDY/ PROPOSED MITIGATED NEGATIVE DECLARATION

FOR THE

CITY OF LODI INDUSTRIAL WASTEWATER PIPELINE
EXTENSION



Prepared by the City of Lodi
Community Development Department
221 West Pine Street
Lodi, CA 95240

August 2014

**NOTICE OF AVAILABILITY AND NOTICE TO OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE CITY OF LODI
INDUSTRIAL
WASTEWATER PIPELINE EXTENSION**

The City of Lodi has prepared an Initial Study pursuant to California Environmental Quality Act (CEQA) and the CEQA Guidelines (Public Resources Code, Division 13 and California Code of Regulations, Title 14, Chapter 3) evaluating the potential environmental impacts of the City of Lodi Industrial Wastewater Pipeline Extension. The City proposes to adopt a Mitigated Negative Declaration ("MND") because the Wastewater Pipeline construction and operation would not have a significant effect on the environment. This ND and the Initial Study describe the reasons that this project will not have a significant effect on the environment and, therefore, does not require the preparation of an environmental impact report under CEQA.

FILE NUMBER: 2014-23 ND

PROJECT TITLE: CITY OF LODI INDUSTRIAL WASTEWATER PIPELINE EXTENSION

PROJECT LOCATION: The project is located in unincorporated northern San Joaquin County and to the west of the City of Lodi. The project begins at the existing Michael/David Winery (4580 W. Highway 12) south of State Route 12 and follows existing public right-of-ways for Ray Road, Neeley Road, Treadway Road and Devries Road. A regional and location map is included as Figures 1 and 2.

The proposed project takes place within the boundaries of existing county road public rights-of-way.

PROJECT DESCRIPTION: The City of Lodi is proposing to build an approximately 11,500 foot long industrial wastewater force main and recycled water line in the same trench within San Joaquin County existing public rights-of-way from the south east portion of the Michael/David Winery to the City of Lodi industrial wastewater line crossing in Devries Road (Project).

The City of Lodi approved a Memorandum of Understanding (MOU) with Michael/David Winery, LLC (Winery) and Jesse's Grove Winery on October 18, 2006, to truck industrial effluent to City's White Slough Water Pollution Control Facility. The MOU granted to Michael/David Winery, LLC, up to 700,000 gallons per year of industrial treatment capacity. Subsequently, additional industrial treatment capacity has been granted to Winery in increments of 300,000 and 500,000 gallons for a total capacity of 1.5 million gallons per year.

Currently Winery production requires that approximately one million gallons of winery wastewater per year to be conveyed via tanker trucks to City's White Slough Wastewater Treatment Plant. Since typical transport trucks can convey approximately 6,500 gallons per trip, installation of the proposed private and public facilities will eliminate the need for approximately 150 truck trips per year. Winery is proposing to build an industrial wastewater collection and booster pump facility on existing Winery property and the City of Lodi is proposing to construct an approximately 11,500 foot long force main within existing county road right-of-way to the City of Lodi industrial wastewater line. The project would also include a recycled waterline pipe within the same trench for future service to reduce groundwater pumping on the Winery property.

Winery has requested permission to discharge up to 10.0 million gallons per year of Winery waste (no domestic waste) into the City of Lodi's industrial wastewater line located south of Winery. City's industrial wastewater line is not connected to its domestic treatment system. Winery would construct collection and pumping facilities, to be owned and operated by Winery, and an approximately 11,500 foot long force main pipe, to be owned and operated by City, from Winery to the City's existing industrial wastewater line. The conceptual design and alignment information is presented in Figures 2 and 3.

The public facilities would be located all within existing San Joaquin County road rights-of-way. No new disturbances are proposed as part of the Project.

PUBLIC REVIEW PERIOD: As mandated by State law, the minimum public review period for this document is 30 days. The proposed Mitigated Negative Declaration will be circulated for a 30-day public review period, beginning on **Tuesday, August 26, 2014** and ending on **Friday, September 26, 2014**. Copies of the Draft Negative Declaration are available for review at the following locations:

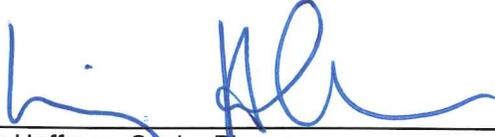
- **Community Development Department**, 221 West Pine Street, Lodi, CA 95240;
- **Lodi Public Library**, 201 West Locust Street, Lodi, CA 95240; and
- **Online at** http://www.lodi.gov/com_dev/EIRs.html

Any person wishing to comment on the Initial Study and proposed Negative Declaration must submit such comments in writing **no later than 5:00 pm on Friday, September 26**, to the City of Lodi at the following address:

Craig Hoffman, Senior Planner
City of Lodi
P. O. Box 3006
Lodi, CA 95241

Facsimiles at (209) 333-6842 will also be accepted up to the comment deadline (please mail the original). For further information, contact Craig Hoffman, Senior Planner, at (209)333-6711.

A public hearing will be scheduled before the City Council to receive comments on the document and to adopt the Negative Declaration. This meeting is tentatively scheduled for October 1, 2014 at 7:00 p.m. at Carnegie Forum in Lodi. This meeting will be separately noticed.



Craig Hoffman, Senior Planner



Date

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1. PROJECT TITLE:

City of Lodi Industrial Wastewater Pipeline Extension

2. LEAD AGENCY NAME AND ADDRESS:

City of Lodi
Community Development Department
221 West Pine Street
Lodi, CA 9540

3. CONTACT PERSONS:

Environmental document: Craig Hoffman: 209-333-6711

4. PROJECT LOCATION

The Project is located in unincorporated northern San Joaquin County and to the west of the City of Lodi.

The Project begins at the existing Michael/David Winery (4580 W. Highway 12) south of State Route 12 and follows existing public right-of-ways for Ray Road, Neeley Road, Treadway Road and Devries Road. A regional and location map is included as Figures 1 and 2.

The proposed Project takes place within the boundaries of existing San Joaquin County public road rights-of-way.

5. PROJECT SPONSOR'S NAME AND ADDRESS:

City of Lodi, Community Development Department
221 W. Pine Street
Lodi CA 95240

6. PROJECT DESCRIPTION

Wastewater Pipeline Extension

The City of Lodi is proposing to build an approximately 11,500 foot long industrial wastewater force main and recycled water line in the same trench within San Joaquin County road right-of-way from the Michael/David Winery to the City of Lodi industrial wastewater line in Devries Road.

The City of Lodi approved a Memorandum of Understanding (MOU) with Michael/David Winery, LLC (Winery) and Jesse's Grove Winery on October 18, 2006, to truck industrial effluent to White Slough Water Pollution Control Facility. The MOU granted to Winery up to 700,000 gallons per year of industrial treatment capacity. Subsequently, additional industrial treatment capacity has been granted to Winery in increments of 300,000 and 500,000 gallons for a total capacity of 1.5 million gallons per year.

Current Winery production requires that approximately one million gallons of winery wastewater per year to be conveyed via tanker trucks to City's White Slough Wastewater Treatment Plant. Since typical transport trucks can convey approximately 6,500 gallons per

trip, installation of the proposed private and public facilities will eliminate the need for approximately 150 existing truck trips per year.

Winery is proposing to build an industrial wastewater collection and booster pump facility on the existing Winery property and the City of Lodi is proposing to construct an approximately 11,500 foot long force main and recycled water line in the same trench within existing county public road right-of-way to the City's industrial wastewater line.

Winery has requested permission to discharge up to 10.0 million gallons per year of winery waste (no domestic waste) into City's industrial wastewater line located south of Winery. Winery would construct collection and pumping facilities, to be owned and operated by Winery, and an approximately 11,500 foot long force main pipe and recycled water line, to be owned and operated by City, from Winery to City's industrial wastewater line. The conceptual design and alignment information is presented in Figures 2 and 3.

The City of Lodi Winery Wastewater Pipeline Project consists of approximately 11,500 lineal feet of 6 inch to 8 inch force main pipeline and 11,500 lineal feet of 4 inch to 6 inch recycled water pipe within the same trench to be installed within existing San Joaquin County public right-of-way from a site on Ray Road near Highway 12 to a discharge structure on Devries Road, which will connect the proposed pipeline to the existing City of Lodi industrial wastewater pipeline. The proposed pipeline will travel along a route from Ray Road to Devries Road by way of Kingdon Road, Neely Road, and/or Tredway Road, depending on the selected pipeline alignment. The proposed and alternative alignments are shown on Figure 2.

The recycled water pipeline will be within the same trench facility and will offer the opportunity for the Michael David Winery to be serviced with recycled water from the White Slough Wastewater Treatment facility, reducing potential groundwater pumping in the future. The City of Lodi wastewater facility generates recycled water that is used on agricultural fields and for the Lodi Energy Center. In the future, if a recycled water pipeline is constructed from the wastewater treatment facility, the City of Lodi may be able to provide this service.

The pipeline facilities would be located all within existing San Joaquin County public road rights-of-way. No new disturbances are proposed outside of the existing public road right-of-way.

The proposed pipeline alignment will be outside of the paved roadway where feasible, and will be located within the paved roadway where necessary. The minimum depth of cover over the pipe will be 3 feet, 6 inches, and the trench width will exceed the outer diameter of the pipeline by at least 10 inches on each side of the pipe, for a trench width at least 20 inches wider than the pipeline. Where the pipeline is installed within the existing roadway, the pavement section where the pipeline trench is cut will be a minimum of 1 inch thicker than the existing pavement section. The typical trench cross-section is shown in Figure 3.

The proposed force main alignment commences at a location on Ray Road approximately 1,350 feet south of the intersection with Highway 12. Private facilities located at the Winery that are being designed in conjunction with this Project will connect to the proposed pipeline at this point of commencement.

Michael/David Winery facilities (separate permit)

All project facilities on the Michael/David Winery have been approved by the San Joaquin County Planning Commission and accompanying environmental document for Use Permit Application No. PA-1300118. This permit was approved in December of 2013 and is attached to this document as Appendix A. These approvals anticipate a 15 year master plan that will see the Winery develop over 4 distinct project phases. This document does not analyze previous project approval by San Joaquin County and that document is incorporated by reference. The Michael/David Winery expansion approvals include the following:

Phase One – construction of 7,000 square foot office building and conversion of existing 10,000 square foot building into winery production building.

Phase Two – construction of 24,000 square foot barrel warehouse, 600 square foot crush pad, wine tank farm extension and 900 square foot bathroom structure.

Phase Three - 24,000 square foot barrel warehouse, 24,000 square foot case goods storage building and wine tank farm extension.

Phase Four - 24,000 square foot barrel warehouse.

Along with these structures, site and operation activities will grow as needed.

The facilities installed at the Michael-David Winery in conjunction with the approximately 11,500 linear foot force main are anticipated to be as follows:

- A proposed wastewater collection line that flows via gravity will be installed from the existing Winery facilities to the proposed wastewater pump station. Existing Winery facilities that will be connected to the wastewater collection line include tanks, collection, and storm drainage facilities.
- The proposed wastewater pump station will include screen equipment, pH monitoring and adjustment equipment, caustic soda storage and addition equipment, a drain for truck-conveyed wastewater to discharge into, a below-grade wet well, duplex submersible pumps, utility vaults, valving and piping, lighting, outlets, local and remote dial-out alarms, and filtered debris collection and storage units.
- The pump station will discharge into a private force main on the Michael-David Winery property to the connection point with the proposed City of Lodi Winery Wastewater Pipeline described above, with the connection to be located within the Ray Road right-of-way.

Most of the proposed facilities, both on and off-site, will be at or below the existing ground level. Facilities that will be installed above grade, such as the motor control center, lighting, screening and pH adjustment equipment, and debris collection units, are visually similar to agricultural and winery equipment commonly installed in this region.

White Slough Wastewater Treatment Facility

The City of Lodi wastewater treatment facility at White Slough (Facility), handles the City's effluent. The original treatment facility was built in 1966 with a rated capacity of 3.5 million gallons per day of domestic wastewater. The Facility included primary and secondary treatment and chlorine disinfection. Effluent was applied to City owned agricultural land during summer months and discharged during winter months. The Facility has undergone

two major expansions since it was built. In 1976 the plant underwent an expansion to handle 5.8 million gallons per day and in 1990 the plant was expanded to handle 8.8 million gallons of domestic wastewater per day.

In addition to the domestic wastewater treatment, the Facility also treats industrial wastewater. This treatment has included pond stabilization and mixing with treated secondary effluent followed by irrigation on City owned agricultural fields during summer months. Biosolids treatment includes primary digestion, secondary digestion, and two sludge stabilizing lagoons. Digested biosolids are combined with industrial and treated domestic effluent (meeting Title 22 recycled water quality standards) and applied to agricultural fields.

The City of Lodi currently spreads 158 million gallons of industrial waste / washdown water per year on approximately 800 acres of land. In past years the industrial waste water was not enough for irrigation needs and the City needed to pump groundwater from wells. The industrial washdown water from Winery constitutes approximately 2 percent of the total industrial wastewater treated by City. Winery's proposal for up to 10 million annual gallons would be approximately 7 percent of the total industrial waste discharge processed by City.

The City of Lodi is requesting that a recycled water pipeline be included with this project. In the future, if the City of Lodi is able to provide recycled water to the Michael David Winery, this could reduce groundwater pumping on the Winery property.. The City is looking to preserve this option for additional service in the future.

City does not need to modify any processes at its Facility and the added water from Winery has the potential to eliminate future irrigation shortcomings on City owned agricultural fields.

7. SURROUNDING LAND USES AND SETTING:

The proposed Project is located within a rural agriculture part of San Joaquin County. The surrounding areas are designated Agricultural within the San Joaquin County General Plan and a majority of the surrounding parcels are designated AG-40. Wineries, crop fields, grape production, and orchards make up the uses in the surrounding area.

8. NECESSARY PUBLIC AGENCY APPROVALS:

The City of Lodi is the lead agency with responsibility for approving the connection to the City's Industrial Wastewater pipeline.

The County of San Joaquin is the lead agency with responsibility for construction within the existing public road rights-of-way, issuing an encroachment permit, review of Project improvement plans and the facilities to be constructed on the Michael/David Winery site.

It is anticipated that the following "typical" permits may be needed for this Project (in typical order of issuance):

1. Approval by the City of Lodi to tie into City's existing industrial wastewater pipeline.
2. Encroachment Permit issued by County of San Joaquin for work within existing public road rights-of-way.

3. Improvement plans for wastewater pipeline designed to City of Lodi and applicable San Joaquin County standards and issued by the City of Lodi. Trench design will be to a minimum County trench restoration standard R-29.
4. Air Quality mitigation permit for grading work by San Joaquin Valley Air Pollution Control District (SJVAPCD).
5. Annexation into the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP).
6. Preparation of a Stormwater Pollution Prevention Plan (SWPPP) to County of San Joaquin and City of Lodi standards.
7. Pollutant Discharge Elimination Permit (Stormwater/Erosion Control) issued by the County of San Joaquin and City of Lodi.
8. Approval of LAFCO of an extraterritorial service application.

9. PROJECT CONSTRUCTION

Project construction is anticipated to take approximately 90 to 120 days to complete and is expected to begin in second quarter 2015. The County of San Joaquin does not allow work within County rights-of-way from November to March.

The Project has been designed to eliminate environmental impacts by requiring the following measures:

- Project design to meet City of Lodi and applicable San Joaquin County design standards.
- Preparation of soils and boring report to verify cross section requirements.
- Air Quality Mitigation through SJVAPCD.
- Annexation into San Joaquin County Multi-Species Habitat Conservation and Open Space Plan.
- Preparation of a Stormwater Pollution Prevention Plan (SWPPP) to County of San Joaquin and City of Lodi standards.
- Pollutant Discharge Elimination Permit (Stormwater/Erosion Control) issued by the County of San Joaquin and City of Lodi.

Construction of the proposed Project is estimated to require approximately 15 workers at its peak, including skilled local professionals and labor resources. During construction, single shifts, 5 days per week are anticipated.

During construction, the following vehicles will be used:

- 1-2 Backhoes
- 1-2 front loaders
- 1-2 dump trucks
- 1 street sweeper
- 1 water truck
- 1-2 flatbed trucks for pipe delivery
- 4 Passenger Trucks

Typical construction activity will include excavation of a trench within the shoulder of the existing public road to a depth of about four feet, import fill material will be placed in the bottom of the trench and compacted as necessary. The wastewater pipe will be placed in the trench and fill material placed back in the trench and compacted as necessary. Excess

soil will be placed within haul trucks and carried off as needed. Roadways will be swept clean and asphalt patched as needed.

A Stormwater Pollution Prevention Plan (SWPPP) and an Erosion and Sediment Control Plan will be prepared and implemented to avoid and minimize impacts on water quality during construction and operations. Best management practices (BMPs) for erosion control will be implemented to avoid and minimize impacts on the environment during construction.

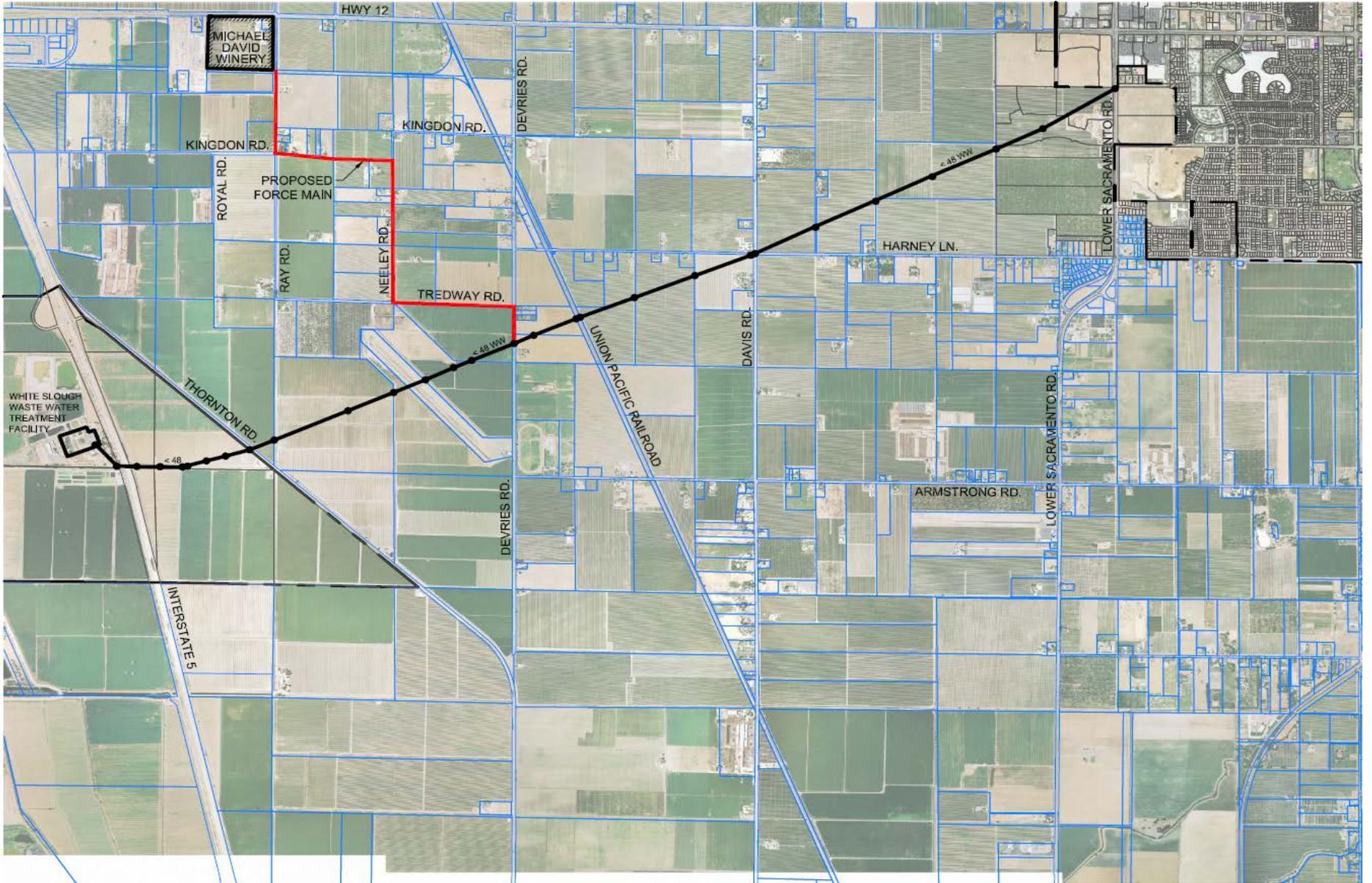


Figure 1 - Regional Map

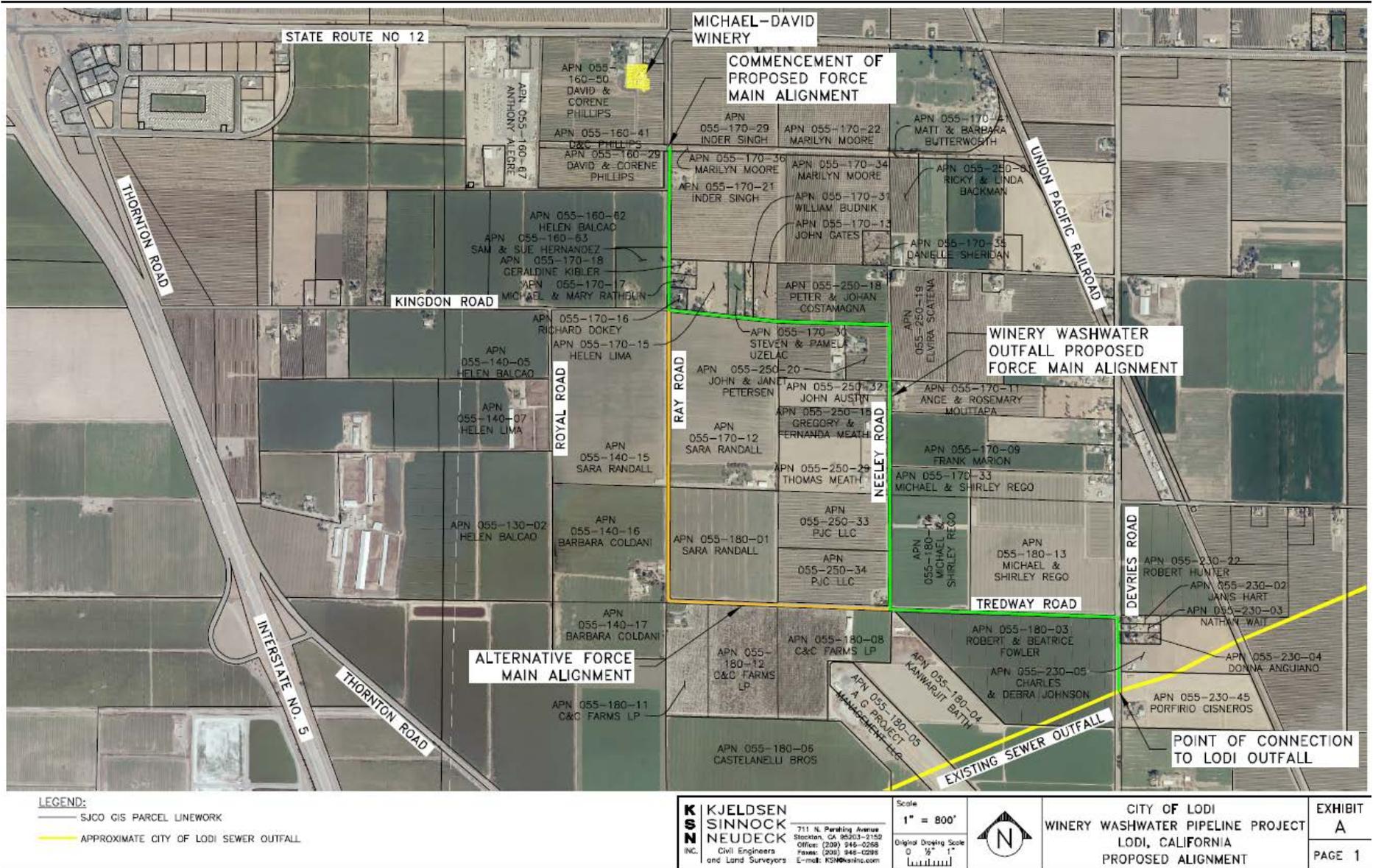


Figure 2 - Proposed Project Location and Alignment

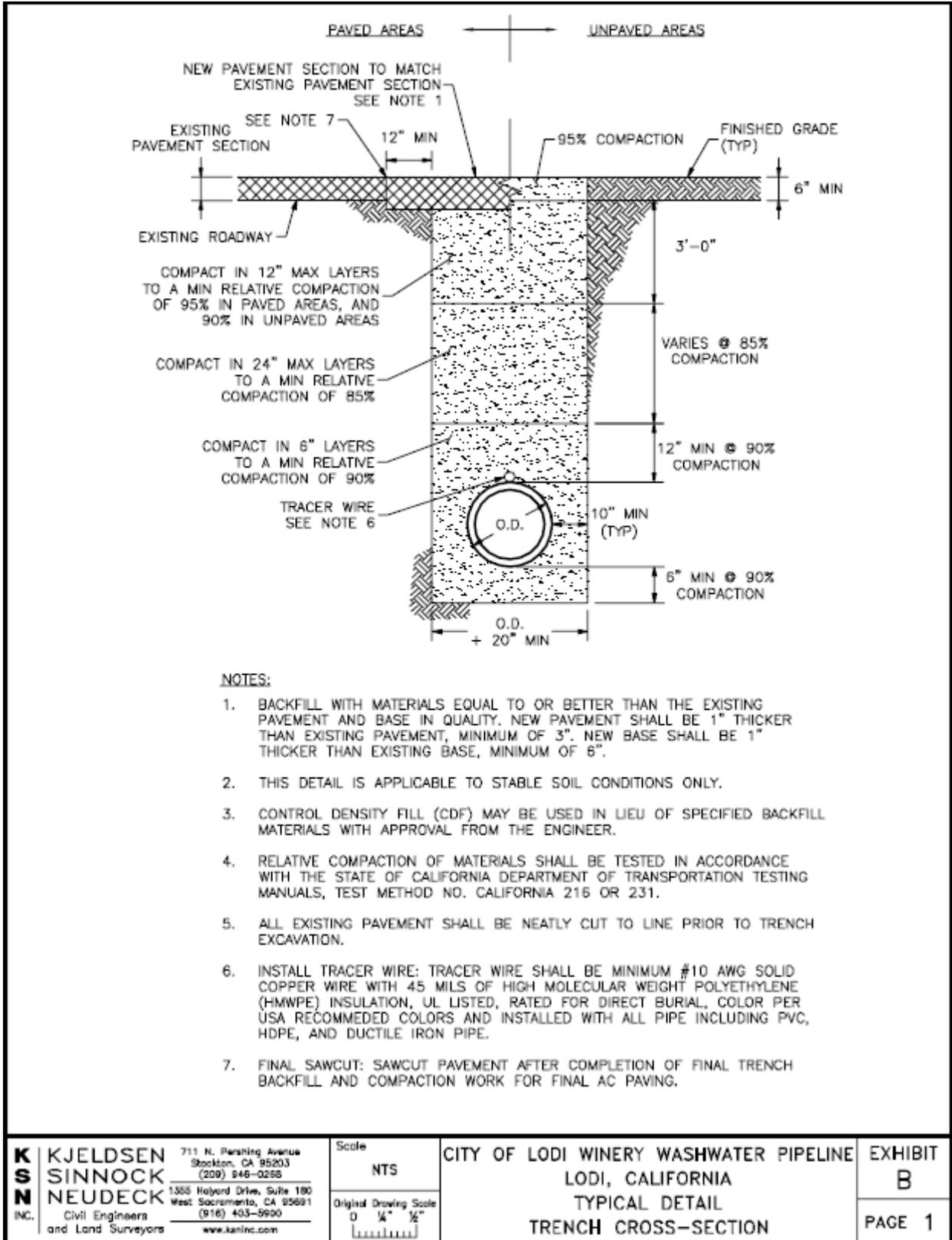


Figure 3 - Proposed Typical Cross Section

10. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project as indicated by the checklist on the following pages.

Environmental Factors Potentially Affected		
<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input checked="" type="checkbox"/> Air Quality
<input type="checkbox"/> Greenhouse Gas Emissions	<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/> Hazards & Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input checked="" type="checkbox"/> Utilities/Services Systems	
<input checked="" type="checkbox"/> None With Mitigation	<input type="checkbox"/> Mandatory Findings of Significance	

11. ENVIRONMENTAL DETERMINATION

- 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 measure 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.



 Craig Hoffman, Senior Planner

8.20.2014

 Date

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
1 AESTHETICS . <i>Would the Project:</i>				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	■
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	■
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	■
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	■

The San Joaquin County General Plan does not identify any scenic vistas, resources or roadways within the Project area. The pipeline work does not include any permanent structures above ground. The temporary construction activities will not impact any known or proposed scenic resources.

a-d) **No Impact.** The proposed Project includes the trenching of approximately 11,500 feet within existing public road rights-of-way. This will result in a temporary ground disturbance that will be re-graded and put back in place to resemble preconstruction conditions. Visual impacts from the construction activities are temporary and not long term.

The Project will not impact any scenic vistas.

The Project does not include construction that would remove or damage any scenic resources.

The Project area is rural in nature and comprised of agricultural uses, buildings and residences. The Project will not impact the aesthetics of the rural area or add new above ground features.

The proposed Project will not result in the construction of any new lighting or materials that could result in glare.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<p>2 AGRICULTURE RESOURCES: <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the Project:</i></p>				
<p>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 in the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c. Conflict with existing zoning for, or cause rezoning of forest land (as defined in PRC Sec. 4526), or timberland zoned Timberland Production (as defined in PRC Sec. 51104 (g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d. Result in loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The San Joaquin County General Plan and Zoning Code identifies the properties surrounding the Project site as agricultural and many including Williamson Act Contracts. The proposed Project ties into facilities on an existing private property containing a winery and then constructs a force main pipe and recycled water pipe within existing public rights-of-way. The Project is within an existing private property parcel and existing public rights-of-way. The Project takes place in pre-disturbed areas.

a-e) Less than Significant Impact. The Project does not propose to convert any farmland to non-agricultural use.

The Project is not on any Williamson Act properties and does not conflict with any existing or proposed contracts.

The Project site is surrounded by agricultural properties. It is not comprised of any timber or forested properties.

The pipeline will ensure that winery production and activities continue on the Michael/David Winery site by enhancing its wastewater operations. The Project is surrounded by agricultural uses. Any modification to zoning or the General Plan land use would require approval by the Board of Supervisors; such a request is not part of this or any anticipated project.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
3 AIR QUALITY. <i>Would the Project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	■	☐
b. Violate any air quality standard or contribute substantially to an existing or Projected air quality violation?	☐	☐	■	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	■	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	■	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	■

a) **Less Than Significant Impact.** The proposed Project site is located west of the City of Lodi in San Joaquin County, which is within the jurisdictional boundaries of the San Joaquin Valley Air Pollution Control District (SJVAPCD). At the federal level, the jurisdictional area of the SJVAPCD is designated as extreme nonattainment for the 8-hour ozone standard, nonattainment for PM_{2.5}, and attainment or unclassified for all other criteria pollutants. At the State level, the area is designated as severe nonattainment for the one-hour ozone standard, and nonattainment for the 8-hour ozone, PM₁₀, and PM_{2.5} standards. The area is designated attainment or unclassified for all other State standards. Due to the nonattainment designations, the SJVAPCD has developed plans to attain the State and federal standards for ozone and particulate matter. The plans include the *2013 Plan for the Revoked 1-Hour Ozone Standard*, the *2007 Ozone Plan*, the *2007 PM₁₀ Maintenance Plan and Request for Redesignation*, the *2008 PM_{2.5} Plan*, and the *2012 PM_{2.5} Plan*.

The SJVAPCD thresholds of significance are based on the SJVAPCD source review offset requirements, which are a major component of the SJVAPCD’s air quality plans. Thus, according to the SJVAPCD, projects with emissions below the thresholds of significance for criteria pollutants would be determined not to conflict with or obstruct implementation of the SJVAPCD’s air quality plans. The proposed Project would result in temporary emissions of criteria pollutants that would not exceed the applicable thresholds of significance. Therefore, the proposed Project would not be considered to conflict with or obstruct implementation of any applicable air quality plan.

b,c) **Less Than Significant Impact.** Typically, construction and operation of a project generates emissions of various air pollutants, including criteria pollutants such as carbon monoxide (CO), ozone precursors such as nitrous oxides (NO_x) and reactive organic gases (ROG) or Volatile Organic Compounds (VOC), particulate matter less than 10 microns in diameter (PM₁₀), and PM_{2.5}, as well as sulfur oxides (SO_x). For example, typical emission sources

during construction include equipment exhaust, dust from wind erosion, earthmoving activities, and vehicle movements.

To assist in evaluating impacts of project-specific air quality emissions, the SJVAPCD has adopted thresholds of significance for criteria pollutant emissions, expressed in units of tons per year (tons/yr), as presented in 1.

Pollutant	Construction Emissions (tons/yr)	Operational Emissions (tons/yr)
ROG	10	10
NO _x	10	10
CO	100	100
SO _x	27	27
PM ₁₀	15	15
PM _{2.5}	15	15
<i>Source: SJVAPCD, May 2012.</i>		

Construction-Related Emissions

During construction of the Project, various types of equipment and vehicles would temporarily operate on the Project site. Construction exhaust emissions would be generated from construction equipment, earth movement activities, construction workers’ commute, and construction material hauling for the entire construction period. The aforementioned activities would involve the use of diesel- and gasoline-powered equipment that would generate emissions of criteria pollutants. Project construction activities also represent sources of fugitive dust, which includes PM emissions. As construction of the proposed Project would generate air pollutant emissions intermittently within the site, and in the vicinity of the site, until all construction has been completed (estimated to be a three to four month period), construction is a potential short-term concern because the proposed project is in a nonattainment area for ozone and PM.

Air Quality Mitigation 1

The City shall not begin construction activities until first securing appropriate permits from the San Joaquin Valley Air Control District. The Project will be required to submit an Air Impact Assessment before issuance of construction permit. This assessment will be based upon construction qualities and will determine appropriate air mitigation fees.

Air Quality Mitigation 2

- Construction of the proposed Project shall comply with all applicable regulations specified in the San Joaquin Valley Air Pollution Control District Regulation VIII (Fugitive Dust Rules), including, but not limited to, compliance with the following mitigation measures:
 - Visible Dust Emissions (VDE) from construction, demolition, excavation or other earthmoving activities related to the Project shall be limited to 20% opacity or less, as defined in Rule 8011, Appendix A.

2.0 PROJECT DESCRIPTION

- Pre-water all land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and phase earthmoving.
- Apply water, chemical/organic stabilizer/suppressant, or vegetative ground cover to all disturbed areas, including unpaved roads.
- Restrict vehicular access to the disturbance area during periods of inactivity.
- Apply water or chemical/organic stabilizers/suppressants, construct wind barriers and/or cover exposed potentially dust-generating materials.
- When materials are transported off-site, stabilize and cover all materials to be transported and maintain six inches of freeboard space from the top of the container.
- Remove carryout and trackout of soil materials on a daily basis unless it extends more than 50 feet from site; carryout and trackout extending more than 50 feet from the site shall be removed immediately. 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. If the Project would involve more than 150 construction vehicle trips per day onto the public street, additional restrictions specified in Section 5.8 of Rule 8041 shall apply.
- Traffic speeds on unpaved roads shall be limited to 15 mph.
- During construction, all grading activities shall cease during periods of high winds (i.e., greater than 30 mph). To assure compliance with this measure, grading activities are subject to periodic inspections by City staff.
- Construction equipment shall be kept in proper operating condition, including proper engine tuning and exhaust control systems.
- Areas following clearing, grubbing and/or grading shall receive appropriate BMP treatments (e.g., re-vegetation, mulching, covering with tarps, etc.) to prevent fugitive dust generation.
- All exposed soil or material stockpiles that will not be used within 3 days shall be enclosed, covered, or watered twice daily, or shall be stabilized with approved nontoxic chemical soil binders at a rate to be determined by the on-site construction supervisor.
- Unpaved access roads shall be stabilized via frequent watering, non-toxic chemical stabilization, temporary paving, or equivalent measures at a rate to be determined by the on-site construction supervisor.
- Trucks transporting materials to and from the site shall allow for at least two feet of freeboard (i.e., minimum vertical distance between the top of the load and the top of the trailer). Alternatively, trucks transporting materials shall be covered.
- Where visible soil material is tracked onto adjacent public paved roads, the paved roads shall be swept and debris shall be returned to the construction site or transported off site for disposal.
- Wheel washers, dirt knock-off grates/mats, or equivalent measures shall be installed within the construction site where vehicles exit unpaved roads onto paved roads.
- Diesel powered construction equipment shall be maintained in accordance with manufacturer's requirements, and shall be retrofitted with diesel particulate filters where available and practicable.

- Heavy duty diesel trucks and gasoline powered equipment shall be turned off if idling is anticipated to last for more than 5 minutes.
- Where feasible, the construction contractor shall use alternatively fueled construction equipment, such as electric or natural gas-powered equipment or biofuel.
- Heavy construction equipment shall use low NOx diesel fuel to the extent that it is readily available at the time of construction.
- The construction contractor shall maintain signage along the construction perimeter with the name and telephone number of the individual in charge of implementing the construction emissions mitigation plan, and with the telephone number of the SJVAPCD's complaint line. The contractor's representative shall maintain a log of any public complaints and corrective actions taken to resolve complaints.
- During grading and site preparation activities, exposed soil areas shall be stabilized via frequent watering, non-toxic chemical stabilization, or equivalent measures at a rate to be determined by the on-site construction supervisor.
- During windy days when fugitive dust can be observed leaving the construction site, additional applications of water shall be required at a rate to be determined by the onsite construction supervisor.

This mitigation measure shall be a note on improvement and building plans.

- d) **Less Than Significant Impact.** Localized concentrations of CO are related to the levels of traffic and congestion along streets and at intersections. Concentrations of CO approaching the ambient air quality standards are only expected where background levels are high, and traffic volumes and congestion levels are high. Implementation of the proposed Project, would not result in a substantial increase in traffic on area roadways. Thus, operation at all nearby roadways and intersections would not be degraded as a result of the proposed Project. Therefore, the project's impact related to a contribution to localized mobile-source concentrations of CO would be less than significant.

Another category of environmental concern is Toxic Air Contaminants (TACs). The CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommendations for siting new sensitive land uses near sources typically associated with significant levels of TAC emissions, including, but not limited to, freeways and high traffic roads, distribution centers, and rail yards. The CARB has identified DPM from diesel-fueled engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks from TACs are a function of both the concentration of emissions and the duration of exposure. Health-related risks associated with DPM in particular are primarily associated with long-term exposure and associated risk of contracting cancer.

The Project site is not located near any substantial sources of TACs, such as distribution centers with more than 100 trucks per day, rail yards, high volume roadways, or freeways. In addition, the proposed Project would not introduce new sensitive receptors to the area and would be operated remotely. Therefore, the proposed Project would not be affected by any existing sources of TACs.

Operations of the proposed Project would not involve long-term operation of any stationary diesel engine or other major on-site stationary source of TACs. In addition, electricity generation via the use of photovoltaic systems does not generate chemical emissions that would negatively contribute to air quality. Construction activities, however, have the potential to generate DPM emissions related to the number and types of equipment typically associated with construction. Off-road heavy-duty diesel equipment used for site grading, paving, and other construction activities result in the generation of DPM. The existing residence located on the subject parcel, immediately west of the proposed solar facility area, would be the closest sensitive receptor to the site and could become exposed to DPM emissions from the site during construction activities. However, construction is temporary and occurs over a relatively short duration in comparison to the operational lifetime of the proposed Project (i.e., construction anticipated to be accomplished within three months). In addition, heavy-duty construction equipment would not operate continuously, but intermittently throughout the course of a day over the entire Project site, and would be regulated. As construction equipment on-site would not operate for long periods of time and would be used at various locations within the site, not always the same location for long periods of time, the likelihood that any one sensitive receptor would be exposed to high concentrations of DPM for any extended period of time would be very low. Because health risks associated with exposure to DPM or any TAC are correlated with high concentrations over a long period of exposure (e.g., over a 70-year lifetime), the temporary, intermittent construction-related DPM emissions would not be expected to cause any health risks to nearby sensitive receptors. Furthermore, as discussed above, substantial emissions of pollutants in excess of applicable thresholds of significance would not result from implementation of the project. Overall, the proposed project would not generate emissions of, or expose any nearby existing sensitive receptors to TACs.

For the reasons discussed above, the proposed Project would not cause or be exposed to substantial pollutant concentrations, including localized CO or TACs. Therefore, impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

- e) **No Impact.** Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, quantitative or formulaic methodologies to determine the presence of a significant odor impact do not exist. The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. Common types of facilities that have been known to produce odors in the San Joaquin Valley include, but are not limited to, wastewater treatment facilities, landfills, composting facilities, petroleum refineries, food processing facilities, feed lots, and/or dairies. The proposed Project does not involve any of the aforementioned facilities, and electricity generation via the use of photovoltaic systems would not generate chemical emissions that would negatively contribute to air quality or create objectionable odors. In addition, the proposed Project would not introduce any new sensitive receptors to the area that could be affected by any existing objectionable odor sources in the area. Therefore, operation of the proposed Project would not create objectionable odors affecting a substantial number of people.

Diesel fumes from construction equipment are often found to be objectionable; however, as discussed in further detail above, construction is temporary and associated diesel emissions would be regulated. As such, substantial levels of DPM associated with the temporary, intermittent construction activities would not be expected at the nearest sensitive receptor.

2.0 PROJECT DESCRIPTION

Thus, odors related to DPM from construction equipment would not be expected to be considerable or affect a substantial number of people.

For the aforementioned reasons, construction and operation of the proposed project would not create objectionable odors, nor would the project site be affected by any existing sources of objectionable odors, and a less-than-significant impact related to objectionable odors would result.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
4 GREENHOUSE GAS EMISSIONS.				
<i>Would the Project:</i>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	■	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	■	☐

California has adopted a wide variety of regulations aimed at reducing the State’s greenhouse gas (GHG) emissions. AB 32, the California Global Warming Solutions Act of 2006, requires California to reduce statewide GHG emissions to 1990 levels by 2020. AB 32 directs ARB to develop and implement regulations that reduce statewide GHG emissions. The *Climate Change Scoping Plan* (Scoping Plan) was approved by ARB in December 2008 and outlines the State’s plan to achieve the GHG reductions required in AB 32. The Scoping Plan contains the primary strategies California will implement to achieve a reduction of 169 MMT CO₂e, or approximately 28% from the State’s projected 2020 emission levels. In the Scoping Plan, ARB encourages local governments to adopt a reduction goal for municipal operations emissions and move toward establishing similar goals for community emissions that parallel the State commitment to reduce GHGs. The Scoping Plan recommends that local governments consider adopting a goal of 15% below current emissions levels to assist the State in implementing AB 32.

a,b) **Less Than Significant Impact.** The construction and operation of the wastewater line will create short term air impacts from construction trips and equipment. Those short term air impacts will require mitigation required under the Air Quality section.

Current Michael-David Winery production requires that approximately one million gallons of winery wastewater per year is conveyed via tanker trucks to City’s White Slough Wastewater Treatment Plant. Since typical transport trucks can convey approximately 6,500 gallons per trip, installation of the proposed private and public facilities will eliminate the need for approximately 150 truck trips per year. This would reduce annual emissions for heavy truck trips.

Ultimately, the reduction of truck trips to convey 10,000,000 gallons of wastewater could eliminate 1,500 annual truck trips in the future.

The Project also has the potential to reduce groundwater pumping when recycled water becomes available.

This Project is consistent with the goals and policies to reduce greenhouse gas emissions from heavy vehicle trips.

Issues	Potentially Significant Impact	Potentially Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
5 BIOLOGICAL RESOURCES <i>Would the proposal:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	■	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or 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, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	■	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of 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 Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

In an effort to protect sensitive and threatened species throughout San Joaquin County, the San Joaquin Council of Governments (SJCOG) prepared the San Joaquin County Multispecies Habitat Conservation and Open Space Plan (SJMSCP). The purpose of the SJMSCP is to provide a county-wide strategy for preserving open space, provide for the long-term management of plant, fish and wildlife species, especially those that are currently listed or may be listed in the future under the Federal Endangered Species Act (FESA) or the California Endangered Species Act (CESA), and to provide and maintain multiple-use open spaces that contribute to the quality of life of the residents of San Joaquin County.

The proposed Project is consistent with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the Final EIR/EIS for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15,

2000, and certified by the San Joaquin Council of Governments on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed Project to a level of less-than-significant. That document is hereby incorporated by reference and is available for review during regular business hours at the San Joaquin Council of Governments (555 E. Weber Avenue, Stockton, CA 95202) or online at: www.sjcog.org.

- a) **Less than Significant Impact.** The Project would not modify, either directly or indirectly, habitats of any species identified as a candidate sensitive, or special status. The proposed Project takes place within existing road rights-of-way and does not disturb any native or undisturbed areas.

Implementation of the following mitigation measures would reduce the above-identified impacts to biological resources to a less-than-significant level.

Biological Resources Mitigation Measure 1

The Project shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan. The Project shall coordinate with San Joaquin Council of Governments (555 E. Weber Avenue, Stockton, CA 95202), prior to any construction activities. Inclusion within the plan is required prior to construction.

Biological Resources Mitigation Measure 2 - Preconstruction Survey Requirement

A qualified biologist shall conduct a preconstruction clearance survey for special-status species and migratory birds in all potential habitats throughout the project area; thus, any action that disrupts surface soils (e.g., clearing and grubbing, rough grading, excavation, compaction for temporary staging areas or permanent construction sites) shall be subject to a preconstruction survey. Surveys shall be undertaken not more than 30 days prior to ground disturbing activity to ensure avoidance during construction. All areas within 250 feet of the project area shall be surveyed where site access and visibility allows. If no special-status species or migratory birds are present, further mitigation is not necessary. If any special-status species and/or migratory birds are found nesting on-site, the biologist shall implement protective measures to ensure that animals are not adversely affected, and construction does not commence until the biologist has determined no harm would result to breeding animals as a result of construction. Written results of the preconstruction survey shall be submitted to the City of Lodi and San Joaquin County Council of Governments Habitat Conservation Program.

- b) **Less Than Significant Impact.** The Project will have no adverse impacts on sensitive or regulated habitat because the Project site is devoid of native riparian vegetation or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS. In addition, none of the irrigation channels identified bordering the Project site is vegetated with riparian shrubs or trees.
- c) **Less Than Significant Impact.** No waters or wetlands that fall under the jurisdiction of the U.S. Army Corps of Engineers (ACOE), California Regional Water Quality Control Board (RWQCB), and/or CDFW are found on the project site (Aspen Environmental, 2013). Indicators of hydrologic activity (topographical or geological), hydric soils, or hydrophytic vegetation were not observed on-site. Therefore, no impact would occur.
- d) **Less Than Significant Impact.** The Project site is surrounded by unobstructed movement habitat and is not located within a linkage area between important habitat areas or

resources. Due to availability of movement routes throughout the Project vicinity, Project impacts to sensitive species movement routes would be less than significant under CEQA.

The proposed Project will not interfere substantially with the movement of any other 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) **Less Than Significant Impact.** Construction and operation of the Project would not conflict with any local policies or ordinances protecting biological resources. The local authority for the Project area is detailed in the provisions of the San Joaquin County General Plan address the preservation of environmentally sensitive areas that have existing natural watercourses, drainage basins, sloughs, or other natural water features, including maintaining the quality of existing wetland areas. Other than conserving native oaks and native trees associated with rivers, creeks, and streams, no specific tree preservation ordinances exist for the project area. Activities associated with the operation and maintenance of the proposed Project would have no impact on sensitive biological resources protected by local ordinances.

- f) **No Impact.** A significant impact may occur if the proposed Project were inconsistent with mapping or policies in any conservation plans of the types cited. In an effort to protect sensitive and threatened species throughout San Joaquin County, SJCOG prepared the SJMSCP. The purpose of the SJMSCP is to provide for the long-term management of plant, fish and wildlife species, especially those that are currently listed or may be listed in the future under the FESA or CESA, and to provide and maintain multiple-use open space that contributes to the quality of life of residents of San Joaquin County. The City of Lodi has adopted the SJMSCP and participation by the Project in the plan is required by the City. Therefore, the proposed Project would comply with the SJMSCP, and no impact would occur.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
6 CULTURAL RESOURCES <i>Would the Project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Less than Significant.** A significant impact would occur if the Project caused a substantial adverse change to a historical resource through demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired.

The Project will be constructed within existing road rights-of-way, no historical resources as defined in CEQA Guidelines section 15064.5 were identified in the Project area. Therefore, the Project would have less than significant impact on historical resources as defined by CEQA.

- b) **Less than Significant.** A significant impact would occur if the Project causes a substantial adverse change to an archaeological resource through demolition, construction, conversion, rehabilitation, relocation, or alteration. No archaeological resources were identified in project area. The absence of archaeological resources identified in the site survey does not, however, preclude the possibility of subsurface archaeological resources being present on the Project site.

Any ground disturbing activities performed for the proposed Project could possibly disturb previously unidentified archaeological resources. Therefore, potential impacts to archaeological resources are considered potentially significant. Implementation of Mitigation Measure CR-1 would ensure that any previously unidentified archaeological resources encountered during ground disturbing activities for the proposed project would be managed in accordance with applicable regulations. Therefore, the impact on archaeological resources is considered less than significant with mitigation incorporated.

Cultural Resources Mitigation Measure 1

If evidence of an archaeological site or other suspected historical resource as defined in CEQA Guidelines section 15064.5, including midden, that could conceal material remains (e.g., worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials) are discovered during Project-related earth-moving activities, all ground disturbing activity within 100 feet of the resources shall be halted and the City of Lodi shall be notified within 24 hours of the discovery. The Project applicant shall hire a qualified archaeologist to

assess the significance of the find. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) forms and filed with the Central California Information Center. If the resource is a historical resource or unique archaeological resource which cannot be avoided, a qualified archaeologist shall prepare a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the resource.

- c) **Less than Significant.** A significant impact may occur if grading or excavation activities associated with the proposed Project would disturb paleontological resources or geologic features that exist within the Project site. No paleontological resources or unique geologic features have been noted on the surface of the Project site. The likelihood of paleontological resources or unique geologic features being present subsurface within the boundaries of the proposed Project is unlikely given the rapid rate of deposition in the area. The possibility exists, however, that previously unidentified paleontological resources could be encountered during ground-disturbing activities associated with the proposed Project and therefore is considered a potentially significant impact if mitigation measures are not implemented. Implementation of Mitigation Measure CR-2 would ensure that any previously unidentified paleontological resources encountered during ground disturbing activities for the proposed project would be managed in accordance with applicable regulations. Therefore, the impact on paleontological resources is considered less than significant with mitigation incorporated.

Cultural Resources Mitigation Measure 2

Should paleontological resources be identified on the Project site during any ground disturbing activities related to the Project, all ground disturbing activities within 100 feet of the discovery shall cease and the City of Lodi shall be notified within 24 hours of the discovery. The Project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less than- significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the Project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, Project design, costs, specific plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

- d) **Less than Significant.** A significant impact may occur if grading or excavation activities associated with the proposed Project would disturb previously interred human remains. No human remains were encountered during project surveys. Disturbing human remains, either in a formal cemetery or disarticulated, would be considered a significant impact under CEQA Guidelines §10564.5. Implementation of Mitigation Measure CR-3 would ensure that that any human remains encountered during activities associated with the proposed Project would be managed in accordance with applicable regulations. Therefore, the impact on human remains is considered less than significant with mitigation incorporated.

Cultural Resources Mitigation Measure 3

If human remains (including disarticulated or cremated remains) are discovered at any Project construction sites during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Lodi and the San Joaquin County coroner shall be notified immediately. If the remains are determined by the County

coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The Project applicant shall retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The Project applicant will be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of state law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The Project applicant shall implement approved mitigation before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
7 GEOLOGY AND SOILS.				
<i>Would the Project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	■	☐
ii. Strong seismic ground shaking?	☐	☐	■	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	■	☐
iv. Landslides?	☐	☐	☐	■
b. Result in substantial soil erosion, or the loss of topsoil?	☐	☐	■	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	■	☐
d. Be located on expansive soils, as defined in Table 18-1-13 of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	■	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■

The Project construction will require 11,500 lineal feet of piping to be placed within existing public road rights-of-way. The Project design includes soils report and borings to determine appropriate pipe cross section, compaction and fill material required. Figure 3 shows a typical cross section for trenching and compaction. This will be completed per improvement plans and County of San Joaquin and City of Lodi design standards.

a) Less than Significant Impact.

- i. There are no mapped surface or subsurface faults that traverse the project area and the Project area is not listed within a State designated Alquist-Priolo Earthquake Fault Zone. Construction will be required to meet the design standards set forth in the County of San Joaquin and City’s Standards, including specific provisions for seismic design of structures.
- ii. The proposed Project will not create seismic ground shaking or expose people or structures to strong seismic ground shaking. The proposed Project will be designed to meet the County of San Joaquin and City of Lodi design standards for infrastructure

line improvements. The Project design includes soils report and borings to determine appropriate pipe cross section, compaction and fill material required.

- iii. The Project area is not considered to be particularly susceptible to liquefaction. However, similar to Items (a) (i, ii), the project will be required to meet engineering and structural requirements. Such compliance would ensure safety to structures and people.
 - iv). The Project area is located in an area of generally level terrain that would not produce a landslide. Average grade within the Project boundaries is between zero and five degrees. Further, according to the Official Maps of Seismic Hazard Zones provided by the State of California Department of Conservation, the Project area is not located within an earthquake-induced landslide zone, which is defined as an area where previous occurrence of landslide movement, or local topographic, geological, geotechnical and subsurface water conditions indicate a potential for permanent ground displacement. As a result, **no impacts** related to landslides would occur.
- b) **Less than Significant Impact.** The Project will not involve major movement of topsoil or directly result in substantial soil erosion. The Project will be subject to the County's Grading Ordinance, and the County of San Joaquin and City's Design Standards to reduce erosion impacts. As a normal and standard requirement, the Project would be required to prepare and have approved individual Stormwater Pollution Prevention Plans (SWPPPs) that mandate construction and post-construction water quality provisions, including but not limited to erosion control plans during construction, installation of biofilters and/or mechanical cleansing of stormwater run-off and similar elements.
- c) **Less than Significant Impact.** The Project design includes soils report and borings to determine appropriate pipe cross section, compaction and fill material required. The construction will be completed per improvement plans and County of San Joaquin and City of Lodi design standards. The Project will be subject to applicable engineering and County and City code requirements, which would ensure that they are developed in a way that minimizes the possible effects of expansive soil.
- d) **No Impact.** The Project does not involve septic systems or the use of alternative wastewater systems. The City of Lodi wastewater pipe extension allows for industrial wash down water to flow from the Michael/David Winery to the Lodi White Slough Wastewater facility. Michael/David Winery already trucks wash down water to the Lodi facility. This Project will ultimately eliminate future truck traffic between the Winery and City's White Slough facility

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
8 HAZARDS AND HAZARDOUS MATERIALS. <i>Would the Project:</i>				
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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"/>
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 for people residing or working in the Project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The process / wash down water from the Michael/David Winery is not classified as hazardous and will ultimately be treated to Title 22 recycled water quality standards and applied to City owned agricultural fields at the White Slough Wastewater Treatment facility. Michael/David Winery currently trucks wash down water to the White Slough Wastewater Treatment facility. This Project will eliminate future truck trips and the end result of wash down water shipped to the White Slough facility does not change.

a,b) **No Impact.** The City of Lodi wastewater pipeline extension would not result in the routine transport, use, or disposal of hazardous materials. The Project does not create the

potential for accidental release of hazardous materials. No hazardous material are included as part of this project.

- c) **No Impact.** The proposed project does not involve direct handling or emission of hazardous materials. The project routing is not located within a quarter mile of an existing or proposed school.
- d) **No Impact.** The project takes place within existing public road rights-of-way. The project route is not included in any hazardous materials sites compiled pursuant to Government Code Section 65962.5
- e,f) **Less than Significant Impact** The proposed project is located within 2 miles of the Kingdon Airpark and falls within the Area of Influence. The nearest runway is approximately 1.3 miles to the southeast of the Project. The proposed Project is expected to have a less than significant impact upon the airport because:
- Glare, distracting lights and reflective materials are not are part of the Project or Project design.
 - Sources of dust, steam or smoke will not impair pilot visibility.
 - Sources of electrical interference with aircraft communication or navigation are not part of Project design features. No transmissions which would interfere with aircraft radio communications or navigational signals.
 - The Project will not attract birds that could lead to airstrikes and flight hazards.
- g) **No Impact.** The proposed Project will not impair implementation of or interfere with an adopted emergency response plan or emergency evacuation plan. The Project includes construction within an existing public road right-of-way. The Project does not permanently block any access roads and will not eliminate access for safety vehicles or personnel.
- h) **No Impact.** The Project area is surrounded by agricultural properties and is not characterized by areas of wildlands. The Project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires. No impact is expected.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
9 HYDROLOGY AND WATER QUALITY				
<i>Would the Project:</i>				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year floodplain structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed Project includes the trenching of 11,500 linear feet along existing public road rights-of-way. The construction will take place in the road shoulder and not in county road ditches or in waterways. Construction impacts will be temporary and best management practices will be in place. The Project will include the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce construction impacts to water ways and sources.

a,f) **Less Than Significant Impact.** Any potential water quality impacts resulting from the Project would be associated with short-term (construction-related) erosion or

sedimentation and limited use/discharge. The development of the Project is expected to require 11,500 linear feet of trenching and limited grading, with no impact to existing off-site drainage patterns and public right-of-way to topography of the site. The Project will not alter water paths or degrade water quality.

Erosion and/or sedimentation will be avoided or reduced below a level of significance through conformance with applicable elements of the County of San Joaquin Stormwater General Construction Permit City of Lodi Municipal Stormwater General Construction Permit.

A Stormwater Pollution Prevention Plan (SWPPP) will be prepared for the Project that will provide detailed descriptions of the various structural and nonstructural water quality management measures employed for on- and off-site improvement areas. Compliance with the applicable NPDES requirements will ensure that the entirety of the Project will avoid any potential violations of water quality standards or waste discharge requirements.

The proposed Project does not include the construction of any waterwells or interfere with groundwater recharge. The proposed pipeline is within an existing public roadway right-of-way. Groundwater will not be affected by this Project.

- c-e) **Less Than Significant Impact.** The proposed Project calls for the construction of 11,500 linear feet of pipeline within an existing public road rights-of-way. The Project will not alter or change drainage ways, create additional runoff or exceed drainage facilities holding runoff. The Project is within previously disturbed areas and does not modify drainage facilities.
- g-i) **Less Than Significant Impact.** The proposed Project would not create or result in housing within a 100-year flood hazard area or result in the placement of structures within a 100-year flood hazard area, which would impede or redirect flood flows. The Project is not a residential project and does not change alter or encourage housing within a floodplain.
- j) **No Impact.** The Project will not be impacted by inundation by seiche, tsunami, or mudflow, because the project is not adjacent to any body of water that has the potential to experience a seiche or tsunami, nor is the Project site in the path of any potential mudflow.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less- Than- Significant Impact	No Impact
10 LAND USE AND PLANNING. <i>Would the Project:</i>				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a,b) **Less Than Significant Impact.** The proposed Project will not physically divide an established community. The proposed wastewater line and recycled water line is within an existing public road rights-of-way. Existing access to existing, nearby residences would not be impeded by construction and operation of the wastewater line.

The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying area. No physical restraints to access are a part of this Project.

c) **No Impact.** A significant impact may occur if the proposed Project were inconsistent with mapping or policies in any conservation plans of the types cited. In an effort to protect sensitive and threatened species throughout San Joaquin County, SJCOG prepared the San Joaquin Multi Species Conservation Plan. The purpose of the SJMSCP is to provide for the long-term management of plant, fish and wildlife species, especially those that are currently listed or may be listed in the future under the Federal Endangered Species Act or California Endangered Species Act ESA, and to provide and maintain multiple-use open space that contributes to the quality of life of residents of San Joaquin County. The City of Lodi has adopted the SJMSCP and participation by the Project in the plan is required by the City. Therefore, the proposed Project would comply with the SJMSCP, and no impact would occur.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
11 MINERAL RESOURCES				
<i>Would the Project:</i>				
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"/>
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"/>

a,b) **No Impact.** The current and historic use of the proposed Project route has been a public roadway right-of-way. The project route is not located within an established Mineral Resources Zone, and economically viable mineral deposits are not known to be present within the public rights-of-way. As a result, the Project would have no impact with respect to resulting in the loss of availability of a known, or locally-important, mineral resource that would be of value to the region and the residents of the State.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
12 NOISE				
<i>Would the Project result in:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 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"/>
f. For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-d) **Less Than Significant Impact.** The proposed Project route is within a production agriculture area. Wineries, vineyards, and orchards are located along the proposed pipeline along with rural residences. Therefore, few sensitive receptors are located within the immediate vicinity of the Project site.

The noise associated with the Project site will be from construction activities. Operational noise and operational maintenance will be non-existent from the underground pipe.

Since the construction activities will follow the 11,500 linear feet of pipeline, noise associated with a specific location will be short term. Impacts are anticipated to be less than significant and will comply with the San Joaquin County noise ordinance. Construction hours will be limited to 6:00 am to 6:00 pm on weekdays.

Construction of the proposed Project is estimated to require approximately 15 workers at its peak, including skilled local professionals and labor resources. During construction, single shifts, 5 days per week during construction are expected.

During construction, the following vehicles will be used:

- 1-2 Backhoes
- 1-2 front loaders
- 1-2 dump trucks
- 1 street sweeper

- 1 water truck
- 1-2 flatbed trucks for pipe delivery
- 4 Passenger Trucks

Typical construction activity will include the digging of a trench within the shoulder of the public road to a depth of four (4) feet, crushed rock will be placed in the bottom of the trench and compacted as necessary. The wastewater pipe and recycled water pipe will be placed in the trench and fill material placed back in the trench and compacted as necessary. Excess dirt will be placed within haul trucks and carried off as needed. Roadways will be swept clean and asphalt patched as needed.

The relatively small size of the work crew and associated construction activities are not expected to generate noise that will violate the San Joaquin County noise standard for construction activities.

e,f) **Less than Significant Impact.** The proposed Project is located within 2 miles of the Kingdon Airpark and falls within the Area of Influence. The nearest runway is approximately 1.3 miles to the southeast of the Project. The proposed Project is expected to have a less than significant impact upon the airport because no new residential population is being generated. No new residences or existing residences will be impacted by noise generated from the airport or overflights.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
13 POPULATION AND HOUSING				
<i>Would the Project:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☐	■
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

The proposed Project is for the construction of a 11,500 lineal foot pipeline for washdown water from the Michael/David Winery to the City of Lodi Industrial Wastewater force main and a recycled water pipe. The Michael/David Winery has been approved by San Joaquin County for the exiting operation and any future growth of the Winery facilities as outlined in Appendix A. The proposed Project is limited to the wastewater pipeline facility potential recycled water pipe and will not cause any population growth.

a-c) **No Impact.** The Project area is within an agricultural / rural part of the County. The Project would not include the creation of new housing, nor displace any existing housing or people. It is anticipated that any workers needed for project construction and operation would come from the regional employment base; therefore, the Project would not result in local area population growth or lead to the creation of, or necessity for new housing. Similarly, the Project would not indirectly induce substantial population growth through the extension of major infrastructure. Consequently, no impacts related to population and housing would occur.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
14 PUBLIC SERVICES				
<i>Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-e) **No Impact.** Construction and long-term operation of the proposed wastewater pipeline facilities would not place any demand on fire protection, police protection, schools, parks, or other public facilities because the project would not involve the construction of facilities that require such services (e.g., residences). Other public facilities include public libraries, public hospitals and medical centers, and community centers. A considerable workforce is available within the project region and residents within the region are expected to serve the labor requirements of the proposed Project, negating the need for a significant percentage of outside labor. As a result, the proposed Project is not anticipated to induce substantial population growth in the area either directly or indirectly, and the existing number of other public facilities would continue to adequately serve the regional population. Based on these factors, the proposed project will not result in any long-term impacts to schools, parks, and other public facilities.

Impacts to the City of Lodi White Slough Wastewater treatment facility are described in Section 17 under Utilities and Service Systems.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
15 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"/>
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"/>

a,b) **No Impact.** A considerable workforce is available within the Project region and residents within the region are expected to serve the labor requirements of the proposed Project, negating the need for a significant percentage of outside labor. As a result, the proposed project is not anticipated to induce substantial population growth in the area either directly or indirectly, and the existing number of recreational facilities would continue to adequately serve the regional population. Therefore, the project would have no impact with regard to causing substantial physical deterioration of recreational facilities. In addition, because the project would not result in a substantial increase in population during or after construction, the project would not increase the demand for parks.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
16 TRANSPORTATION/TRAFFIC <i>Would the Project:</i>				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project construction is anticipated to take approximately 90 to 120 days to complete and is expected to begin in early 2015.

Construction of the proposed Project is estimated to require approximately 15 workers at its peak, including skilled local professionals and labor resources. During construction, single shifts, 5 days per week are anticipated.

During construction, the following vehicles will be used:

- 1-2 Backhoes
- 1-2 front loaders
- 1-2 dump trucks
- 1 street sweeper
- 1 water truck
- 1-2 flatbed trucks for pipe delivery
- 4 Passenger Trucks

Typical construction activity will include the digging of a trench within the shoulder of the existing public road to a depth of four feet, crushed rock will be placed in the bottom of the trench and compacted as necessary. The wastewater pipe and recycled water pipe will be placed in the trench and fill material placed back in the trench and compacted as necessary.

Excess dirt will be placed within haul trucks and carried off as needed. Roadways will be swept clean and asphalt patched as needed.

Flagging crews will provide access and traffic controls. A traffic lane will be open a majority of the time.

a,b) **Less than Significant Impact** Traffic generated by this Project will be short term construction related impacts. The linear construction Project is not expected to generate excessing traffic. The Project anticipated approximately 15 contractor staff with 14 vehicles. The Project will not increase traffic substantially in relation to the existing traffic load and capacity of the street system. The Project will not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads

c) **Less than Significant Impact** The proposed Project is located within 2 miles of the Kingdon Airpark and falls within the Area of Influence. The nearest runway is approximately 1.3 miles to the southeast of the Project. The proposed Project is expected to have a less than significant impact upon the airport because:

- Glare, distracting lights and reflective materials are not are part of the Project or Project design.
- Sources of dust, steam or smoke will not impair pilot visibility.
- Sources of electrical interference with aircraft communication or navigation are not part of Project design features. No transmissions which would interfere with aircraft radio communications or navigational signals.
- The Project will not attract birds that could lead to airmstrikes and flight hazards.

The proposed Project will not 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) **Less Than Significant Impact.** The Project does not include design features that would increase hazards or incompatible uses, because the Project would not include the construction of any new streets or roads. The Project will take place within existing public road rights-of-way. The County of San Joaquin Public Works department will issue an encroachment permit and conditions for that permit will specify safety measures for construction activities. Construction impacts will be short term. Therefore, the proposed Project would not increase hazards due to a design feature, such as a sharp curve or dangerous intersection, incompatible uses, such as farming equipment, or inadequate emergency access.

e) **No Impact.** The proposed Project will not result in inadequate emergency access to the project area. During on-site construction, vehicles will not block emergency access routes. In addition, the proposed project will provide adequate emergency access for both fire and medical emergency vehicles through construction of one 30-foot wide access drive into the site, and a network of internal access roads through and around the project facilities. Therefore, the project would have a less-than-significant impact to emergency access.

f) **No Impact.** The proposed Project will not generate the need for new parking capacity. The Project will take place within existing public road rights-of-way. The County of San Joaquin Public Works department will issue an encroachment permit and conditions for that permit will specify temporary parking for construction activities. Construction parking impacts will be short term.

- g) **No Impact.** The Project would require no use of alternative transportation, during both construction and operation. The Project would not conflict with any applicable land use plan, policy, or regulation supporting alternative transportation of an agency with jurisdiction over the project. No impacts would result during the construction phase, operations phase, and decommissioning phase.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
17 UTILITIES AND SERVICE SYSTEMS				
<i>Would the Project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. 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"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes, and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The City of Lodi wastewater treatment facility at White Slough, handles the City's effluent. The original treatment facility was built in 1966 with a rated capacity of 3.5 million gallons per day. The White Slough facility includes primary and secondary treatment and chlorine disinfection. Effluent is applied to City owned agricultural land during summer months and discharged during winter months. The White Slough facility has undergone two major expansions since it was built. In 1976 the Facility underwent an expansion to handle 5.8 million gallons of wastewater discharge per day and in 1990 the plant was expanded to handle 8.5 million gallons per day.

In addition to the domestic wastewater treatment, the Facility also treats industrial wastewater. This treatment includes pond stabilization and mixing with treated secondary effluent followed by irrigation on City owned agricultural fields during summer months. Biosolids treatment included primary digestion, secondary digestion and two sludge stabilizing lagoons. Digested biosolids have been combined with industrial and treated domestic effluent (treated to Title 22 recycled water quality) and applied to City owned agricultural fields.

The City of Lodi currently spreads 158 million gallons of industrial waste / washdown water per year (effluent treated to Title 22 recycled water quality) on approximately 800 acres of City owned agricultural land each year. In past years the industrial waste water was not enough for irrigation needs and the City needed to pump groundwater from wells. The industrial washdown water from the Winery constitutes approximately 2 percent of the total industrial

wastewater treated by City. The proposal for up to 10 million annual gallons would be approximately 7 percent of the total.

The City of Lodi does not need to modify any processes at the White Slough facility and the added wastewater from the Winery has the potential to eliminate future irrigation shortcomings.

The Winery currently trucks approximately 1.5 million gallons of washdown water to the White Slough Treatment facility. This Project will eliminate long-term truck trips.

The City of Lodi is requesting that a recycled water pipeline be included with this project. The recycled water pipeline will be within the same trench facility and will offer the opportunity for the Michael David Winery to receive recycled water from the White Slough Wastewater Treatment facility, reducing potential groundwater pumping in the future. The City of Lodi wastewater facility generates recycled water that is used on agricultural fields and for the Lodi Energy Center. In the future, if a recycled water pipeline is constructed from the wastewater treatment facility, the City of Lodi may be able to provide this service.

a,b,e) **Less Than Significant Impact.** The Michael/David Winery currently trucks industrial / agricultural washdown water to the White Slough treatment facility. There would be no increase in demand for wastewater treatment by this Project, that would exceed treatment requirements. The Project does not result in the need or expansion of new treatment facilities at White Slough. As indicated above the City could use more industrial wastewater to eliminate the current need for agricultural groundwater pumping.

The City owns and operates the treatment facilities at the White Slough Water Pollution Control Facility. The City has adopted and maintains a *Wastewater Master Plan* to estimate future infrastructure and service demands within Lodi., and sufficient plant capacity would continue to be available and impacts relating to wastewater service would be less than significant.

c) **No Impact.** The proposed Project does not include the construction of new storm water drainage facilities or expansion of existing facilities. The proposed Project takes place within existing public road rights-of-way. Most of these rural roadways have existing stormwater valley ditches. The Project does not propose to modify, block or construct new drainage facilities.

d) **No Impact.** Development of the Project will not require a new water supply or need the expansion of water sources. Water will be used to control dust from the short term construction activities. Water usage will not be required for operations. No impact is anticipated.

f,g) **Less Than Significant Impact.** Construction and long-term operation of the proposed wastewater pipeline facilities would not require the development of a new landfill facility. Waste from construction of the Project would be disposed of at the North County Recycling Center & Sanitary Landfill located on Harney Lane.

Solid waste would be generated by the wastewater pipeline project primarily during construction and would consist of unused materials and by-products of construction activities. The Project would not have adverse impacts on the landfill because the Project would generate only a relatively small amount of construction waste that would easily be

accommodated by the existing landfill. In addition, construction waste would be sorted prior to being disposed of at the landfill, and any recyclable materials would be taken out prior to the disposal of the remainder of the waste. Project waste disposal would have a minimal impact on the capacity of the North County Recycling Center & Sanitary Landfill and would not require the development of new or expanded landfills, and a less-than-significant impact would result under this criterion.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
18 MANDATORY FINDINGS OF SIGNIFICANCE				
a. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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"/>

a) **Less than Significant Impact.** As discussed in Section 4, *Biological Resources* and Section 5, *Cultural Resources*, the Project does not have the potential to substantially reduce habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, 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.

The purpose of the Project is to eliminate future heavy haul truck trips from the Michael/David Winery to the City of Lodi White Slough Wastewater facility and ultimately is reducing GHG emissions in San Joaquin County with the intention of reducing environmental impacts associated with global climate change. The Project does not contain any design feature that would directly reduce habitat, reduce wildlife populations, threaten animal or plant community restrict the range of species, or eliminate examples of history or prehistory.

b) **Less than Significant Impact.** Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period.

The Project would not result in any adverse environmental impacts that are cumulatively considerable. The Project ultimately reduces future heavy haul truck trips from the

Michael/David Winery to the City of Lodi White Slough Wastewater facility. The Project would contribute to a cumulative reduction in GHG emissions and to reduce impacts associated with global climate change, which would have beneficial cumulative environmental effects. The short term construction impacts will be mitigated to less than significant and the future operations and reduction of heavy haul truck trips will be an environmental benefit.

- c) **Less than Significant Impact.** As discussed in Section 3, Air Quality; Section 6, Geology and Soils; Section 7, Hazards and Hazardous Materials; Section 8, Hydrology and Water Quality; Section 11, Noise; and Section 15, Transportation and Traffic, the proposed project would not create environmental effects that would adversely affect human beings.

The Project consists of the development of a wastewater pipeline within pre-disturbed public road rights-of-way that will require minimal disturbance to the physical environment. Upon implementation of the Project, minimal vehicle trips would be generated on an ongoing basis. The only vehicle trips necessary throughout the long-term operation of the proposed Project would be associated with maintenance activities. Thus, the project would not be expected to result in any new environmental effects, such as significant increases in GHG emissions, risks related to geological hazards, exposure to hazards or hazardous materials, or exposure to excessive noise levels, that would cause adverse effects on human beings. Because adverse effects on human beings, either directly or indirectly, would not occur as a result of implementation of the proposed project, less-than-significant impacts would result.

Documents Referenced

- Alquist-Priolo Earthquake Fault Zoning Act (<http://www.consrv.ca.gov/dmg/shezp/maps/mora4.htm>).
- California Environmental Quality Act Guidelines, as amended.
- California Air Resources Board (CARB), *Air Quality and Land Use Handbook: A Community Health Perspective*, 2005.
- California Air Resources Board (CARB), *Ambient Air Quality Standards*, last updated February, 2007.
- California Air Resources Board, *California 1990 Greenhouse Gas Emissions Level and 2020 Emissions Limit*, 2007.
- California Department of Conservation (CDC), Division of Mines, *California Geological Survey - SMARA Mineral Land Classification Map 2006*.
- California Department of Conservation, Division of Land Resource Protection. *San Joaquin County Important Farmland 2006*. June 2008.
- _____. Farmland Mapping and Monitoring Program (2004-2006).
- California Geological Survey (CGS), Probabilistic Seismic Hazards Mapping Ground Motion Page, <http://redirect.conservacion.ca.gov/cgs/rghm/psha/pshamap.asp>, accessed February 25, 2010.
- California, State of, Department of Transportation. *San Joaquin County Officially Designated State Scenic Highways and Historic Parkways 2009*. Available online at http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm
- California, State of, Department of Transportation. *Scenic Highway Guidelines*. Also available online at http://www.dot.ca.gov/hq/LandArch/scenic/guidelines/scenic_hwy_guidelines.pdf
- California, State of, Water Resources Control Board. GeoTracker. 2008. Available online at <http://www.geotracker.swrcb.ca.gov>
- Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database, <http://www.epa.gov/superfund/sites/cursites/>, accessed online September 18, 2012.
- Cortese list of Hazardous Waste and Substances Sites, http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm, accessed online July 2009.
- San Joaquin Valley Air Pollution Control District (SJVAPCD), *Guide for Assessing and Mitigating Air Quality Impacts, Technical Document: Information for Preparing Air Quality Sections in EIRs*, Adopted August 20, 1998; January 10, 2002 revision.
- San Joaquin Valley Air Pollution Control District (SJVAPCD), *District Air Quality Plans and Related Reports, Particulate Matter, and Ozone*, 2003.
- San Joaquin Valley Air Pollution Control District (SJVAPCD), *Ambient Air Quality Standards and Valley Attainment Status*, 2005.
- San Joaquin County, Draft Airport Land Use Compatibility Plan, 2008.
- San Joaquin County, General Plan

- San Joaquin County, Municipal / Development Code
- San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP).
- State of California, Department of Conservation, Division of Land Resource Protection. Farmland Mapping and Monitoring Program. Accessed at www.consrv.ca.gov/dlrp
- United States, Department of the Interior, Fish & Wildlife Service. National Wetlands Inventory. *Wetlands Mapper*, Accessed March 28, 2011. Available online at <http://www.fws.gov/wetlands/data/Mapper.html>
- United States, Department of the Interior, Fish & Wildlife Service. *The National Map* (created and maintained by U.S. Department of the Interior, Geological Survey).
- United States, Environmental Protection Agency, *EnviroMapper for Superfund*. Available online at <http://www.epa.gov/enviro/sf/>.
- U.S. Department of Transportation, Federal Highway Administration. *The National Scenic Byways Program*. (<http://www.scenic.org/byways>).
- Western Regional Climate Center, 2005. Website: <http://www.wrcc.dri.edu/cgi-bin/cliMAIN.pl?calodi+nca>

Appendix A

Michael/David Winery Approval
With Mitigated Negative Declaration

13072



**SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

1810 E. HAZELTON AVE., STOCKTON, CA 95205-8232
PHONE: 209/468-3121 FAX: 209/468-3163

January 23, 2014

David and Corene Phillips TR
4580 W. Highway 12
Lodi, CA 95242

Dear Mr. and Mrs. Phillips:

Re: Use Permit Application No. PA-1300118 of David and Corene Phillips TR
(c/o Mike Smith Engineering, Inc.) (APN: 055-160-50, -51, -29, and -41)

ACTION: On December 19, 2013, the San Joaquin County Planning Commission approved Use Permit Application No. PA-1300118 subject to the enclosed Conditions of Approval.

EXPIRATION: This action requires you to comply with all Conditions of Approval by June 30, 2015. If you have not complied with the Conditions of Approval by that date, this approval will expire, and the project cannot proceed.

NEXT STEP: Before your use can be established, you must comply with all Conditions of Approval, including the securing of building permits and any other permits specified in the Conditions of Approval.

Please contact me if you have questions regarding the Community Development Department Conditions (Phone: (209) 468-8477). Questions regarding the building permit process should be directed to the counter staff (Phone: (209) 468-2098).

Sincerely,

A handwritten signature in black ink, appearing to read "Mo Hatef".

Mo Hatef
Senior Planner

MH:ss

Enclosure: Conditions, Map

cc: Mike Smith Engineering, Inc.
Department of Public Works
Building Inspection Division
Kimberly Sheffield
Environmental Health Department
County Assessor

CONDITIONS OF APPROVAL

PA-1300118
David and Corene Phillips TR
(c/o Mike Smith Engineering, Inc.)

Use Permit Application No. PA-1300118 was approved by the San Joaquin County Planning Commission on December 19, 2013. The effective date of approval is December 29, 2013. This approval will expire on June 30, 2015, which is 18 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been secured and remain in force, and (3) all necessary permits from other agencies have been secured and remain in force.

Unless otherwise specified, all Conditions of Approval and Ordinance requirements shall be fulfilled prior to the establishment of the use and the issuance of any building permits. Those Conditions followed by a Section Number have been identified as Ordinance requirements pertinent to this application. Ordinance requirements cannot be modified, and other Ordinance requirements may apply.

1. COMMUNITY DEVELOPMENT DEPARTMENT (Staff Contact: Mo Hatf, 209-468-8477)

- a. **BUILDING PERMIT:** Submit an "APPLICATION-COMMERCIAL BUILDING PERMIT". The Site Plan required as a part of the building permit must be prepared by a registered civil engineer or licensed architect. This Plan must show drainage, driveway access details including gates, on-site parking, landscaping, signs, existing and proposed utility services, and grading (refer to the "SITE PLAN CHECK LIST" for details). A fee is required for the Site Plan review. (Development Title Section 9-884)
- b. **APPROVED USE:** This approval is for the expansion of a large winery to be built in four phases over a fifteen year period as shown on the Revised Site Plan dated December 5, 2013 (Use Type: Wineries and Wine Cellars--Winery, Large). Twenty-five marketing events per year are also approved with a maximum attendance of 150 people as shown on the proposed marketing plan dated July 15, 2013.

Phase One, building permits to be issued within 18 months from the effective date of approval, includes the construction of a 7,000 square foot office building and the conversion of an existing 10,000 square foot agricultural building into a winery production building.

Phase Two, building permits to be issued within five years from the effective date of approval, includes the construction of a 24,000 square foot barrel warehouse building, a 600 square foot crush pad, wine tank farm expansion, and a 900 square foot restroom building.

Phase Three, building permits to be issued within ten years from the effective date of approval, includes the construction of a 24,000 square foot barrel warehouse building, a 24,000 square foot case goods storage building and wine tank farm expansion.

Phase Four, building permits to be issued within fifteen years from the effective date of approval, includes the construction of a 24,000 square foot barrel warehouse building.

- c. **MARKETING EVENTS:** Marketing Events are subjected to the following regulations:
- 1) A maximum of twenty-five (25) marketing events are permitted annually as a part of the proposed marketing plan dated July 15, 2013.
 - 2) Each event shall have a maximum attendance of 150 people.
 - 3) Marketing Events shall end by 10:00 p.m. (Development Title Section 9-1075.3[m][2]).
 - 4) Amplified music shall be permitted as part of this approval.
- d. **PRODUCTION CAPACITY:** A large winery shall have a minimum production capacity of 100,000 gallons of wine per year. (Development Title Section 9-1075.3[a]).
- e. **CAPITAL FACILITY FEE:** This project may be subject to the Capital Facility Fee. If the Capital Facility Fee is applicable, the County shall collect the fees before the issuance of any building permits. (Development Title Section 9-1245.2)
- f. **PARKING:** Off-street parking shall be provided and comply with the following:
- 1) All winery driveways and maneuvering areas shall be surfaced and permanently maintained with base material of appropriate depth and asphalt concrete to provide a durable, dust free surface. Bumper guards shall be provided when necessary to protect adjacent structures or properties (Development Title Section 9-1015.5[e]).
 - 2) A minimum of 50 parking spaces shall be provided, including two accessible spaces, one of which shall be van accessible space, for Phase One. A minimum of 19 parking spaces shall be provided, including one accessible space, for Phase Two. Forty-one parking spaces currently exist at the site. At full buildout, 110 parking spaces shall be provided. Accessible spaces shall be located as close as possible to the primary entrance (C.C.R., Title 24).(2.5 parking spaces are required for every 1,000 square feet of building area.)(Development Title Section 9-1015.3)
 - 3) A total of 50 additional parking spaces (1 space is required for every 3 attendees) shall be provided for marketing events for Phase One. Marketing event parking may be an alternative surfacing material, but at a minimum shall be located on a maintained grass area to ensure a dust-free surface.
- g. **ACCESS AND CIRCULATION:** The following requirements apply and shall be shown on the Site Plan:
- 1) Access driveways shall have a width of no less than twenty-five (25) feet for two-way aisles and sixteen (16) feet for one-way aisles, except that in no case shall driveways designated as fire department access be less than twenty (20) feet wide. (Development Title Section 9-1015.5[h][1])
- h. **LIGHTING:** Lighting shall be provided and comply with the following:
- 1) If the parking area is to be used at night, parking lot and security lighting shall be installed. (Development Title Section 9-1015.5[g])
 - 2) Any lighting shall be designed to confine direct rays to the premises. No spillover beyond the property lines shall be permitted except onto public thoroughfares, provided, however, that such light shall not cause a hazard to motorists. (Development Title Section 9-1015.5[g][4])

- i. **LANDSCAPING:** Landscaping shall be provided and comply with the following:
 - 1) All project areas not used for buildings, parking, driveways, walkways, or other permanent facilities shall be landscaped. (Development Title Section 9-1020.7) The existing landscaping meets this requirement.

- j. **SCREENING:** Screening shall be provided and comply with the following:
 - 1) All project storage materials and related activities, including storage areas for trash, shall be screened so as not to be visible from adjacent properties and public right-of-ways. Screening shall be six (6) to seven (7) feet in height. Outside storage is not permitted in front yards, street side yards, or in front of main buildings. (Development Title Section 1022.4[d][2])

- k. **SIGNS:** Sign details shall be consistent with Chapter 9-1710 of the Development Title and be included on the Site Plan. All portions of any sign shall be set back a minimum of five (5) feet from any future right-of-way line, including any corner cut-off (snipe). (Development Title Section 9-1710.2[g])

- l. **NOISE:** Implementation of the following recommendations shall be provided and comply with the following pursuant to the noise study prepared by J.C. Brennan and Associates dated October 18, 2013:
 - 1) Periodic noise measurements shall be conducted during marketing events at the Outdoor Event Area at Control Site Z (50 feet from the speakers). Maximum noise levels due to live events should be monitored, and should be limited to no more than 86 dBA Lmax.
 - 2) If amplified music occurs in the current carport on the project site, it should be enclosed on the south and west sides, with speakers located inside of the carport by a minimum of 10 feet. Maximum noise levels should be limited to 75 dB Lmax at a distance of 50 feet from the speakers.
 - 3) The winery staff shall be trained on how to use the sound level meter, use the proper settings on the meter and calibrate the meter prior to events. The sound level meter shall comply with an ANSI Type 1 or Type 2 certification.
 - 4) Speakers at the Outdoor Event Area shall be mounted no higher than three to five feet above the ground.
 - 5) Events shall terminate prior to 10:00 p.m.

Stationary noise sources shall be consistent with Chapter 9-1025.9 of the Development Title. The maximum sound level is 50 dB Hourly Equivalent Sound Level daytime, 45 dB Hourly Equivalent Sound Level nighttime, 70 dB maximum sound daytime, 65 dB maximum sound nighttime. This applies to outdoor activity area of receiving use, or applies at lot line if no activity area is known. (Development Title Table 9-1025.9 Part II)

- m. **BUILDING CODE REQUIREMENTS:** The following California Building Code (CBC) and San Joaquin County Ordinance requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division:
 - 1) Based on our records the existing agricultural building proposed for use as a portion of the winery operation will be a change in occupancy. The building was previously constructed

and permitted as a agricultural storage building and not to be used for the processing of agricultural products. A change in occupancy will require a code analysis report and necessary plans prepared by an architect or engineer in accordance with Section 3408 of the CBC. The report and plans shall identify existing conditions, propose alterations necessary to bring the building in compliance with the current code and include the following:

- (a) Description of Use
- (b) Occupancy Groups
- (c) Type of Construction
- (d) Sprinklers (Yes or No)
- (e) Stories
- (f) Building Height
- (g) Allowable Floor Area
- (h) Proposed Floor Area
- (i) CBC Occupant Load

2) A building permit application including plans will be required. The plans must be prepared by a registered engineer or licensed architect, shall be submitted for review and approval and show the following:

- (a) A path of travel in compliance with Chapter 11B of the CBC into and through all spaces in the building.
- (b) Restrooms conforming to the disabled access requirements in Chapter 11B of the CBC and California Plumbing Code, Table 4-1.
- (c) Parking for the physically disabled located as close as possible to the primary entrance in compliance with Chapter 11B of the CBC.
- (d) Any electrical, plumbing or mechanical work necessary to install the proposed equipment necessary for the shop processes.

2. DEPARTMENT OF PUBLIC WORKS (Staff Contact: Alex Chetley, 209-468-3023)

- a. An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)
- b. The driveway approach on Ray Road shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)
- c. The access gate for the driveway on Ray Road shall remain open during all hours of operation.
- d. All vehicular parking related to applicant's winery shall be onsite at all times. Parking in the County and State rights-of-way for all winery related events shall be prohibited. It is the responsibility of applicant to monitor Ray Road and State Route 12 to ensure compliance with this requirement.
- e. If any marketing events are held for more than 150 people, the Department of Public Works reserves the right to require a traffic study to determine the impacts and mitigation of the proposed project. The applicant shall deposit funds with the County for all costs, as estimated by the Department of Public Works Transportation Engineering Division prior to the Department preparing or contracting for the required study. (Development Title Section 9-1150.4)
- f. The property owner shall execute an Irrevocable Offer and Agreement to Dedicate Road to result in a twenty-five (25) foot wide right-of-way from the centerline of Ray Road to the property line

across the frontage of APN's 055-160-29, 41 & 50. (A fee based on the current fee schedule is required for processing per Development Title Table 9-240.2 in addition to a copy of the Grant Deed of the subject property.) (Development Title Section 9-1150.5)

- g. The property owner shall execute an Irrevocable Offer and Agreement to Dedicate Road to result in a sixty foot (60') wide right-of-way for the future extension of DeBroggi Road across APN 055-160-41. (A fee based on the current fee schedule is required for processing per Development Title Table 9-240.2 in addition to a copy of the Grant Deed of the subject property.) (Development Title Section 9-1150.5) (Development Title Section 9-1150.5)
- h. For each phase of the project, the developer shall provide drainage facilities and meet the requirements of San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-1135)
- i. The Traffic Impact Mitigation Fee shall be required for each phase of this development. The fee is due and payable at the time of building permit application for each phase. The fee will be based on the current schedule at the time of payment. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolutions R-00-433)
- j. The Regional Transportation Impact Fee shall be required for each phase of this development. The fee is due and payable at the time of building permit application for each phase. The fee will be based on the current schedule at the time of payment. (Resolution R-06-38)
- k. A copy of the Final Site Plan shall be submitted prior to release of building permit for each phase of this development.
- l. For all phases of this development, applicant shall file Permit Registration Documents (PRD) with the State Water Resources Control Board (SWRCB), and submit the Waste Discharge Identification Number (WDID) issued by SWRCB to the Department of Public Works.
- m. Eliminate the eastern State Route 12 driveway immediately adjacent to Ray Road.

NOTE: A Solid Waste Diversion Plan for all applicable projects must be submitted to the Building Division of the Community Development Department prior to the issuance of the building permit. Contact the Solid Waste Division (468-3066) for information.

This property is subject to the requirements of San Joaquin County Mosquito & Vector Control District (209-982-4675) and the California Health and Safety Code for the prevention of mosquitoes. Best Management Practices (BMP) guidelines for stormwater devices, ponds and wetlands are available.

All future building permits for projects located within a Special Flood Hazard Area at the time of permit issuance shall meet the San Joaquin County flood hazard reduction requirements (Title 9, Chapter 9-1605) and all requirements of the State of California (CCR Title 23) that are in force at the time of permit issuance. As an example, these requirements may include raising the finish floor elevation one foot above the expected flood level and/or using flood resistant materials.

3. ENVIRONMENTAL HEALTH DEPARTMENT (Staff Contact: Michael Escotto, 209-468-3443)

- a. Prior to the issuance of the building permit(s), the following shall be submitted to the EHD with applicable fees:
- 1) A permit amendment to begin operating as a Non-Transient Non community water system;
 - 2) Documentation that demonstrates that the water system's well has the capacity to produce the volume of water to meet the new and current water demands; and
 - 3) The test result that found the well water meets the water quality stands of anon transient non community water system, which includes results for arsenic and DBCP that are contaminants known to be prevalent in this area of the San Joaquin County.

Note: Applicant shall provide evidence that the existing well meets the minimum distance requirements to the proposed property lines in accordance with the San Joaquin County Well Standards. This shall be completed under a consultation permit and inspection with the Environmental Health Department. The fee for the consultation permit is \$250.

- b. A soil suitability/nitrate loading study incorporating the existing and proposed development with regards to staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to issuance of building permit. (San Joaquin County Development Title, Section 9-1105.2(d)). A review fee of \$625 must be paid at time of submittal to the Environmental Health Department.
- c. The sewage disposal system shall comply with the on site sewage standards of San Joaquin County prior to approval. A percolation test that meets absorption rates of the manual of septic tank practice or E.P.A. Design Manual for onsite wastewater treatment and disposal system is required for each parcel. A permit fee of \$125 per percolation hole is required.
- d. Submit to the Environmental Health Department revised site plans showing the maximum number of persons the sewage disposal system is being designed for. In addition, show on revised plans that the leach field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This leach field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4(c)(5)).
- e. In addition, the revised site plan shall incorporate the 100% designed sewage disposal replacement area.
- f. Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).

4. SAN JOAQUIN COUNCIL OF GOVERNMENTS (Staff Contact: Laurel Boyd, 209-235-0600)

- a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). This can be up to a 90-day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package.

5. SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (Staff Contact: Angel Lor, 559-230-5808)
 - a. Based on the information provided to the District, the proposed project would equal or exceed 9,000 square feet of other space. Therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review). Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay an applicable off-site mitigation fees before issuance of the first building permit.

6. AIRPORT LAND USE COMMISSION (Staff Contact: Laura Brunn, 209-235-0579)
 - a. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:
 - 1) Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs).
 - 2) Sources of dust, steam, or smoke which may impair pilot visibility.
 - 3) Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.
 - 4) Any proposed use, especially landfills and certain agricultural uses, that creates an increased attraction for large flocks of birds.
 - b. Within the AIA, ALUC review is required for any proposed object taller than 100 feet AGL.
 - c. Regardless of location within San Joaquin County, ALUC review is required in addition to FAA notification in accordance with Code of Federal Regulations, Part 77, for any proposal for construction or alteration under the following conditions:
 - 1) If requested by the FAA.
 - 2) Any construction or alteration that is more than 200 feet above ground level at its site.
 - 3) Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:
 - (a) 100 to 1 for horizontal distance of 20,000 feet of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 feet.
 - (b) 50 to 1 for a horizontal distance of 10,000 feet of a public use or military airport from any point on the runway of each airport with its longest runway no more than 3,200 feet.

NEGATIVE DECLARATION

TO: Office of Planning & Research
P. O. Box 3044
Sacramento, California 95812-3044

County Clerk, County of San Joaquin

FROM: San Joaquin County Community Development Department
1810 East Hazelton Avenue
Stockton, California 95205

PROJECT TITLE: Use Permit application NO. PA-1300118

PROPONENT: Phillips Farms, LLC

PROJECT LOCATION: The project site is located on the west side of Ray Road, 360 feet south of State Route 12, Lodi. (APN/Address: 055-160-29, 41, 50; & 51; 14647 N. Ray Road, Lodi) (Supervisorial District 4)

PROJECT DESCRIPTION: A Use Permit application to expand an existing large winery in four phases over fifteen years and to add 25 marketing events per year with a maximum attendance of 150 people per marketing event for a previously approved winery with no marketing events. Phase 1 includes the construction of a 7,000 square foot office building and the conversion of an existing 10,000 square foot agricultural building into a winery production building. Phase 2 includes the construction of a 24,000 square foot barrel warehouse building, a 600 square foot crush pad, wine tank farm expansion, and a 900 square foot restroom building. Phase 3 includes the construction of a 24,000 square foot barrel warehouse building, a 24,000 square foot case goods storage building and wine tank farm expansion. Phase 4 includes the construction of a 24,000 square foot barrel warehouse building. Amplified music is proposed at the marketing events. This property is not under a Williamson Act contract. The property is zoned AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is A/G (General Agriculture).

Based on the attached Initial Study, it has been found that the project will not have a significant effect on the environment.

Date: 11/13/13

Contact Person: Mo Hatf

Phone: (209) 468-8477

SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

INITIAL STUDY

FILE NO: PA-1300118

PROJECT/APPLICANT: Phillips/Mike Smith Engineering

PROJECT DESCRIPTION: A Use Permit application to expand an existing large winery in four phases over fifteen years and to add 25 marketing events per year with a maximum attendance of 150 people per marketing event for a previously approved winery with no marketing events. Phase One includes the construction of a 7,000 square foot office building and the conversion of an existing 10,000 square foot agricultural building into a winery production building. Phase Two includes the construction of a 24,000 square foot barrel warehouse building, a 600 square foot crush pad, wine tank farm expansion, and a 900 square foot restroom building. Phase Three includes the construction of a 24,000 square foot barrel warehouse building, a 24,000 square foot case goods storage building and wine tank farm expansion. Phase Four includes the construction of a 24,000 square foot barrel warehouse building. Amplified music is proposed at the marketing events. (Use Type: Wineries and Wine Cellars- Winery, Large) The project site is located on the west side of Ray Road, 360 feet south of State Route 12, Lodi.

RECOMMENDED ENVIRONMENTAL DETERMINATION:

The proposed project could not have a significant effect on the environment, and a Negative Declaration will be prepared. _____

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A Negative Declaration will be prepared. X

The proposed project may have a significant effect on the environment, an Environmental Impact Report is required. _____

ASSESSOR PARCEL NO: 055-160-29, 41, 50, 51

ACRES: 57.20

GENERAL PLAN: A/G

ZONING: AG-40

CURRENT SITE CONDITIONS (topography, uses): RELATIVELY FLAT LAND WITH AN EXISTING LARGE WINERY AND LARGE AGRICULTURAL STORE.

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S): 114,500 SQUARE FEET FOR A SMALL WINERY

SURROUNDING LAND USES:

North: AGRICULTURAL WITH SCATTERED RESIDENCES

South: AGRICULTURAL WITH SCATTERED RESIDENCES

East: AGRICULTURAL WITH SCATTERED RESIDENCES

West: AGRICULTURAL/ INDUSTRIAL

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): _____
2. Will the project require approval or permits by agencies other than the County?
 Yes No Agency name(s): Alcoholic Beverage Control
3. Is the project within the Sphere of Influence, or within two miles, of any city?
 Yes No City: Lodi

ENVIRONMENTAL IMPACTS:

"Yes" may only be checked in situations where there is substantial evidence to indicate that there may be a significant adverse impact on the environment if there is no change in the project description. (CEQA Guidelines, Sec. 15064)

See the "Discussion" section at the end of the Initial Study for explanation of any impacts checked "Yes", or any "No" answer marked with an asterisk (*).

Sources: The following sources of information have been used in 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 (note report title, date, and consultant).

1. Water:

- a. Is any portion of the project subject to flood hazard?
Flood zone: X Yes No*
- b. Will the project result in reduction of surface or ground water quality or quantity? Yes No
- c. Will the project result in increases to surface, channel or stream volumes, or alterations to drainage patterns and streams? Yes No

d. Will the project result in erosion of or sedimentation to a channel, river, or body of water?

Yes No

Other sources used: _____

2. Earth:

a. Will the project result in or be subject to potentially hazardous geologic or soils conditions on or immediately adjoining the site (slides, springs, erosion, liquefaction, earthquake faults; steep slopes, septic tank limitations)?

Yes No

b. Will the project involve substantial grading which could result in secondary impacts (consider amount, steepness, and visibility of proposed slopes; consider effect of grading on trees and creek channels)?

Yes No

c. Will there be conversion of prime farmland (over 40 acres and not shown for development in the General Plan)?

Yes No*

Other sources used: Important Farmland Map 2002

3. Plant/Animal Life:

a. Will there be a reduction or disturbance to any habitat for plants and animals (including removal or disturbance of trees, riparian areas, or migration routes)?

Yes No*

b. Will the project impact any rare, endangered, threatened, or recreational species located on or near the site? (Check the Natural Diversity Data Base)

Yes No*

Other sources used: Natural Diversity Database

4. Air/Climate:

a. Will the project make a significant contribution to the deterioration of existing air quality, including creation of objectionable odors; will future project residents be subjected to significant pollution levels?

Yes No*

b. Will the project result in any impact to current climatic conditions? (Consider the introduction of water features, loss of wetland, etc.)

Yes No

Other sources used: _____

5. Noise:

a. Will the project expose people to high noise or vibration levels (over 65db/Ldn for residential uses or 75db/Ldn for industrial uses at the property line)? (Check 2010 projected noise contours.)

Yes No*

b. Will the project result in increased noise or vibration levels? Yes No

Other sources used: _____

6. Energy/Natural Resources:

a. Will the project use substantial amounts of fuel or energy, require a substantial increase in demand upon existing sources, or require the development of new sources of energy? Yes No

b. Will the project affect the potential use, extraction, conservation, or depletion of a natural resource (other than agricultural land)? Yes No

Other sources used: _____

7. Hazards:

a. Will the project create a risk of explosion; release, generate or store Any hazardous substances; or cause other dangers to public health and safety? Yes No

b. Are there any known hazardous substances located within 500 feet of the boundaries of this project, if in an existing or proposed residential area (this could include possible groundwater contamination)? Yes No

c. Will the project result in interference with, or need, for emergency plans? Yes No

Other sources used: _____

8. Utilities and Public Service:

a. **Will the project require alteration of, addition to, or the need for new utility systems (water, sewer, drainage, solid waste), including a sphere of Influence or district boundary change? Yes No*

b. **Will the project result in the need for or the expansion of the following services: fire and police protection, schools, parks and recreation, libraries, roads, flood control, solid waste or other public works facilities, public transit, or governmental services? Yes No

c. Will the project adversely impact existing recreational/park opportunities or require new park/recreation opportunities? Yes No

Note: ** "Yes" answers to these two questions and 9 (b) below will require additional discussion, but do not necessarily indicate a potentially significant impact.

Other sources used: _____

9. Transportation/Circulation:

a. Will the project generate significant traffic volumes and/or make a significant contribution to an existing circulation problem (consider existing LOS on nearby arterials and highways, road design, access, parking, accident potential)? Yes No*

- b. ^{**}Will the project cause special transportation considerations (consider water-borne, rail, air, pedestrian, and bicycle traffic, and public transportation systems and parking facilities)? Yes No
- c. Will the project result in a significant increase in commuting to and from the local community? Yes No
- d. Will the project be impacted by or interfere with an airport flight path? Yes No*
- e. Will the project restrict access to the surrounding area? Yes No

Other sources used (note traffic studies): _____

10. Cultural Resources:

- a. Will the proposal result in an alteration of a significant archeological, or historical site, structure, or building? Yes No

Other sources used: _____

11. Housing:

- a. Will the proposal adversely affect the existing housing stock or create a demand for additional housing (more than 50 units)? Yes No

Other sources used: _____

12. Aesthetics:

- a. Will the project obstruct any public scenic vista or view, create an aesthetically offensive site open to public view, or produce new light or glare? Yes No

Other sources used: _____

13. Land Use:

- a. Is this project a growth-inducing action: Will it encourage additional requests for related uses, or will it set a significant land use precedent in the area? Yes No*
- b. Will the project conflict with existing or planned land uses; is the project in conflict with any adopted plans? Yes No*
- c. Will the project disrupt a natural or recreation area, impact access to waterways, or allow trespass onto surrounding land? Yes No

14. Cumulative:

- a. Will the project create any impacts which may not be significant for the project alone, but may be significant when combined with other anticipated development of similar type and or location? Yes No

Other sources used: _____

15. Other Impacts: Identify any other impact(s) not noted above which may be significant, and cite source(s). NONE KNOWN.

16. Mandatory Findings of Significance:

(A "Yes" answer to any of the following questions requires preparation of an EIR.)

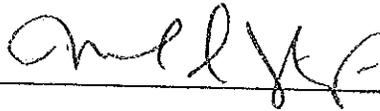
- a. Does the project have the potential to degrade the quality of the environment or curtail the diversity in the environment? Yes No
- b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? Yes No
- c. Does the project have impacts which are individually limited but cumulatively considerable? Yes No
- d. Does the project have environmental impacts which will cause substantial, adverse effects on human beings, either directly or indirectly? Yes No

17. **DISCUSSION OF ANY ENVIRONMENTAL IMPACTS NOTED ABOVE.**

(Discuss any questions answered "Yes" above, as well as any "No" answers marked with an asterisk (*). Discuss any changes to the project which could mitigate the identified impacts. Discuss any proposed mitigation monitoring program submitted by the project applicant. Use additional attached pages if necessary.)

PLEASE SEE INITIAL STUDY ATTACHMENT PA-1300118 (UP).

Prepared by: Mo Hatef



Title: Senior Planner

Date: November 12, 2013

INITIAL STUDY (ATTACHMENT)
PA-1300118(UP)
PHILLIPS/MIKE SMITH ENGINEERING

PROJECT DESCRIPTION: A Use Permit application to expand an existing large winery in four phases over fifteen years and to add 25 marketing events per year with a maximum attendance of 150 people per marketing event for a previously approved winery with no marketing events. Phase One includes the construction of a 7,000 square foot office building and the conversion of an existing 10,000 square foot agricultural building into a winery production building. Phase Two includes the construction of a 24,000 square foot barrel warehouse building, a 600 square foot crush pad, wine tank farm expansion, and a 900 square foot restroom building. Phase Three includes the construction of a 24,000 square foot barrel warehouse building, a 24,000 square foot case goods storage building and wine tank farm expansion. Phase Four includes the construction of a 24,000 square foot barrel warehouse building. Amplified music is proposed at the marketing events. (Use Type: Wineries and Wine Cellars- Winery, Large) The General Plan designation is General Agriculture (A/G) and the zoning is General Agriculture, 40-acre minimum (AG-40). The project site is located on the west side of Ray Road, 360 feet south of State Route 12, Lodi.

ENVIRONMENTAL ISSUES:

1. Water

1.a. The project site is located in the Flood Zone X Other Flood Areas 0.2 Percent Annual Chance Flood Hazard flood designation. If approved any new development will have to comply with Development Title Section 9-1605 regarding flood hazards.

2. Earth

2. c. The Soil Survey of San Joaquin County classifies the soil on the subject parcels as *Acampo sandy loam*, 0 to 2 percent slopes, *Devries sandy loam, drained*, 0 to 2 percent slopes and *Tokay fine sandy loam*, 0 to 2 percent slopes. *Acampo sandy loam's* permeability is moderately rapid and available water capacity is high. The unit is suited to irrigated crops, orchards, and vineyards. *Acampo sandy loam* has a storie index rating of 57 and a land capability of IVs if nonirrigated and IIs irrigated. *Devries sandy loam's* permeability is moderately rapid and available water capacity is low. The unit is suited to irrigated row and field crops. *Devries sandy loam* has a storie index rating of 18 and a land capability of IVw if nonirrigated or irrigated. *Tokay fine sandy loam's* permeability is moderately rapid and available water capacity is high. The unit is suited to irrigated crops, orchards, and vineyards. *Tokay fine sandy loam* has a storie index rating of 95 and a land capability of IVc if nonirrigated and I irrigated.

The project site will encompass a 10.00-acre portion of 57.00 acres which currently has an existing winery and large agricultural store. The surrounding land uses are primarily agricultural with scattered residences. The Zoning and the General Plan for the project site will continue to remain the same if the project is approved. Therefore, the proposed project will have a less than significant impact to surrounding agricultural operations and will not create premature development pressure on surrounding agricultural lands to convert land from agricultural uses to non-agricultural uses. The parcel is not subject to a Williamson Act Contract. Referrals have been sent to the San Joaquin Farm Bureau and Department of Conservation for review.

3. Plant and Animal Life

3. a. & b. The Natural Diversity Database does not list any rare, endangered, or threatened species or habitat located on or near the site. Referrals have been sent to the San Joaquin Council of Governments (SJCOG) for review. If SJCOG determines that the applicant may participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), and if the applicant chooses to participate, then the proposed project is consistent with the SJMSCP, as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the *Final EIR/EIS for San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (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. If the applicant chooses not to participate, then the applicant will be required to participate in a similar mechanism that provides the same level of mitigation. The applicant has indicated he will participate in the Habitat Conservation Plan.

4. Air/ Climate

4.a. This project is for the expansion of a large winery which includes the construction and/or conversion of 114,500 square feet of building. The San Joaquin Valley Air Pollution Control District submitted a response letter dated August 30, 2013 and stated project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM10. The District concluded that project specific criteria pollutant emissions would have no significant adverse impact on air quality. However, the project is subject to District Rule 9510 and will be required to submit an Air Impact Assessment before issuance of building permit. This project will also be subject to the District requirements regarding fugitive dust emissions and emissions standards for hazardous air pollutants. With the rules and regulations of the San Joaquin Air Pollution Control District, the impact to air quality will be less than significant.

5. Noise

5.a. A portion of the parcel lies within the 65 dBL noise contour for State Route 12. The 65 dB contour line along State Route 12 is located 398 feet from the side of the road pursuant to General Plan Table III.D-4B. However, a winery and its associated marketing events are not classified as noise sensitive land uses. Additionally, noise sources emanating from any agricultural operations, including activities associated with the process or transportation of crops when such activities are conducted on agriculturally zoned lands are exempt from the Noise ordinance (Development Title Section 9-1025.9(b)(5)). However, there are scattered residences along the perimeter of the subject parcels. The nearest residence is located 80 feet northeast of the project site, which is owned by the same property owner as the winery. The nearest residence on property owned by a different owner is 1,100 feet west and 1,100 feet east of the project site. Pursuant to Development Title Section 9-1025.9(a)(1), a residential use is a noise sensitive land use. The applicant indicated there will be amplified sound outdoors at the marketing events. Amplified sound is permitted at both indoor and outdoor special events and both indoor and outdoor marketing events pursuant to Development Title Section 9-1075.3(j). However, a noise study was required to identify possible mitigation measures for any amplified noise source impacts. A noise study was conducted by J. C. Brennan and Associates dated October 18, 2013. The noise analysis included conducting a staged music event with a simulated event representative of a more intensive event, such as a wedding reception with a DJ or live band.

The noise study analyzed music noise level measurements fifty feet from the proposed amplified music location. The noise study concluded the amplified music locations can comply with the county noise level standards provided the following recommendations are implemented:

- 1) Conduct periodic noise measurements during events at the Outdoor Event Area at the Control Site Z (50 feet from the speakers). Maximum noise levels due to live events should be monitored at the control site (Site Z in this report), and should be limited to no more than 86 dBA Lmax.
- 2) The event staff shall be trained on how to use the sound level meter, the sound level meter shall be used with the proper settings, and the meter shall be field-calibrated prior to events. The sound level meter shall comply with an ANSI Type 1 or Type 2 certification.
- 3) Speakers at the Outdoor Event Area shall be mounted no higher than 3 to 5 feet above the ground.
- 4) Events are required to terminate prior to 10:00 p.m.

These mitigation measures will be incorporated into the Conditions of Approval. Additionally, marketing events must comply with Development Title Section 9-1025.9 regarding stationary noise standards (50 dB Hourly Equivalent Sound Level daytime, 45 dB Hourly Equivalent Sound Level nighttime, 70 dB maximum sound daytime, 65 dB maximum sound nighttime). Each of the noise level standards shall be reduced by 5 dB for noise primarily consisting of speech or music. Marketing events must end by 10:00 p.m. Therefore, any impacts from this project will be less than significant regarding noise impacts.

8. Utilities and Public Service

8.a. The underlying project will not be required to be served by public services. Water will be provided by an on-site well. Storm water drainage will be retained on-site and will be reviewed and permitted by the Building Department and the Department of Public Works. Sewer services can be provided through a septic system. However, the applicant has indicated the City of Lodi will accept wastewater from this development into its facilities and has submitted written verification from the City of Lodi that City of Lodi will be providing trucked wastewater service under an agreement. Winery wastewater will be stored in an above ground storage tank until it is hauled off site by a contractor.

9. Transportation/ Circulation

9.a. The agricultural store and wine tasting room are open seven days a week and a total of 15 people are employed to the operations. The operations are open from 7:30 a.m. to 5:30 p.m. and expect a maximum of 200 customers per shift. If the project is approved, there will be twenty-five marketing events per year with a maximum attendance of 150 people per marketing event and will operate from 10:00 a.m. to 10:00 p.m. The Department of Public Works required a Technical Memorandum to be submitted to assess traffic circulation and safety in the project area. K.D. Anderson and Associates, Inc. submitted a Technical Memorandum dated November 6, 2013 and determined traffic impacts associated with the project are not likely to be significant. The applicant is proposing winery and marketing event traffic access the site via a driveway from Ray Road. Because there are multiple point of access to State Route 12, the technical memorandum recommended, as a mitigation measure, to provide information directing guests to the North Ray Road access by including this information in event contracts or providing materials to be distributed to guests. Additionally, while mitigation measures are not needed to address any Level of Service impacts under either regular operation or with marketing events, overall safety would be improved if the eastern State Route 12 driveway (located on APN 055-160-51) immediately adjacent to North Ray Road was closed and this measure was recommended. The Department of Public Works will include these mitigation measures as recommended Conditions of Approval. Therefore, traffic impacts are expected to be less than significant.

9. d. The project site falls within the Area of Influence of the Kingdon Airpark. The nearest runway of the Kingdon Airport is located approximately 1.3 miles southeast of the project site. A referral letter was sent to the Airport Land Use Commission on August 16, 2013.

13. Land Use

13.a. A large winery is a conditionally permitted use in the AG-40 zone subject to an approved Use Permit application. A marketing event is a permitted accessory use to a large winery pursuant to Development Title 1075.3(m) and marketing events may be conditionally approved for any number of people. The Lodi area has existing wineries with marketing events. It will not set a significant land use precedent in the area. Therefore, this project is not a growth-inducing action.

13.b. The area is primarily agricultural with several scattered residences. The nearest residence is located approximately 80 feet northeast of the project site. A large winery is a conditionally permitted use in the AG-40 zone subject to an approved Use Permit application. There are no applicable Master Plans, Specific Plans, or Special Purpose Plans.