

INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION
09-ND-02

WHITE SLOUGH BIOSOLIDS DEWATERING AND STORAGE FACILITY

July 20, 2009

City of Lodi
Community Development Department
City Hall, 221 West Pine Street
P.O. Box 3006
Lodi, CA 95241-1910

TABLE OF CONTENTS	Page
NOTICE OF AVAILABILITY	3
PROPOSED NEGATIVE DECLARATION	4
REGIONAL LOCATION MAP	5
LOCAL LOCATION MAP	6
WHITE SLOUGH AERIAL MAP	7
PROJECT SITE AERIAL MAP	8
SITE PLAN	9
PROJECT TITLE	10
Lead Agency	10
Project Location	10
Project Description	
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED	11
ENVIRONMENTAL CHECKLIST AND NARRATIVE EXPLANATION	
i. Aesthetics	12
ii. Agricultural Resources	14
iii. Air Quality	16
iv. Biological Resources	20
v. Cultural Resources	25
vi. Geology and Soils	27
vii. Hazards and Hazardous Materials	30
viii. Hydrology and Water Quality	34
ix. Land Use and Planning	38
x. Mineral Resources	40
xi. Noise	41
xii. Population and Housing	44
xiii. Public Services	46
xiv. Recreation	48
xv. Transportation/Traffic	49
xvi. Utilities and Service Systems	52
xvii. Mandatory Findings of Significance	54
xviii. References	56

NOTICE OF AVAILABILITY

Notice is hereby given that the City of Lodi, Community Development Department, has completed an initial study and proposed a Negative Declaration pursuant to the California Environmental Quality Act for the project described below.

The initial study prepared by the City was undertaken for the purpose of determining whether the project may have a significant effect on the environment. On the basis of the initial study, Community Development Department staff has concluded that the project will not have a significant effect on the environment, and therefore has prepared a proposed Negative Declaration 09-ND-02. The initial study reflects the independent judgment of the City.

File Number: 09-ND-02

Project Title: WHITE SLOUGH BIOSOLIDS DEWATERING AND STORAGE FACILITY

PROJECT DESCRIPTION:

The project site is located in the City of Lodi, County of San Joaquin. The subject property is located at 12751 North Thornton Road (APN: 055-130-16). Specifically, the dewatering and storage facilities are to be located west of the digester complex and south of the sludge storage lagoons, on land that was used for the soil borrow/stockpile during the three Phase construction projects. The City intends to complete the mechanical and electrical equipping of the sludge pump station at sludge lagoon #1, construct a dewatering facility, and construct a biosolids storage facility which includes approximately two months of biosolids storage capacity.

The dewatering facility will consist of an approximately 5,000-gallon temporary storage tank for pumped sludge; two rotary fan press skids with integral sludge pumps, polymer injection and controls; and a screw conveyor for transferring dewatered solids to the storage facility. The storage facility will be a concrete slab on grade with low walls, open sided, steel-framed structure and will measure approximately 13,000 sq. ft. of covered storage and approximately 10,000 sq ft of uncovered storage area, totaling approximately 23,000 sq ft of an area.

Copies of the Initial Study and the proposed Mitigated Negative Declaration are on file and available for review at the following locations: 1) Lodi City Hall, Community Development Department located at 221 West Pine Street, Lodi, CA 95240; 2) Lodi Public Library, 201 West Locust Street, Lodi, CA 95240; and 3) City of Lodi website at www.loodi.gov. The City will receive comment on the Initial Study and proposed Negative Declaration for a 21-day period, commencing on Friday July 17, 2009 through Wednesday, August 12, 2009. Any person wishing to comment on the Initial Study and proposed Negative Declaration must submit such comments in writing to the City of Lodi at the following address:

Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95241

The City will provide additional public notices when the public hearings have been scheduled to consider approval of the Negative Declaration.

Signature

Date

Konradt Bartlam
Printed Name

For

Prepared pursuant to City of Lodi Environmental Guidelines, §§ 1.7 (c), 5.5

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Project Location:

The project site is located in the City of Lodi, County of San Joaquin. The project site is at Por. Sec 13, 23 & 24, T.3N, R.5E., M.D.B.&M. The project site is zoned PUB-Public and has a General Plan designation DBP-, Drainage Basin Park.

Name of Project Proponent/Applicant: City of Lodi Public Works Department
221 West Pine Street
Lodi, CA 95240

A copy of the Initial Study (“Environmental Information Form” and “Environment Checklist”) documenting the reasons to support the adoption of a Mitigated Negative Declaration is available at the City of Lodi Community Development Department located at 221 West Pine Street, Lodi, CA 95240 and City of Lodi website at www.lodi.gov.

Mitigation measures are are not included in the project to avoid potentially significant effects on the environment.

The public review on the proposed Mitigated Negative Declaration will commence on Friday July 17, 2009 and end Wednesday, August 12, 2009.

The City will provide additional public notices when the public hearings have been scheduled to consider approval of the Negative Declaration.

Signature

Date

Konradt Bartlam
Printed Name

For

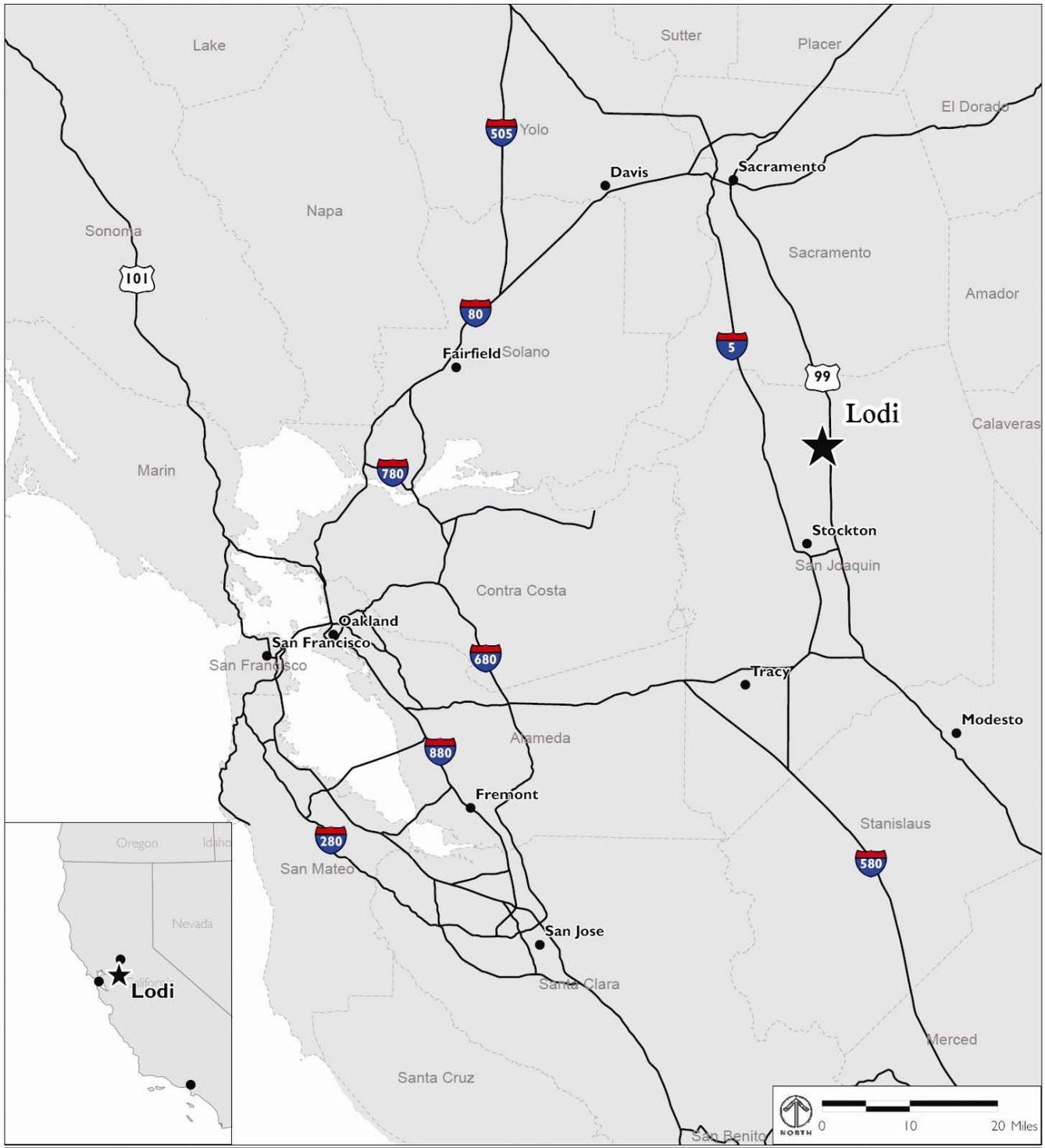


FIGURE I-1
 REGIONAL LOCATION MAP, CITY OF LODI

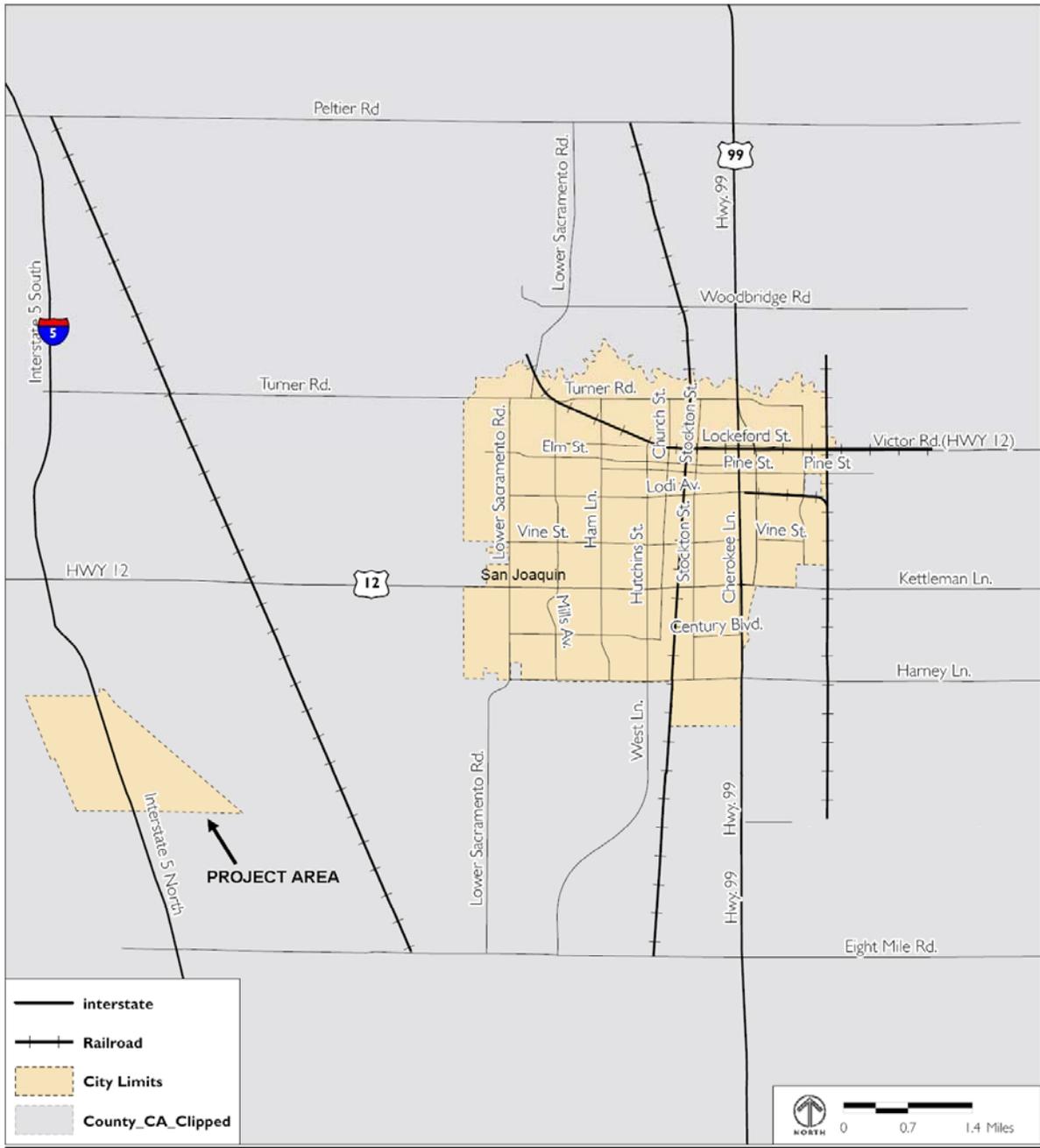


FIGURE - 2
LOCAL LOCATION MAP, CITY OF LODI

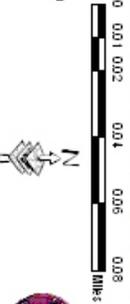


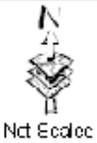
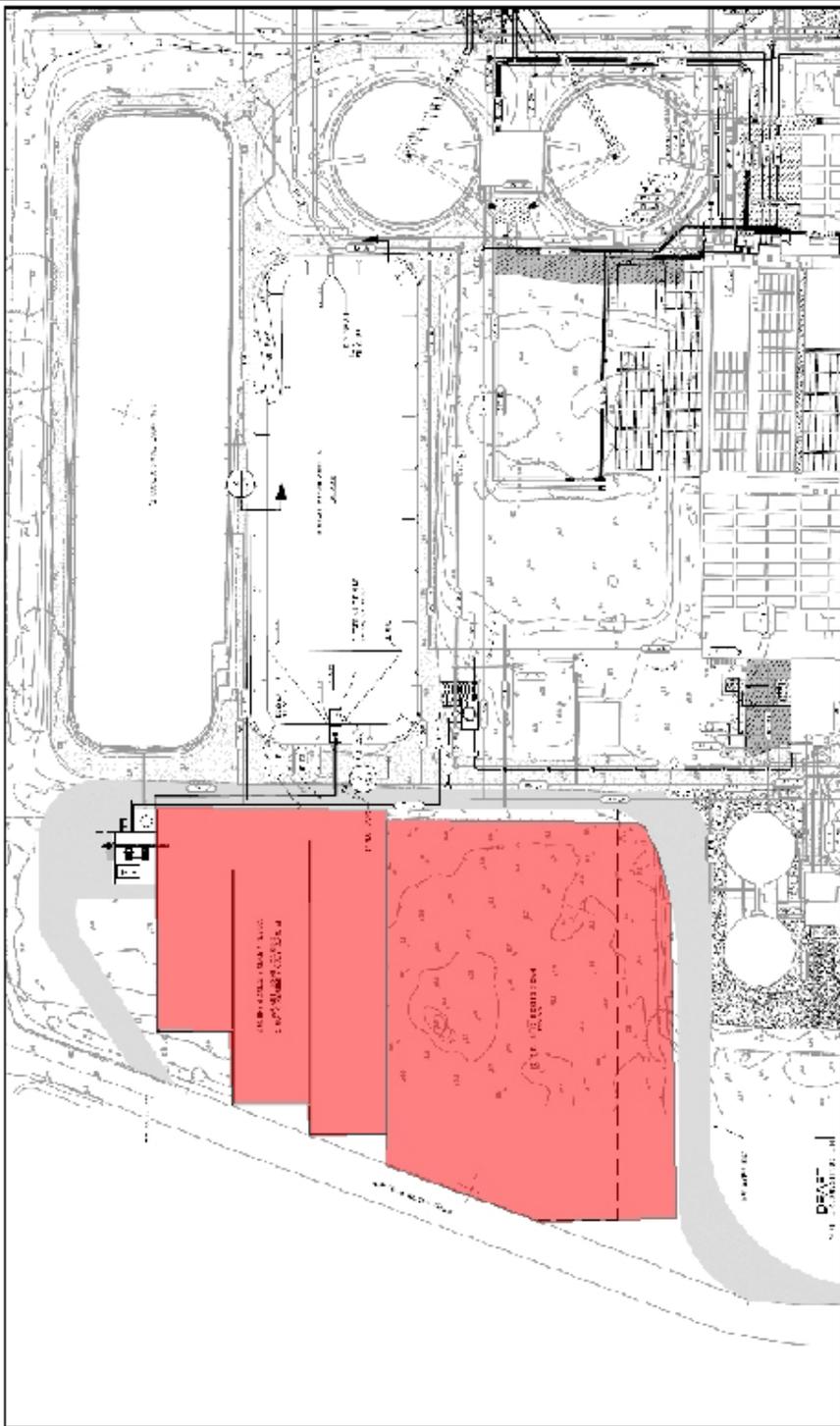


Legend
Project Area

PROJECT SITE AERIAL MAP
FIGURE 4

Alberta Project
Central District
Wastewater
Treatment
Plant





SITE PLAN
FIGURE 5

Legend
 Project Area



City of Lodi
Community Development Department • Planning Division
 221 West Pine Street
 P. O. Box 3006
 Lodi, CA 95240-1910
 (209)333-6711
 (209)333-6842 Fax
www.lodi.gov

NEGATIVE DECLARATION NO. 09-ND-05

<p><u>PROJECT TITLE:</u> White Slough Biosolids Dewatering Facility</p>	<p><u>REFERENCE APPLICATION NUMBERS:</u> 09-ND-02</p>
<p><u>LEAD AGENCY:</u> City of Lodi Public Works Department 221 West Pine Street Lodi, CA 95240-1910</p>	<p><u>CONTACT PERSON AND TELEPHONE NO.:</u> Immanuel Bereket Gary Wiman Planning Division Public Works Dept. (209)333-6711 (209)333-6706</p>
<p><u>PROJECT DESCRIPTION / LOCATION:</u> The project site is located in the City of Lodi, County of San Joaquin. The project site is at Por. Sec 13, 23 & 24, T.3N, R.5E., M.D.B.&M. , 12751 North Thornton Road (APN: 055-130-16). The project site is zoned PUB-Public and has a General Plan designation DBP-, Drainage Basin Park.</p> <p>Specifically, the dewatering and storage facilities are to be located west of the digester complex and south of the sludge storage lagoons, on land that was used for the soil borrow/stockpile during the three Phase construction projects. City intends to complete the mechanical and electrical equipping of the sludge pump station at sludge lagoon #1, construct a dewatering facility, and construct a biosolids storage facility which includes approximately two months of biosolids storage capacity.</p> <p>The dewatering facility will consist of an approximately 5,000-gallon temporary storage tank for pumped sludge; two rotary fan press skids with integral sludge pumps, polymer injection and controls; and a screw conveyor for transferring dewatered solids to the storage facility.</p> <p>The storage facility will be a concrete slab on grade with low walls, open sided, steel-framed structure and will measure approximately 13,000 sq. ft. of covered storage and approximately 10,000 sq ft of uncovered storage area, totaling approximately 23,000 sq ft of an area.</p>	
<p><u>PROJECT PROPONENT AND ADDRESS:</u> City of Lodi, Public Works Department 221 West Pine Street Lodi, CA 95240</p>	
<p><u>PUBLIC AGENCIES WITH APPROVAL AUTHORITY:</u> City of Lodi Community Development Department – Planning Division</p>	
<p><u>GENERAL PLAN DESIGNATION:</u> PQP, Public Quasi Public</p>	<p><u>CITY ZONING DESIGNATION:</u> PUB, Public</p>
<p><u>SURROUNDING LAND USE DESIGNATIONS:</u> North: AG-40, Irrigated Field Crops South: AG-40, Irrigated Field Crops East: AG-40, Irrigated Field Crops</p>	

ENVIRONMENTAL IMPACTS:

Identify the potential for significant adverse impacts below. Note mitigation measures, if available, for significant adverse impacts.

I. AESTHETICS

Environmental Setting:

The project area is one of agricultural fields with scattered agricultural and open land. The visual character is rural, with Interstate 5 running north to south, adjacent to the project site. On a clear day, the Coast Range and Mount Diablo can be seen in the distance to the west

The City of Lodi White Slough Water Pollution Control Facility (hereafter WPCF) is viewed mainly by motorists traveling south on Interstate 5. A row of eucalyptus and conifer trees perpendicular to Interstate 5 is the most visible feature of the project site from a distance. As motorists near the facility, the treatment ponds and facility structures come into view. A greenscape buffer, consisting of more eucalyptus and conifer trees and grass, partially obscures the view of the facility as motorists pass. The WPCF features nighttime lighting for the 24-hour operation of the facility is currently present on the site. (City of Lodi 1988)

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				✓
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings 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?			✓	

DISCUSSION:

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

Interstate 5 is not designated as a scenic highway, and no scenic vistas would be impacted as a result of the proposed project. The area is already developed with a WPCF structures. There would be no impact.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?*

The proposed project would not damage any scenic resources, as the proposed project is not located within the vicinity of a state scenic highway and the site is developed with minimal scenic value. There would be no impact.

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

Although the proposed project includes construction of a storage facility that will be on a concrete slab on grade with low walls that will measure approximately 13,000 sq. ft. in area, the proposed project, however, would not have an adverse effect on the existing visual character or quality of the site and its surroundings. These proposed dewatering facilities would be screened by existing greenscape buffers (i.e., northern and eastern screening with eucalyptus and conifer trees), but could be potentially visible from Interstate 5. However, these structures are designed to blend with the existing buildings, with no major departure in architectural design, resulting in less-than-significant visual impact.

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

As previously described, the existing White Slough WPCF currently includes nighttime lighting facilities for 24-hour operation of the plant. Construction of the proposed improvements may require minimal additional nighttime lighting facilities. As proposed, nighttime lighting facilities would not significantly impact the existing nighttime lighting environment, potential impacts on surrounding residences and motorists on Interstate 5 are considered less-than-significant.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The project would not result in significant aesthetic impacts.

II. AGRICULTURAL RESOURCES

Environmental Setting:

Lands surrounding the White Slough WPCF project area are generally used for agricultural uses. Pasture lands are located to the north, south and west of the project site. Interstate 5 is located to the east of the project site. Residences in proximity to the project area vicinity are associated with agricultural uses.

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				✓

DISCUSSION:

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

The project site is not zoned for agricultural purposes and is currently confined within the White Slough WPCF boundaries. The area is zoned “public” and no impact would occur.

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

The proposed project would be constructed on already-disturbed land contained within the existing White Slough WPCF boundaries (Figure 5: Site Plan) and would not impact Prime Farmlands or lands designated under the Williamson Act. The site is not zoned for agricultural production and would not affect agricultural operations. Therefore, the proposed project would not affect agricultural resources. No impact would result.

c) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

The project site is not zoned for agricultural purposes, and the proposed project would not involve changes that could result in the conversion of farmland to a non-agricultural use. No impact would result.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The project would not result in adverse impacts to agricultural resources.

Environmental Setting:

The project is located in the northern part of the San Joaquin Valley Air Basin and within the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD), which regulates air quality in the San Joaquin Valley. The SJVAPCD has prepared and implements specific plans to meet the applicable laws, regulations and programs, including the 1991 Air Quality Attainment Plan (AQAP). In addition, the SJVAPCD has developed the *Guide for Assessing and Mitigating Air Quality Impacts (Guide)* to help lead agencies in the evaluating the significance of air quality impacts. Air quality and the amount of a given pollutant in the atmosphere are determined by the amount of pollutant released and the atmosphere’s ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain and for photochemical pollutants, sunlight.

The Federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate portions of the state where the federal or state ambient air quality standards are not met as “non-attainment areas. Because of the differences between the national and state data standards, the designation of nonattainment areas is different under the federal and state legislation. Under the California Clean Air Act, the San Joaquin Valley is considered a non-attainment area for ozone and PM10 (fine particulate matter less than 10 microns in diameter). The Federal Clean Air Act (FCA) and the California Clean Air Act (CCA) require areas that are designated non-attainment to reduce emissions until air quality standards are met.

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	

DISCUSSION:

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

The White Slough WPCF is within the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD), which regulates air quality in the San Joaquin Valley. The SJVAPCD has prepared and implements specific plans to meet the applicable laws, regulations and programs, including the 1991 Air Quality Attainment Plan (AQAP). In addition, the SJVAPCD has developed the Guide for Assessing and Mitigating Air Quality Impacts (Guide) to help lead agencies in the evaluating the significance of air quality impacts.

In formulating its compliance strategies, the San Joaquin Valley Air Pollution Control District (SJVAPCD) relies on planned land uses established by local general plans. When a project proposes to change planned uses assumed in an adopted plan by requesting a General Plan Amendment, as this project does, the project may depart from the assumption used to formulate the plans of the SJVAPCD in such way that cumulative results of incremental change may hamper or prevent the SJVAPCD from achieving its goals. Land use patterns influence transportation needs, and motor vehicles are the primary source of air pollution. As stated in the Guide, projects proposed in jurisdictions with general plans that are consistent with the SJVAPCD's AQAP and projects that conform to those general plans would not create significant cumulative air quality impacts. The proposed project conforms to the City and County General Plans and would not conflict with the applicable clean air plan. No impacts would occur.

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

The White Slough WPCF is within the within the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD), which regulates air quality in the San Joaquin Valley. According to the district's ***Guide for Assessing and Mitigating Air Quality Impacts***¹ projects proposed in jurisdiction with general plans that are consistent with the SJVAPCD's Air Quality Attainment Plan (AQAP) and projects that conform to those general plans would not create significant cumulative air quality impacts.

Further, The EPA designated the entire San Joaquin Valley as non-attainment for two pollutants: ozone and particle matter. On April 24, 2004, the EPA reclassified the San Joaquin Valley ozone non-attainment area from its previous severe status to "extreme" at the request of the San Joaquin Air Pollution Control District Board. On December 17, 2004, EPA took action to designate attainment and non-attainment areas under the more protective national air quality standards for fine particles or PM2.5.

Levels of PM10 in the San Joaquin Valley currently exceed California Clean Air Act standards; therefore, the area is considered a non-attainment area for this pollutant relative to the State standards. PM10 levels monitored at the Stockton-Hazelton Street ambient air quality monitoring station, the closest monitoring station

¹ San Joaquin Valley Air Pollution Control District, Guide for Assessing and Mitigating Air Quality Impacts. (Fresno, CA 2002) 38.

with PM10 data, exceeded the State's standard at three times per year in 2003 and 2004. The standard was exceeded ten times in 2002. No exceedances of the State or federal CO standards have been recorded at any of the region's monitoring stations in the last three years. The San Joaquin Valley is currently considered a maintenance area for State and federal CO standards.

The District adopted an Ozone Attainment Demonstration Plan (2004) and a PM10 Attainment Demonstration Plan (2003). In addition, to meet California Clean Air Act requirements, the District adopted the California Clean Air Act Triennial Progress Report and Plan Revision 1997-1999, adopted in 2001 to address the California ozone standard. A broad range of actions to improve air quality are set forth in the adopted plans to reduce CO, O3 precursor emissions, and particulate matter. Generally, the State standards for these pollutants are more stringent than the national standards. Each district plan is to achieve a 5 percent annual reduction average 3 consecutive 3-year periods, in district-wide emissions of each non-attainment pollutant or its precursors. Air quality standards are exceeded primarily during meteorological conditions conducive to high pollution levels, such as cold, windless winter nights or hot, sunny summer afternoons.

The SJVAPCD significance threshold for construction dust impacts is based on the appropriateness of construction dust controls. The SJVAPCD regulates construction emissions through its Regulation VIII. Regulation VIII does not require any formal dust control plans or permits, but violations of the requirements of Regulation VIII are subject to enforcement action. The provisions of Regulation VIII pertaining to construction activities require:

- Effective dust suppression for land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill and demolition activities.
- Effective stabilization of all disturbed areas of a construction site, including storage piles, not used for seven or more days.
- Control of fugitive dust from on-site unpaved roads and off-site unpaved access roads.
- Removal of accumulations of mud or dirt at the end of the work day or once every 24 hours from public paved roads, shoulders and access ways adjacent to the site.

Construction activities would temporarily affect local air quality, causing a temporary increase in particulate dust and other pollutants, however this impact is less-than-significant.

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)?*

See discussion under Check List Item III.a. and III.b. above. For any project that does not individually have operational air quality impacts, the determination of a

significant cumulative impact should be based on the evaluation of the project's consistency with the general plan and the general plan with regional air quality plan. The proposed project is consistent with the City and County General Plans, and there would be a less-than-significant cumulative air quality impact.

d) Expose sensitive receptors to substantial pollutant concentrations?

The SJVAPCD defines sensitive receptors as facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors. There are no sensitive receptors in proximity to the project site. The nearest homes are approximately 4,000 feet to the north and east. Because of the distance between the project and the nearest homes and the fact that prevailing winds carry emissions away from these receptors, construction-period impacts on sensitive receptors would be less-than-significant.

e) Create objectionable odors affecting a substantial number of people?

No increases in potential odor impacts are anticipated. There are no residential areas or other sensitive receptors within 4,000 feet (approximately $\frac{3}{4}$ mile) of the site. In addition, improvements to the White Slough Treatment Plant may slightly decrease odors and adverse impacts would be less-than-significant.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

Air quality impacts would be less-than-significant.

IV. BIOLOGICAL RESOURCES

Environmental Setting:

In order to develop lists of special-status plants and wildlife potentially occurring on the project area, previous environmental documents for the White Slough WPCF and the existing General Plan EIR were reviewed.

Vegetation

Ground disturbance and construction activities would take place within the existing developed area. Most of these areas are either graveled or paved (i.e., asphalt or concrete). The plants growing in the affected areas were ruderal and mostly non-native and included; nettle (*Urtica dioica*), nightshade (*Solanum* sp.), Mexican tea (*Chenopodium ambrosioides*), perennial mustard (*Hirschfeldia incana*), clover (*Trifolium* sp.), filaree (*Erodium* sp.), Italian ryegrass (*Lolium multiflorum*), fireweed (*Epilobium brachycarpum*), Italian thistle (*Lolium multiflorum*), Russian thistle (*Salsola tragus*), yellow starthistle (*Centaurea solstitialis*), milk thistle (*Silybum marianum*), bindweed (*Convolvulus arvensis*), perennial pepperweed (*Lepidium latifolium*), and germinating annual grasses and forbs, sow thistle (*Sonchus oleraceus*), cudweed (*Gnaphalium* sp), yellow cress (*Rorippa curvisiliqua*), wild radish (*Raphanus sativus*), and stick-seed buttercup (*Ranunculus muricatus*).²

Trees on-site included some young willows (*Salix* sp.) occurred around the edge of storage ponds, Casuarina trees (*Casuarina equisetifolia*). A number of landscape trees are planted around the control building and the adjoining parking lot. These include golden raintree (*Koelreuteria paniculata*), eucalyptus (*Eucalyptus* sp.), birch (*Betula* sp.), crape myrtle (*Laegerstroemia indica*), sweet gum (*Liquidambar styraciflua*), pine (*Pinus* sp.), ornamental pear (*Pyrus calleryana*), and Chinese pistache (*Pistachia chinensis*).³

Wildlife

The predominant wildlife species, as recorded on a study carried out by *May and Associates 2003*, found the project area included species such as scrub jays (*Aphelocoma coerulescens*), American crow (*Corvus brachyrhynchos*), mourning dove (*Zenaida macroura*), vernal pool tadpole shrimp (*Lepidurus packardi*), giant garter snake (*Thamnophis gigas*), western pond turtle (*Clemmys marmorata marmorata*), California black rail (*Laterallus jamaicensis coturniculus*), Swainson's hawk (*Buteo swainsoni*), Western burrowing owl (*Athene cunicularia hypugea*), and Sacramento splittail (*Pogonichthys macrolepidotus*) were found to occur within a five mile radius of the WPCF. These species require either vernal pools, or their associated grassland or elderberry shrubs, neither of which are present at the WPCF.⁴ Another species identified in the *May and Associates* were the California red-legged frog (*Rana aurora draytonii*) (CRLF).⁵

The closest area of designated critical habitat is in Alameda County. Critical habitat for California tiger salamander (*Ambystoma californiense*) is also not present in the vicinity of the WPCF. The closest designated critical habitat is in the eastern part of Sacramento and San Joaquin counties. Foothill yellow-legged frog (*Rana boylei*) requires natural creeks or

² Robison. R., *Biological Report for the White Slough WPCF Project Area*. December 2006.

³ *Ibid.*

⁴ May and Associates. *Biological Survey for the White Slough Water Pollution Control Facility*. January 2003.

⁵ *Ibid.*

rivers and therefore would be unlikely within the Improvement area. Similarly, the vegetated freshwater channels supporting fish and amphibians are not present within the project area.

Sensitive Species

There are suitable nest trees (Eucalyptus) for Swainson’s hawk around the project area according to study carried out by LSA Associates, Inc in May of 2007. Although the general vicinity is known to support nesting Swainson’s hawk, there are no known occurrences of nesting Swainson’s hawk within the project area or closer than two miles from the project area.⁶ Birds potentially using the White Slough WPCF Improvements area could be either transients or could use the trees in the area for roosting or nesting. In order to determine whether any special-status bird species could be impacted by project construction, the City of Lodi will notify SJCOG, Inc. and schedule a pre-construction survey, to be performed by an SJMSCP biologist, to determine applicable Incidental Take Minimization Measures in accordance with rules and regulations of SJCOG Habitat Conservation Plan.⁷

Wetlands and “Waters of the U.S.”

There are no wetlands or “other waters of the U.S.” within or adjacent to the areas proposed for the project. The only aquatic areas within the project area are constructed, actively managed, unvegetated, wastewater storage ponds.

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		✓		
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?				✓

⁶ Ibid.

⁷ LSA Associates, Inc. *Preconstruction Surveys at the White Slough Water Pollution Control Facility (WPCF), City of Lodi.* May 2007.

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 native wildlife nursery sites?				✓
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

DISCUSSION:

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?*

The only special-status species with potential to occur within or adjacent to the project area are nesting Swainson’s hawk and the western pond turtle. While suitable nest trees do not occur within any of the areas proposed for improvement, there are suitable nest trees near the project and Swainson’s hawks are known to nest in the general vicinity. Due to the proximity, the following mitigation measure must be implemented to reduce impacts to Swainson’s hawks and western pond turtles to a less-than-significant level.

MITIGATION MEASURE

- Prior to *any* site disturbance (ground or vegetation disturbance), the City shall notify SJCOG, Inc. and schedule a pre-construction survey, to be performed by an SJMSCP biologist, to determine applicable Incidental Take Minimization Measures. The City of Lodi shall not authorize any form of site disturbance until it receives an AGREEMENT TO IMPLEMENT ITMMS from SJCOG, INC.
 - A pre-construction survey shall be conducted no less than 30-days prior to the initiation of construction activities by the SJCOG, Inc.
- 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?*
- The project area does not contain any riparian habitat or other sensitive natural communities. No impact would result.
- 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?*
- The project area does not contain any protected wetlands, vernal pools or waters regulated by Section 404 of the Clean Water Act. No impact would result.
- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*
- The proposed project is not located within any known wildlife dispersal migration corridors. In addition, ground disturbance and construction activities would take place within the existing developed area of the White Slough WPCF. No impact would occur.
- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- There are no locally designated natural communities within or adjacent to the project area, and the proposed project would not result in the removal of any heritage trees. Further, the City of Lodi General Plan (Conservation Element) includes goals and policies intended to protect sensitive native vegetation and wildlife habitats. Goals E, Policy 2 in the General Plan Conservation element refers to the City of Lodi's regulation of "heritage tree" removal.⁸ The proposed project would not result in the removal of any heritage trees. Thus, no impact would result.

⁸ City of Lodi. *City of Lodi General Plan Policy Document*. Prepared by Jones and Stokes Associates, Inc., April 1991. Page 7.4-7.6

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

The SJCMSHCP was developed to minimize and mitigate impacts to plant and wildlife resulting from the loss of open space projected to occur in San Joaquin County between 2001 and 2051. The City of Lodi adopted the SJCMSHCP in 2001, and projects under the jurisdiction of the City can seek coverage under the plan. The proposed project is consistent with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the Final EIR/EIS for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by the San Joaquin Council of Governments on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant. That document is hereby incorporated by reference and is available for review during regular business hours at the San Joaquin Council of Governments (555 E. Weber Avenue, Stockton, CA 95202) or online at: www.sicoq.org.

The proposed project falls under falls within a natural land habitat Pay Zone B as described in SJMSCP and, therefore, is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) governs loss of open space in the county. The City of Lodi is a participant in the said habitat conservation plan. Pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), an application for evaluation of the project site with respect to SJMSCP requirements will be submitted to the San Joaquin Council of Governments (SJCOG) 30-days prior to commencement of any clearing, grading or construction activities on the project site. With the implementation of the said plan, less than significant impact is anticipated.

FINDINGS

Implementation of the above mitigation measure would reduce potential impacts to biological resources (i.e., nesting Swainson's hawk and western pond turtle) to a less-than-significant level.

V. CULTURAL RESOURCES

Environmental Setting:

PMC, a private consultant, on behalf of the city, conducted archaeological and historical investigation on the general White Slough WPCF area in connection to planned expansions. These investigations included: a records search conducted by the Central California Information Center at California State University, Stanislaus on December, 5, 2006; a sacred lands search completed by the Native American Heritage Commission on December 15, 2006; consultation with the Native American community; pedestrian surface survey of the APE for the project area; and completion of a report documenting the results of investigations that includes management recommendations for any significant cultural resources (e.g., prehistoric sites, historic sites, historic buildings, or isolated artifacts) within the project area.

Archaeological and historical investigations for the project did not identify any cultural resources within the project APE and determined that the APE is previously disturbed by construction and expansion of the White Slough WPCF. These investigations are adequate to identify cultural resources that would typically occur in the area and no additional investigations are necessary prior to project implementation. It is not anticipated that implementation of the project, as currently proposed, would likely impact any historical resources or unique archaeological resources and implementation of the project does not require any special mitigation measures for the protection of cultural resources.⁹

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

DISCUSSION:

⁹ PMC. 2006. Archaeological and Historical Investigations for the White Slough WPCF Improvements Project. December 2006.

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

No historical resources have been identified within the project area, and no impacts are anticipated. However, if during construction any historical resources are uncovered, work will be halted until a qualified expert can evaluate the situation and recommend mitigation measures.

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

No archaeological resources have been identified within the project area, and no impacts are anticipated. However, if during construction any archaeological objects are uncovered, work will be halted until a qualified expert can evaluate the situation and recommend mitigation measures.

c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

No paleontological resources or unique geologic features have been identified within the project area, and no impacts are anticipated. However, if during construction any paleontological resources or unique geologic features are uncovered, work will be halted until a qualified expert can evaluate the situation and recommend mitigation measures.

d) *Disturb any human remains, including those interred outside of formal cemeteries?*

No human remains, including those interred outside of formal cemeteries, were previously recorded or observed on the project site. If during construction, human remains are discovered, work will be halted until a qualified expert can evaluate the situation and recommend mitigation measures. Mitigation is proposed for unanticipated discoveries of cultural resources during project construction. This mitigation would be incorporated into Project Plans and Specifications.

MITIGATION MEASURE

- **Cultural Resources MM-1-** Once construction is underway, if a previously unrecorded archaeological resources is discovered, all work must stop in the immediate vicinity of the find and the resource must be documented, evaluated and an appropriate mitigation implemented, if required. The project proponent must inform City of Lodi Community Development department of this fact.
- **Cultural Resources MM-2 -** In the event that human remains are discovered, all work in the immediate vicinity must cease and the coroner must be notified in accordance with California State law.

FINDINGS

Implementation of the above mitigation measure would reduce potential impacts to cultural resources to a less-than-significant level.

VI. GEOLOGY AND SOILS

Environmental Setting:

No faults are known to cross through the project area. However, as with much of California, the Lodi area is subject to earthquake damage (City of Lodi 1990). Soils at the project site are divided between clay loams and sandy loams (City of Lodi 1988).

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
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 reading, subsidence, liquefaction or collapse?				✓
d) Be located on expansive soil, as defined in Table 18-1-B 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?				
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DISCUSSION:

- 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.*

According to the City's *General Plan*, no earthquake faults underlie the City of Lodi. Given that recognized faults neither cross the site nor are adjacent to it, no impact is anticipated.

- ii) *Strong seismic ground shaking?*

The project site is not located in seismically active ground or near seismically active area. The site is not located within a State of California Seismic Hazard Zone for fault rupture, landslides, compressible soils, or dike failure flooding hazards. No impact is anticipated.

- iii) *Seismic-related ground failure, including liquefaction?*

Liquefaction is a phenomenon in which loose, saturated granular materials experience a sudden loss of shear strength during seismic shaking. Effects of soil liquefaction include sand boils, differential settlement, lateral spread and slope failure. The site is generally flat and no impact is anticipated.

- iv) *Landslides?*

The subject property, as well as the area surrounding the project site, is relatively flat. There is no potential for landslide hazard impacts. The topography of the site is generally level and would not involve significant changes as a result of proposed improvements. No impacts.

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

Appropriate fill material would be used for all proposed improvements. The potential for soil erosion would be reduced to a less-than-significant level through the implementation of appropriate BMPs.

- d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

Based on the recent developments in the area and past EIRs for projects within the vicinity of the project, soils within the proposed improvement area have a low shrink-swell potential. Therefore, the potential for expansive soils is less-than-significant.

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

The proposed project would be served by the City of Lodi wastewater system. Therefore, there would be no related impact to septic tanks or alternative wastewater disposal systems. No impact would occur.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The project would result in less-than-significant hazard impacts.

VII. HAZARDS AND HAZARDOUS MATERIALS

Environmental Setting:

Several chemicals that could be considered hazardous materials are currently used for treatment at the White Slough WPCF. These chemicals include chlorine and sulfur dioxide gas. A release of these chemicals into the environment could pose a threat to human health and safety. Diesel fuel, waste oil, lubricants and oils, and latex paint are also used, however, they are used in small quantities and represent minimal concern. The discharge of effluent into Dredger Cut could potentially pose health problems related to bacterial contamination of recreationists and heavy metal accumulation in fish.

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			✓	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people				✓

residing or working in the project area?				
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?				✓
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

DISCUSSION:

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

Chlorine and sulfur dioxide gasses are currently used for treatment at the White Slough WPCF. Small quantities of diesel fuel, waste oil, lubricants and oils, and latex paint are also used at the White Slough WPCF. Less than significant impact is expected from routine use of these chemicals.

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?

The use and storage of existing hazardous materials at the White Slough WPCF is regulated by the San Joaquin County Department of Environmental Health Services. To comply with Chapter 6.95 of the California Health and Safety Code, the City of Lodi must detail the operating and storage procedures involving acutely hazardous materials (AHMs), including chlorine in a Hazardous Materials Management Plan (HMMP). A hazard assessment of the White Slough WPCF, including a discussion of the consequences of the release of AHMs into the environment and management practices for the storage and use of AHMs is required in the HMMP. The HMMP include specifications concerning the proper handling and storage of potentially hazardous materials, as well as proper procedures for cleaning up and reporting of spills. Additionally, in the event hazardous or contaminated materials are encountered in proposed improvement areas, the Contractor would stop work immediately, contact the

Engineer and schedule operations to work elsewhere on the site if possible. Proper implementation of the HMMP would reduce any risk to less than significant.

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

The proposed project would not be located within one-quarter mile of an existing or proposed school. No impact would result.

- 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?*

According to the State Department of Toxic Substances Control's *EnviroStor* database and the State Water Resources Control Board *GeoTracker* database, the project site is not included on a list of hazardous materials sites. As a result, the proposed project would not create a significant hazard to the public or the environment. There would be less than significant impact associated with the project.

The City would be responsible for handling and removal of hazardous material or may request that the Contractor be made available, through contract change order, to provide additional services as needed for the completion of the work. Additional services may consist of retaining subcontractors who possess a California license for hazardous substance removal and remedial actions.

Implementation of these special environmental provisions as part of the proposed project would ensure that the risk of accidental explosion or release of hazardous substances, the creation of any health hazard or potential health hazard, or the exposure of people to existing sources of potential health hazards as a result of construction activities and facility operations would be less-than-significant.

- 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?*

The project site is not located within an airport land use plan, nor within two miles of a public airport. Therefore, the project would not result in a safety hazardous for people residing or working in the project area. There would be no impact.

- f) *For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

The project site is not located within the vicinity of an active private airstrip. There would be no impact.

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The City of Lodi's Emergency Plan is based on San Joaquin County's Emergency Plan. The City and County Plans represent a comprehensive disaster preparedness program for the area. The proposed project would not impair implementation of, nor physically interfere with the City or County's adopted emergency response plan or emergency

evacuation plans, as no major streets or emergency routes would be affected as a result of the proposed project. No impact would result.

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?

The proposed project would not increase fire hazards in the project area, as no flammable materials are proposed with improvements. No impact would result.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The project would result in less-than-significant hazard impacts.

Environmental Setting:

Surface Water

The City’s White Slough WPCF is located on the eastern edge of the Sacramento-San Joaquin Delta waterway system. The sloughs and canals in this area generally drain southward and westward into the San Joaquin River, approximately 25 miles upstream from its confluence with the Sacramento River (City of Lodi 1988). The White Slough discharges effluent into Dredger Cut, a man-made channel that connects to both White Slough and Bishop Cut. These waterways, in turn, are connected to the San Joaquin River by Disappointment Slough, Fourteen Mile Slough, and Honker Cut. Dredger Cut is a manmade channel which was constructed in the early 1900s to provide drainage for agricultural lands in the area. Dredger Cut, White Slough, and other Delta channels are normally dominated by tidal flows (West Yost 2001).

Flooding

Lands west of Interstate 5 in the vicinity of the White Slough WPCF and the neighboring areas are located within the 100-year floodplain of the Sacramento-San Joaquin Delta (City of Lodi 1991a). The 100-year flood elevation is estimated to be eight feet above mean sea level, compared to ground elevations of three feet near the peripheral canal ponds and seven feet near Interstate 5. Thus, floodwaters are about five feet deep on the western edge of the effluent-irrigated fields diminishing to about one foot deep near the treatment works. Since they are not protected by levees, the lowermost fields are inundated by floods more frequently than the recurrence of the 100-year flood (City of Lodi 1988).

Groundwater

The groundwater table is moderately shallow under much of the project site. Based on testing executed by Kleinfelder and Associates, groundwater was encountered at depths of between approximately 5½ and 10½ feet, but was not generally encountered in the ten-foot deep borings. Groundwater was noted in monitoring wells around the White Slough in 1989 at depths of seven to 14 feet. Fluctuations in groundwater depth were anticipated to be the result of local irrigation practices (Kleinfelder 1999).

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			✓	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or				✓

planned uses for which permits have been granted)?				
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?			✓	
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.				✓
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?			✓	
f) Otherwise substantially degrade water quality?				✓
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
I) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j) Inundation by seiche, tsunami, or mudflow?				✓

DISCUSSION:

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

Implementation of the proposed project would result in an increase of impervious surface. Construction related activities have the potential to impact water quality. The release of sediments, fuel, oil, grease, solvents, concrete wash and other chemicals used in construction activities could impact water quality if allowed to enter Dredger Cut. Operations related activities associated with proposed improvements would not impact water quality. The spill prevention plan currently in place for the White Slough WPCF would continue to be implemented. The City would employ BMPs before, during and after construction. The potential for construction related water quality impacts, specifically into Dredger Cut, would be reduced to a less-than-significant level through implementation of appropriate BMPs and the City's spill prevention plan.

b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)*

The amount of groundwater available for public water supplies would not be impacted by the proposed project. Impacts to groundwater are expected to be less-than-significant.

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?*

The proposed project would not result in substantial changes to the amount of impervious surfaces. Specifically, the total increase in impervious area amounts to approximately 13,000 sq. ft. of covered storage area and 10,000 sq. ft. of uncovered storage area. This addition of impervious surface would not result in significant changes in runoff and absorption rates at the site. Currently runoff from the site drains to adjacent agricultural land owned by the City of Lodi, and back to storage ponds. All runoff at the White Slough WPCF Treatment Plant is contained and treated on the site. This would continue with the proposed project. Impacts are expected to be less-than-significant.

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.*

See discussion VIII c. Impacts are expected to be less-than-significant.

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?*

See discussion VIII c. Impacts are expected to be less-than-significant.

f) *Otherwise substantially degrade water quality?*

No change in water quality is expected from the proposed project. Currently runoff from the site drains to adjacent agricultural land owned by the City of Lodi, and back to storage ponds. All runoff at the White Slough WPCF is contained and treated on the site. This would continue with the proposed project. Impacts are expected to be less-than-significant.

- g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

The proposed project would not significantly increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood. No impact would occur.

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

The project is not located within a 100-year flood hazard zone. No impact would result.

- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

The project site is not located within the vicinity of a levee, dam, or a dam inundation area. As such, no impact would result.

- j) *Inundation by seiche, tsunami, or mudflow?*

Given the substantial distance of the site from San Francisco Bay and the Pacific Ocean, seiche and tsunami waves would not be a threat to the site. The proposed project site is flat and does not have any steep slopes or hillsides that would be susceptible to mudflows or landslides. Therefore, no impact would occur.

FINDINGS

The proposed project would result in less-than-significant impacts to water quality.

IX. LAND USE AND PLANNING

Environmental Setting:

The City’s White Slough WPCF is located in San Joaquin County, but is owned and annexed to the city as a noncontiguous part of the City of Lodi. The White Slough WPCF is within the City of Lodi’s Sphere of Influence, which was established by the City in 2004. City of Lodi Zoning and General Plan designations for the project site are “Public.” San Joaquin County General Plan and Zoning apply to the surrounding lands and are designated as agricultural lands.

Delta farms are located to the west, and Lodi vineyards are located to the northeast. The general area is used for farming. The White Slough WPCF and the City’s effluent-irrigated lands are surrounded by pasture lands to the north, south, and west of the project site (City of Lodi 1992). Interstate 5 is located to the east of the project site. The surrounding area is rural and sparsely populated. Residences in proximity to the project area vicinity are associated with agricultural uses (City of Lodi 1988). The closest residences are approximately 4,000 feet north and east of the project area (City of Lodi 1992).

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				✓
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

DISCUSSION:

a) Physically divide an established community?

The proposed project would not disrupt or divide the physical arrangement of an established community, as project improvements are proposed within the existing White Slough WPCF. No impact would occur.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local

coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed project would not conflict with existing general plan designation or zoning, conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project, or be incompatible with existing land use in the vicinity, as uses at the site would not change as a result of the proposed project. Existing uses are in compliance with general plan designations, zoning, and applicable environmental plans and policies. No impact would occur.

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

The City of Lodi adopted the SJCM SHCP in 2001. The conservation plan was developed to minimize and mitigate impacts to plant and wildlife habitat resulting from the loss of open space. Since the proposed project is within the existing White Slough WPCF, it will not have an effect on the City of Lodi habitat conservation plan or natural community conservation plan. Pursuant to the SJCM SHCP, the proposed project would be subject to a Development Fee, which would pay for the preservation of lands used to mitigate the cumulative impacts related to new development, including but not limited to acquisition, enhancement, restoration, maintenance and/or operation of habitat/open space conservation lands. The payment of this fee would ensure the proposed project's compliance with the SJCM SHCP. No impact would result.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The proposed project would not result in impacts to land uses and planning.

X MINERAL RESOURCES

Environmental Setting:

The project area is not identified as containing locally or regionally important mineral resources recovery. The site is not currently in a state of being used for mining of resources that would be of value to the region or state. No record exists of gravel or other mineral resource extraction on the project site (City of Lodi 1990).

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

DISCUSSION:

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?*

According to the City’s General Plan, the subject property and surrounding area are not known to contain regionally and/or state valued mineral resources. Therefore, implementation of the proposed project would not result in an impact to mineral resources.

b) *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?*

The subject property has not been historically used for mineral extraction. In addition, the City’s General Plan does not identify the project site as a locally important mineral resource recovery site. No impact is anticipated.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The project would not result in impacts to mineral resources.

XI. NOISE

Environmental Setting:

The City of Lodi’s General Plan contains policies and goals which pertain to desired noise levels for various land uses located within the City. Noise is defined as unwanted sound. Sound levels are usually measured and expressed in decibels (dB) with zero dB being the threshold of hearing. Decibel levels range from zero to 140. Typical examples of decibel levels would be a low decibel level of 50 dB for light traffic to a high decibel level of 120 dB for a jet takeoff at 200 feet. The White Slough WPCF is located in an agricultural area west of Interstate 5. Freeway traffic represents the dominant noise source in the project vicinity. Existing noise levels in the project area are expected to exceed 65 decibel (dB), which is deemed excessively noisy per the City of Lodi General Plan (City of Lodi 1990).

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
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?				✓
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?				✓

DISCUSSION:

- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The proposed project would not include operational features that would result in a significant increase in noise levels. Pumps and other mechanical equipment associated with proposed the project would generate noise levels of approximately 60-75 dBA at 50 feet. Noise from these equipment would not be noticeable at locations off the project site. In addition, the project site is located in rural area. The proposed project's anticipated noise levels would be imperceptible compared to the existing ambient noise levels currently generated by the I-5 traffic noise levels. Therefore, operation related noise would not pose a significant noise impact and would not expose people to severe noise levels. Impacts would be less than significant. Construction noise is addressed in Checklist Item XI.d., below.

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

Ground borne vibrations occur when a vibration source causes soil particles to move or vibrate. Sources of ground borne vibrations include natural events (earthquakes, volcanic eruptions, sea waves, landslides, etc.) and human created events (explosions, operation of heavy machinery and heavy trucks, etc.). The proposed project would not involve any operations that would generate excessive ground borne vibrations or ground borne noise levels. There would no impact.

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

Refer to Checklist Item, XI.a., above. The project would not result in a significant permanent increase in noise levels and, therefore, would not create a permanent increase in ambient noise levels in the vicinity of the project site.

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

Temporary increases in noise levels would occur during construction activities. Generally, noise levels at construction sites can vary from 65 dBA to a maximum of nearly 90 dBA at a distance of 50 feet when heavy equipment is used. Construction activity would also produce a temporary increase in truck traffic in the project vicinity. Construction noise would be intermittent, and noise levels would vary depending on the type of construction activity. As the closest residences are approximately 4,000 feet north and east of the White Slough wastewater treatment facility, distance attenuation would reduce construction activity noise to less than 55 dBA at these residences (City of Lodi 1988). Therefore, construction noise would not pose a significant noise impact and would not expose people to severe noise levels. Less-than-significant impacts would result.

- 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?*

The project site is not located within an airport land use plan, or within two miles of a public airport or public use airport. No impact would occur.

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?*

There are no active private airstrips within the City of Lodi. Therefore, no impact would occur.

MITIGATION MEASURE

No mitigation is required.

FINDINGS

The proposed project would result in less-than-significant noise impacts.

XII. POPULATION AND HOUSING

Environmental Setting:

No housing exists within the White Slough WPCF. The closest residences are approximately 4,000 feet north and east of the project area (City of Lodi 1988). The surrounding area is rural and sparsely populated. Residences in proximity to the project area vicinity are associated with agricultural uses (City of Lodi 1988).

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and 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?				✓

DISCUSSION:

a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)?*

The proposed project does not include the construction of residential units, nor require the extension of roads or other infrastructure that would directly or indirectly induce substantial population growth. No impact is anticipated.

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

The proposed project does not affect existing housing or create a demand for additional housing. No impact is anticipated.

c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

The proposed project would not alter the location, distribution, density or growth rate of the human population of the area. The project would not affect existing housing or create a demand for additional housing, as the proposed Phase 3 improvements would not result in increased capacity of the facility, or the need for additional employees. There is no existing housing within the project site. Therefore, no impacts to population and housing would occur.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The proposed project would result in no impacts to population and housing.

XIII. PUBLIC SERVICES

Setting:

The proposed project is located within the City of Lodi, who provides fire, police, and emergency services. The Lodi Fire Department responds to all fires, hazardous materials spills, and medical emergencies in the project area. It is the Fire Department’s goal to not exceed four minutes for the “first response” and six minutes for the “second response” times.

Would the project result in:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
a) Fire Protection?				✓
b) Police protection?				✓
c) Schools?				✓
d) Parks?				✓
e) Other public facilities?				✓

DISCUSSION:

a) Fire Protection?

The proposed project would not result in impacts to the existing fire protections services or the need for any new fire protection facilities. No additional maintenance provisions would be required as a result of the proposed project. No impacts to population and housing would occur.

b) Police Protection?

The proposed project would not result in impacts to the existing police protections services or the need for any new police protection facilities. No additional maintenance provisions would be required as a result of the proposed project. No impacts to population and housing would occur.

c) Schools?

The proposed project would not result in effects to existing schools, or the need for any new school facilities. No additional maintenance provisions would be required as a result of the proposed project. No impacts would occur.

d) Parks?

The proposed project would not contribute to the demand on existing parks, nor require the dedication of additional parkland. No impact would result.

e) Parks?

Issues related to the provision of other public services have not been identified. Therefore, no impact would result.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The proposed project would not result in impacts to public services.

Environmental Setting:

The area surrounding the White Slough provides fishing opportunities via the peripheral canal ponds, Dredger Cut, and White Slough. The rural character of the area contributes to this type of recreation.

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
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?				✓

DISCUSSION:

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

The proposed project would not increase the demand for recreational facilities, as the proposed project is not increasing the capacity of the facility, or the need for additional employees or housing. No impact would occur.

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

The proposed improvements would not be visible to fishing areas in the peripheral canal ponds, Dredger Cut, or White Slough. Proposed aeration improvements would further protect fish in Dredger Cut, thus enhancing fishing opportunities. No impact would occur.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The proposed project would not result in impacts to recreational resources.

XV. TRANSPORTATION/CIRCULATION

Environmental Setting:

The White Slough WPCF project area is located west of Interstate 5, south of the State Route 12 interchange at the North Interstate 5 Frontage Road/Thornton Road undercrossing (City of Lodi 1988).

Interstate 5 is a six-lane, divided, grade-separated freeway. It runs parallel to State Route 99, and together they provide regional access to Stockton and Sacramento. Interchanges on Interstate 5 are at State Route 12 to the north, and at Eight Mile Road to the south of the White Slough WPCF (City of Lodi 1988). State Route 12 is a two-lane major east-west facility that crosses Interstate 5 just north of the project site. State Route 12 provides access to Fairfield, Lodi, and eastern San Joaquin County (City of Lodi 1988). Thornton Road is a two-lane, rural roadway that generally runs parallel to and on the east side of Interstate 5. It is a rural country road. The North Interstate 5 Frontage Road runs east-west from Thornton Road, crosses under Interstate 5, and turns north just past the White Slough WPCF entrance. On the east side of Interstate 5, a grid pattern of rural, two-lane roads serves the agricultural community west of Lodi. (City of Lodi 1988)

Both Interstate 5 and State Route 12 are minimally congested at times. Traffic on the North Interstate 5 Frontage Road is mostly limited to vehicles entering or exiting the White Slough WPCF or accessing peripheral ponds or Delta slough waterways. This roadway operates well below its daily capacity. The roadways of the local grid serving agricultural properties carry relatively little traffic (City of Lodi 1988). Limited Parking is present on the White Slough WPCF site.

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?			✓	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				✓
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				✓
e) Result in inadequate emergency access?				✓

f) Result in inadequate parking capacity?				✓
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				✓

DISCUSSION:

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)?*

Temporary traffic increase would occur due to construction-related traffic (i.e., employee commuting, material hauling, etc.). Potential impacts would be short-term and would be considered less-than-significant.

b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency or designated roads or highways?*

San Joaquin County Council of Governments has a congestion management agency. This is countywide agency that is responsible for developing the Congestion Management Program and coordinating and monitoring its implementation. The Congestion Management Program is required of every urban locale in the State of California. Congestion Management Agencies use the Congestion Management Program to set performance standards for roads and public transit and to explain how cities will attempt to meet these standards. No congestion management agency designated roads or highways would be affected by the proposed project. There would be no impact.

c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

The proposed project would not have any impact on air traffic patterns since the project is not located near an airport. No related impacts would occur as a result of the proposed project.

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

The proposed project would not create sharp turns or other safety hazards for vehicles or pedestrians. During construction and operation of the project, it is not anticipated that the blockage of any lanes or residential properties would occur. No impact is anticipated.

e) *Result in inadequate emergency access?*

Emergency access would not be impeded during construction. No impact is anticipated.

f) *Result in inadequate parking capacity?*

Parking for the White Slough WPCF is provided on-site and would not be impacted by the proposed project. All construction parking would occur on-site and would be short-term in nature. No impact is anticipated.

g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

The proposed project would not create barriers to alternative modes of transportation and would not conflict with adopted policies, plans or programs supporting alternative transportation. No impact is anticipated.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The project would not result in significant impacts to transportation or circulation.

XVI. UTILITIES AND SERVICE SYSTEMS

Environmental Setting:

The project area is located within a major utility corridor connecting northern and southern California. Three major power transmission lines pass through the facility. The White Slough WPCF uses electricity to drive the treatment process. The City of Lodi and the majority of the

area surrounding Lodi rely on groundwater as their source of domestic water supply. The City provides water to its customers from a series of 26 wells drawing on 150 foot to 400 foot deep aquifers. A “safe yield” of approximately 15,000 acre-feet per year (AFY) has been estimated for the aquifer serving as the source of the City water supply based on water balance calculations (City of Lodi 2006).

Stormwater runoff from the White Slough WPCF drains to surrounding agricultural land owned by the City of Lodi, and back to storage ponds. Solid waste in the City of Lodi is collected under contract with Central Valley Waste, and deposited at the Harney Lane Sanitary Landfill. The landfill is owned and operated by San Joaquin County (City of Lodi 1988).

Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board?				✓
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				✓
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?				✓
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				✓
g) Comply with federal, state, and local statutes and regulations related to solid waste?				✓

DISCUSSION:

a) *Exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board?*

The proposed project would not exceed any requirements of the Central Valley Regional Water Quality Control Board. No impact would result.

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?*

The proposed project would not impact local or regional water supplies. Additional water supply would not be necessary to accommodate the proposed project. The proposed project would not increase demand on wastewater treatment. No impact would result.

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?*

The proposed project would not result in impacts to storm water drainage patterns. The existing system of draining storm waters to surrounding City owned agricultural land would continue with the proposed project. A storm water system would be installed with proposed improvements to convey runoff into the existing drainage system.

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

The proposed project would not impact local or regional water supplies. Additional water supply would not be necessary to accommodate the proposed project. No impacts would result.

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?*

The proposed project would not increase demand on wastewater treatment. No impact would result.

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

The proposed project would not require any new landfill capacity. No impact would occur.

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

The proposed project would comply with federal, state, and local statutes related to solid waste. No solid waste regulatory impacts would occur as a result of the project.

MITIGATION MEASURES

No mitigation is required.

FINDINGS

The proposed project would result in no impacts to utilities and service systems.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less than significant with Mitigation	Less Than Significant Impact	No Impact
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		Incorporated		
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			✓	
b) 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)?			✓	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

MANDATORY FINDINGS OF SIGNIFICANCE DISCUSSION

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?*

The proposed project could result in impacts to biological resources and cultural resources. However, the following mitigation measures would be implemented to reduce these impacts to less-than-significant levels.

MITIGATION MEASURE (BIOLOGICAL RESOURCES)

1. The proposed project falls under falls within a natural land habitat as described in SJMSCP and, therefore, is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) governs loss of open space in the county. The City of Lodi is a participant in the said habitat conservation plan. Pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), an application for evaluation of the project site with respect to SJMSCP requirements will be submitted to the San Joaquin

Council of Governments (SJCOG) 30 days prior to commencement of any clearing, grading or construction activities on the project site. With the implementation of the said plan, less than significant impact is anticipated.

MITIGATION MEASURE (CULTURAL RESOURCES)

1. Contractors and construction personnel involved in any form of ground disturbance (i.e., trenching, grading, etc.) shall be advised of the possibility of encountering subsurface cultural resources or human remains. If such resources are encountered or suspected, work within 100 feet of the discovery shall be halted immediately and the City of Lodi Planning Department shall be notified. In accordance to CCR Section 15064 (f) and PRC Section 21083.2(i), a qualified professional archaeologist shall be consulted, who shall assess any discoveries and develop appropriate management recommendations for treatment of the resource.

If bone is encountered and appears to be human, California Law requires that potentially destructive construction work is halted and the San Joaquin County Coroner is contacted. If the coroner determines the human remains are of Native American origin, the coroner must contact the Native American Heritage Commission. The Native American Heritage Commission will attempt to identify the most likely descendant(s), and recommendations will be developed for the proper treatment and disposition of the remains in accordance with CCR Section 15064.5(e) and PRC Section 5097.98. A note to this effect shall be included on all construction plans and specifications.

- b) 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)?*

When project impacts are considered along with, or in combination with other past, current, and probable future project impacts, the proposed project would not add substantially to cumulative effects. Impacts would be less than significant.

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

The proposed project would not have significant environmental effects that would cause direct or indirect adverse effects to human beings.

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