Notice of Preparation / Initial Study for the South Hutchins Street Annexation Project

Community Development Department
City of Lodi
City Hall, 221 West Pine Street
P.O. Box 3006
Lodi, CA 95241-1910
Contact: Manny Bereket, Assistant Planner

December 2008

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December 2008

Notice of Preparation for an
Environmental Impact Report for
the South Hutchins Street Annexation Project

TO: Agencies, Organizations and Interested Parties

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report in Compliance with Title 14, Section 15082(a) of the California Code of Regulations

The City of Lodi (City) is the Lead Agency under the California Environmental Quality Act (CEQA) for the proposed South Hutchins Annexation project. The City has prepared an Initial Study and will prepare an Environmental Impact Report (EIR) for the proposed project identified below.

AGENCIES: The City requests your agency's views on the scope and content of the environmental information relevant to your agency's statutory responsibilities in connection with the proposed project, in accordance with California Code of Regulations, Title 14, Section 15082(b). Your agency will need to use the EIR when considering any permit or other approval that your agency must issue for the proposed project.

ORGANIZATIONS AND INTERESTED PARTIES: The City requests your comments and concerns regarding the environmental issues associated with construction and operation of the proposed project.

PROJECT TITLE: South Hutchins Street Annexation Project

PROJECT LOCATION: The project site is located adjacent to the southern boundary of the City of Lodi in San Joaquin County. The 30-acre project site is bound by Harney Lane to the north, West Lane to the east, and agricultural fields to the south and west. The eastern portion of the project site is presently utilized for agricultural production while the western half of the project site is occupied by an abandoned golf driving range. Structures on the project site include a small fruit stand located at the corner of Harney Lane and West Lane on the agricultural side, and a paved parking lot and club house located along Harney Lane on the golf driving range side.

Uses surrounding the project site include medium-density residential and neighborhood commercial uses to the north and agricultural land to the east, south, and west. The site of the Reynolds Ranch Project, a 220-acre mixed-use development consisting of retail, office, and residential uses that was recently approved by the City of Lodi, is located to the east of the proposed project.

PROJECT DESCRIPTION: The project proposes a retail center, a restaurant, and an office park with infrastructure required to support future development of the site. In total, implementation of the proposed project would result in the development of up to 103,350 square feet of commercial/retail use, including a 5,000 square foot bank, 6,400 square feet of restaurant space, and 179,200 square feet of office space, including a 68,000 square foot medical office building with a laboratory (3,000 square feet).

The proposed project would also provide a total of 1,554 parking spaces, 495 more parking spaces than is required by the parking regulations set forth in the Lodi Municipal Code. Of these spaces, 576 stalls would be provided for the retail component, 80 stalls would be provided for the restaurant component, and 898 stalls would be provided for the office component.

POTENTIAL ENVIRONMENTAL EFFECTS: The City has prepared an Initial Study that describes the potential environmental effects of the proposed project. An EIR will be prepared to evaluate the project's potential impacts on the environment and analyze alternatives.

PUBLIC REVIEW PERIOD: The City has determined to make this Notice of Preparation (NOP) and Initial Study available for public review and comment pursuant to California Code of Regulations, Title 14, Section 15082(b). The comment period for the NOP and Initial Study begins December 11, 2008 and ends January 11, 2009.

RESPONSES AND COMMENTS: Please indicate a contact person for your agency or organization and send your responses and comments to:

Mr. Manny Bereket, Assistant Planner
Community Development Department
City of Lodi
City Hall, 221 West Pine Street
P.O. Box 3006
Lodi, CA 95241-1910
(209) 333-6800, ext. 2649

SCOPING MEETING: The City will hold a scoping meeting on January 8, 2009 at **5:30 PM** at the **Carnegie Forum** located at 305 West Pine Street Lodi, California. Comments in written, verbal and electronic form also are encouraged throughout the scoping process. You are welcome to attend and present environmental information that you believe should be addressed in the EIR.

DOCUMENT AVAILABILITY: The NOP and Initial Study are available for public review during regular business hours at the locations listed below.

- City Hall, 221 West Pine Street, Lodi
- Lodi Public Library, 201 W. Locust Street, Lodi

The document can also be found on-line at www.lodi.gov/com_dev/EIRs.html. If you require additional information please contact Mr. Manny Bereket at (209) 333-6800, ext. 2649.

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Initial Study

I. BACKGROUND

1. Project Title:

South Hutchins Street Annexation Project EIR

2. Lead Agency Name and Address:

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

3. Contact Person and Phone Number

Manny Bereket, Assistant Planner
(209) 333-6800, ext. 2649

4. Project Location:

The project site is located adjacent to the southern boundary of the City of Lodi in San Joaquin County, as shown on Figure 1, Regional Location Map. The 30-acre project site is bound by Harney Lane to the north, West Lane to the east, and agricultural fields to the south and west.

5. Project Applicant(s) Name and Address:

Michael Carouba
P.O. Box 1066
Woodbridge, CA 95258

6. General Plan Land Use Designations:

- Planned Residential Reserve (PRR) (City of Lodi)
- General Agriculture (A/G) (San Joaquin County)

7. Zoning:

- AG (General Agriculture) – 40 acres (San Joaquin County)

8. Site Characteristics and Surrounding Land Uses:

As illustrated in Figure 2, Site Location, the eastern half of the project site is presently utilized for agricultural production while the western half of the project site is occupied by an abandoned golf driving range. Structures on the project site include a small fruit stand located at the corner of Harney Lane and West Lane on the agricultural side, and a paved parking lot and club house located along Harney Lane on the golf driving range side.

Uses surrounding the project site include medium-density residential and neighborhood commercial uses to the north and agricultural land to the east, south, and west. The site of the Reynolds Ranch Project, a 220-acre mixed-use development consisting of retail, office, and residential uses that was recently approved by the City of Lodi, is located approximately 1,470 feet (0.28 mile) to the east of the proposed project. It is expected that the project would be completely built out by 2030.

9. Description of Project:

The project proposes a retail center, a restaurant, and an office park with infrastructure required to support future development of the site. Figure 3, Site Plan, displays the conceptual site plan for the project, and Table 1 identifies the component land uses and parking. In total, implementation of the proposed project would result in the development of up to 103,350 square feet of commercial/retail use, including a 5,000 square foot bank, 6,400 square feet of restaurant space, and 179,200 square feet of office space, including a 68,000 square foot medical office building with a laboratory (3,000 square feet).

The proposed project would also provide a total of 1,554 parking spaces, 495 more parking spaces than is required by the parking regulations set forth in the Lodi Municipal Code. Of these spaces, 576 stalls would be provided for the retail component, 80 stalls would be provided for the restaurant component, and 898 stalls would be provided for the office component.

10. Project Objectives:

The project objectives are as follows:

- To bring state of the art medical services and opportunities to the City of Lodi.
- Provide for office, retail, and potential restaurant uses to serve new and existing residential development in the southern portion of the City.
- Promote the development of local high quality medical facilities within the City of Lodi.
- Foster economic and employment opportunities within the City through the strengthening of the City's Jobs to Housing ratio.
- Provide necessary circulation and infrastructure improvements associated with development of the site.
- Promote site design and building orientation that is compatible with adjacent uses.
- Be designed to be a benchmark of a family-centered, safe and healthy experience for patients, families and staff, set in a healing and sustainable environment.

Source: Microsoft Streets and Trips, basemap, 2006.

FIGURE **1**

Regional Location

100004161

South Hutchins Street Annexation Project

10168 | JCS | 08

Source: Google Earth Pro, basemap, 2008; PBS&J, 2008.

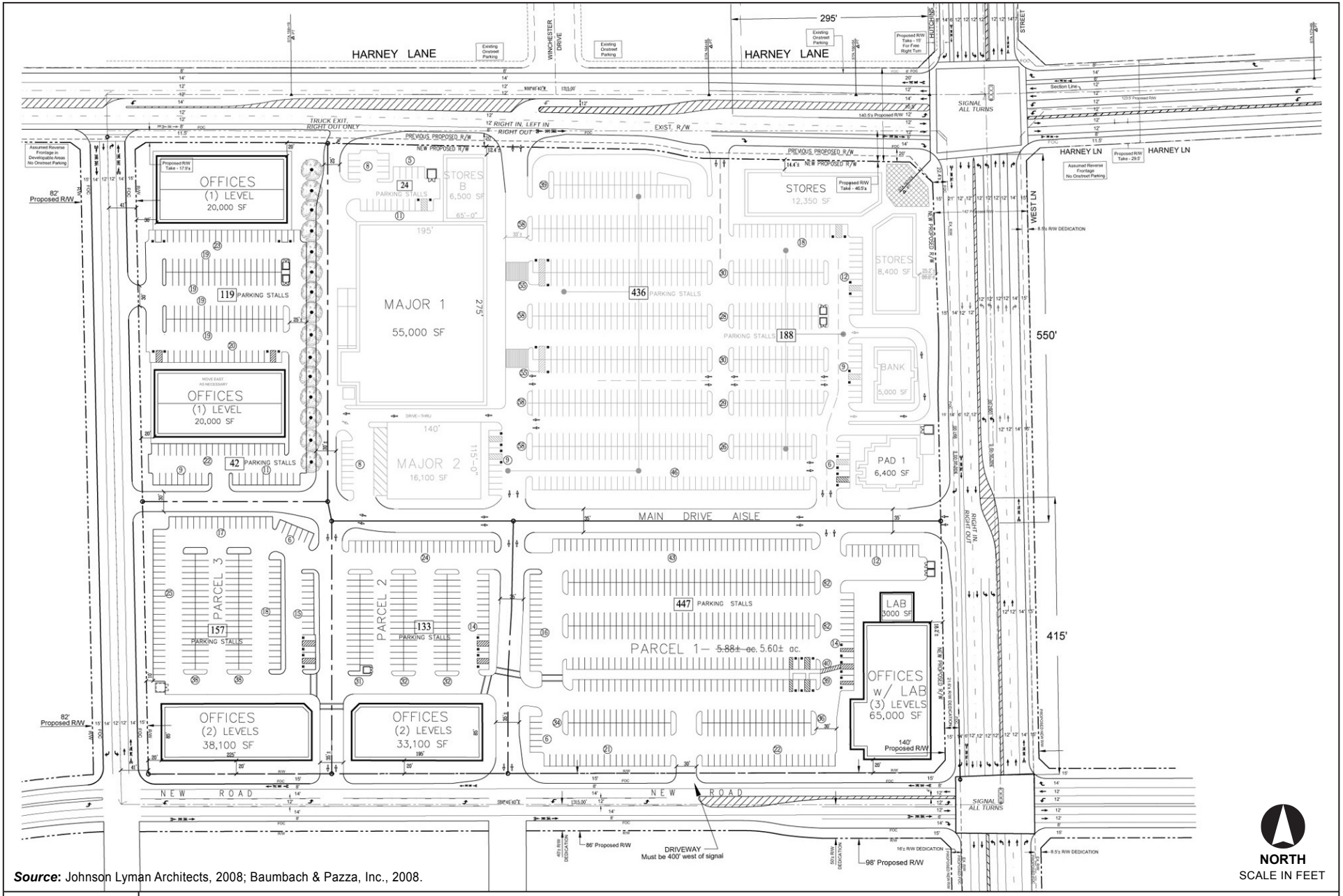
FIGURE **2**

Site Location

100004161

South Hutchins Street Annexation Project

10168 | JCS | 08



***Source*:** Johnson Lyman Architects, 2008; Baumbach & Pazza, Inc., 2008.

FIGURE **3**

Site Plan

100004161

South Hutchins Street Annexation Project

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Table 1 Summary of Proposed Land Uses and Parking

Land Uses	Area (sq .ft.)	Parking Spaces Proposed	Required[1]	Difference
Retail				
Major retail store	71,100		142[2]	
Smaller accessory commercial stores	27,250	576	55[2]	362
Bank	5,000		17[3]	
Total	***103,350***	***576***	***214***	***362***
Restaurant				
Restaurant	6,400 (240 seats)	80	60[4]	20
Total	***6,400***	***80***	***60***	***20***
Office				
Office	111,200	451	445[5]	6
Medical Office with laboratory	68,000	447	340[6]	107
Total	***179,200***	***898***	***785***	***113***
Overall Total	***288,950***	***1,554***	***1,059***	***495***

Source: John Lyman Architects, 2008
1. Lodi Municipal Code 17.60.100
2. General Commercial - 1 space per 500 square feet.
3. Banks – 1 space per 300 square feet.
4. Restaurants - 1 space per 4 seats
5. Business and Professional – 1 space per 250 square feet.
6. Medical Office – 1 space per 200 square feet.

11. Other Approvals and Permits:

The following approvals and/or permits are currently anticipated discretionary actions associated with the proposed project for which the EIR will be used:

- LAFCO: Annexation approval (Municipal Plan of Services, County of San Joaquin Detachment, etc.)
- City of Lodi: General Plan Amendment/Pre-Zone Change/Annexation approval
- City of Lodi: Development Plan and Infrastructure Master Plan approval
- City of Lodi: Potential subsequent land use entitlements for proposals within the South Hutchins Street Annexation Project (such as Tentative Tract Map applications, Use Permit, and Development Plan Review)

II. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

III. DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.

■ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR OR NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

David Morimoto	12-10-08
Signature	Date
David Morimoto	Rad Bartlam
Printed Name	For

IV. ENVIRONMENTAL CHECKLIST

Introduction

The following Checklist contains the environmental checklist form presented in Appendix G of the California Environmental Quality Act (CEQA) Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the proposed project.

For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Potentially Significant With Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less-than significant level.

Less-Than-Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
1.	**AESTHETICS.** *Would the project:*				
	a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	■
	b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	■
	c. 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. There are no significant views of or from the project site nor is the site located adjacent to a scenic vistas. Therefore, implementation of the proposed project would not result in a substantial adverse effect on a scenic vista and ***no impact*** would occur. This issue will not be further evaluated in the EIR.

b. The project site is not located along a state-designated scenic highway nor is it readily visible from such a roadway.[1] No trees, rock outcroppings or historic buildings are located on the project site. Therefore, ***no impact*** would occur with respect to scenic resources within a designated scenic highway as a result of the proposed project. This issue will not be further evaluated in the EIR.

c. The approximately 30-acre site consists of an abandoned golf range and agricultural land. Development of the proposed project would result in the elimination of a large open space. However, the proposed project would be subject to the City of Lodi design review process. As a result it is anticipated that the development of the project site would be designed in a manner that is aesthetically consistent with the adjacent residential and commercial development. Therefore, impacts with regards to the visual character or quality of the project site and its surroundings would be ***less than significant***, and no further analysis is required in the EIR.

d. The proposed project would result in new sources of light and glare with the construction of retail, restaurant, and office uses on a predominantly undeveloped property. The lighting is expected to be in the form of street lights, parking lot lights and commercial signage and other low-level lighting, such as security lighting and landscape lighting. The proposed development would be required to comply with the requirements relating to lighting and glare contained in Chapter 17 of the Lodi Municipal Code. As a result, the potential to significantly affect day or

1 California Department of Transportation, California Scenic Highway Program, http://www.dot.ca.gov/hq/LandArch/scenic/scpr.htm, accessed September 29, 2008.

nighttime views from light or glare is considered ***less than significant***, and no further analysis is required in the Draft EIR.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
2.	**AGRICULTURE RESOURCES.** *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:*				
	a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program in 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,c. The approximately 30-acre site consists of an abandoned golf driving range and agricultural land. The entire 30-acre project site is designated as "Prime Farmland" by the Farmland Mapping and Monitoring Program prepared by the California Department of Conservation, Division of Land Resource Protection.[2] Thus, development of the proposed project would convert Prime Farmland to a non-agricultural use. This is considered a ***potentially significant impact***. The Draft EIR will evaluate the potential impacts related to the loss of prime farmland and recommend mitigation measures as required.

b. The entire project site is zoned AG-40. This designation was established by San Joaquin County to preserve agricultural lands for the continuation of commercial agriculture enterprises. As part of the proposed project, the project site would be redesignated as general commercial, however, the proposed project would conflict with the existing County zoning designation. No portions of the project site are currently under Williamson Act contracts.[3] Nonetheless, because the proposed project would conflict with the County's existing zoning designation for the project site, this impact would be considered ***potentially significant*** and will be evaluated further in the Draft EIR.

2 California Department of Conservation, Division of Land Resource Protection. *San Joaquin County Important Farmland 2006*. June 2008.

3 Personal communication with Judy Seitz, San Joaquin County Assessor's Office, September 29, 2008.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
3.	**AIR QUALITY.** *Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations:* *Would the project:*				
	a. Conflict with or obstruct implementation of the applicable air quality plan?	■	☐	☐	☐
	b. 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-d. The project site is located within the San Joaquin Valley Air Basin (SJVAB), which is identified as a federally designated non-attainment area for ozone, particulate matter 10 microns or smaller (PM_{10}), and particulate matter 2.5 microns or smaller ($PM_{2.5}$) and as a state-designated non-attainment area for PM_{10}. As a result, any new emissions into the SJVAB are considered potentially significant impacts. The proposed project would result in substantial construction activities. Additionally, because the proposed project would result in increased vehicular trips in the area, long-term impacts on air quality could result from the increased contribution of ozone, carbon monoxide, and other pollutants. The Draft EIR will address the potential for the proposed project to exceed San Joaquin Valley Air Pollution Control District (SJVAPCD) thresholds of significance, any potential conflicts with existing SJVAPCD air quality plans, and any violation of local and regional air quality standards during construction and operation.

The proposed project uses may result in both short- and long-term impacts to air quality. Construction-related activities and traffic generated by operation of the proposed project could contribute to these existing non-attainment designations within the SJVAB. This is considered a ***potentially significant impact***. These impacts to air quality from project construction and operation will be evaluated in the Draft EIR.

e. The proposed project would not propose, and would not facilitate, uses that are significant sources of objectionable odors. Rather, the project would remove agricultural operations from

the site, which are an existing source of potential odors. Potential sources of odor associated with the proposed project may result from construction equipment exhaust and application of asphalt and architectural coatings during construction activities, the temporary storage of solid waste (refuse) associated with commercial and office (long-term operational) uses, as well as odors produced from the various commercial uses, including restaurants. Standard construction requirements would be imposed upon the applicant to minimize odors from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature, and impacts associated with construction-generated odors are expected to be substantial. It is expected that any project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. Therefore, odors associated with the proposed project construction and operation would be ***less than significant***, and no further analysis is required in the EIR.

Issues		Potentially Significant Impact	Potentially Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
4.	**BIOLOGICAL RESOURCES.** *Would the proposal:*				
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	■	☐	☐
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	■
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	■
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☐	☐	■
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	■
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

Discussion

Introduction

This section addresses potential effects on biological resources should the proposed project be implemented. Existing site characteristics, such as habitat types and animal and plant species present, are described based on site-specific information developed for the proposed project, and published technical information, as indicated in footnoted references. The primary sources of information referenced in this section regarding biological resources are:

- California Department of Fish and Game's February 2008 Special Animals list;
- California Department of Fish and Game's July 2008 Special Plants List;
- California Department of Fish and Game's Natural Diversity Database (CNDDB), Rarefind [3] database program, California Department of Fish and Game, Updated August 2008;
- U.S. Fish and Wildlife Service's Online List of Federal Endangered and Threatened Species (www.fws.gov/sacramento/es/spp_lists/auto_list_form.cfm), accessed September 26, 2008;
- California Native Plant Society's Online Inventory website (http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi), accessed September 26, 2008; and
- September 29, 2008 reconnaissance-level visit to the project site.

Environmental Setting

The approximately 30-acre site consists of an abandoned golf driving range and agricultural land. Agricultural land is currently the most common vegetation type in the region, including row crops, orchards, and vineyards. Additional communities in the area include ruderal and urban habitats. A description of these community types found within or adjacent to the project site is provided in the following paragraphs.

Agricultural Land

Half of the project site is comprised of agricultural land. Currently, strawberries (*Fragaria ananassa*), corn (*Zea mayz*), squash (*Cucurbita* spp.), pea (*Fabaceae* spp.), several species of ornamental flowers and Vietnamese chili peppers are in production. The southern one third of the agricultural area appears to have been recently disked. Due to the heavily disturbed nature of this habitat type, only those wildlife species that have adapted to intensive disturbance regimes associated with farming are likely to occur in agricultural land. Wildlife species observed during the September 29, 2008 field survey conducted by PBS&J, included American crow (*Corvus brachyrhyncos*), Brewer's blackbird (*Euphagus cyanocephalus*), European starling (*Sturnus vulgaris*), house sparrow (*Passer domesticus*), mourning dove (*Zenaida macroura*), black phoebe (*Sayornis nigricans*), northern mockingbird (*Mimus polyglottos*), western scrub jay (*Aphelocoma coerulescens*), raccoon (*Procyon lotor*), black-tailed jack rabbit (*Lepus californicus*) and California ground squirrel (*Spermophilus beecheyi*). Other wildlife species expected to occur in the vicinity of the project site include house mouse (*Mus musculus*), black rat (*Rattus rattus*), Norway rat (*Rattus norvegicus*), striped skunk (*Mephitis mephitis*), and opossum (*Didelphis virginiana*). A list of observed wildlife species is provided in Table 2.

Ruderal

The ruderal communities consist of introduced annual and perennial grasses and forbs associated with highly disturbed habitats. This community was found within the abandoned golf driving range and non-cultivated portions of the project site. Plant species observed in this community include, Himalayan blackberry (*Rubus discolor*), Bermuda grass (*Cynodon dactylon*), wild radish (*Raphanus sativus*), Italian thistle (*Carduus pycnocephalus*), wild mustard (*Brassica* spp.), prickly lettuce (*Lactuca serriola*), milk thistle (*Silybum marianum*), common knotweed (*Polygonum arenastrum*), cheeseweed (*Malva parviflora*), field bindweed (*Convolvulus arvensis*), horseweed (*Conyza canadensis*), and prickly sow-thistle (*Sonchus asper)*. A list of observed plant species is provided in Table 3. Wildlife species found in this habitat type would be similar to those found within agricultural habitats.

Table 2 Lodi West Lane Wildlife Species List	
Scientific Name	**Common Name**
Anatis rathvoni	Lady bug
Anna calypte	Anna's hummingbird
Aphelocoma californica	Western scrub jay
Apis mellifera	Honey bee
Artogeia rapae	White cabbage butterfly
Buteo lineatus	Red-shouldered hawk
Canis latrans	Coyote (scat)
Carduelis tristis	American goldfinch
Carpodacus mexicanus	House finch
Charadrius vociferus	Killdeer
Chondestes grammacus	Lark sparrow
Colaptes auratus	Northern flicker
Columbia livia	Rock dove
Corvus brachyrhynchos	American crow
Lepus californicus	Black-tailed jackrabbit
Melanerpes formicivorus	Acorn woodpecker
Mimus polyglottos	Northern mockingbird
Passer domesticus	House sparrow
Pentatomidae Family	Stink bug
Picoides nuttallii	Nuttall's woodpecker
Procyon lotor	Raccoon
Psaltriparus minimus	Bushtit
Sayornis nigricans	Black phoebe
Sayornis saya	Say's phoebe
Sceloporus occidentalis	Western fence lizard
Sialia mexicana	Western bluebird
Spermophilus beecheyi	California ground squirrel
Sturnella neglecta	Western meadowlark
Sturnus vulgaris	European starling
Thomomys bottae	Valley pocket gopher
Turdus migratorius	American robin
Vespinae Subfamily	Yellow jacket
Zenaida macroura	Mourning dove
Zonotrichia leucophrys	White-crowned sparrow
Source: PBS&J, 2008.	

Table 3 Lodi West Lane Plant Species List	
Scientific Name	**Common Name**
Acer palmatum	Japanese maple
Allium spp.	Onion
Amaranthus albus	Tumble weed
Avena fatua	Wild oats
Brassica oleracea var. botrytis	Broccoli
Brassica oleracea var. capitata	Cabbage
Brassica rapa	Birdsrape mustard
Brome spp.	Brome
Bromus diandrus	Rip-gut brome
Bromus rubens	Red brome
Capsicum frutescens	Bird's eye chili
Centaurea solstitialis	Yellow start thistle
Chenopodium album	Lamb's quarters
Citrullus lanatus var. lanatus	Watermelon
Conyza bonariensis	Asthma weed
Conyza canadensis	Horseweed
Croton setigerus	Dove weed
Cucurbita spp.	Squash
Cynodon dactylon	Bermuda grass
Cyperus eragrostis	Tall flatsedge
Deschampsia cespitosa	Tufted harigrass
Epilobium brachycarpum	Annual fireweed
Fabaceae spp.	Pea
Fragaria ananassa	Strawberry
Fraxinus velutina	Modesto ash
Lactuca serriola	Prickly lettuce
Lolium perenne	Perennial ryegrass
Lycopersicon spp.	Tomato
Malva parviflora	Cheeseweed
Panicum capillere	Witchgrass
Phalaris minor	Little seed canary grass
Poa pratensis	Kentucky bluegrass
Polygonum eranastrum	Common knotweed
Pyracantha coccinea	Scarlet firethorn
Quercus lobata	Valley oak
Raphanus sativus	Wild radish
Rubus discolor	Himalayan blackberry
Salix spp.	Willow
Salsola tragus	Russian thistle
Senecio vulgaris	Common groundsel
Silybum marianum	Blessed milk thistle
Tilia chordate	Tilia
Vitis spp.	Wine grape
Zea mayz	Corn
Source: PBS&J, 2008.	

Urban

Urban habitats are those areas where the native vegetation has been cleared for residential, commercial, industrial, transportation or recreational structures. Developed areas include areas that have structures, paved surfaces, and horticultural plantings. Structures on the project site include a small fruit stand

located at the corner of Harney Lane and West Lane on the agricultural side, and a paved parking lot and club house located along Harney Lane on the golf driving range side.

Potential Wetlands

No wetlands were observed during the September 29, 2008 field survey conducted by PBS&J.

San Joaquin Multiple Species Conservation Plan

In an effort to protect sensitive and threatened species throughout San Joaquin County, the San Joaquin Council of Governments (SJCOG) prepared the San Joaquin County Multi-species Habitat Conservation and Open Space Plan (SJMSCP). The purpose of the SJMSCP is to provide a county-wide strategy for preserving open space, provide for the long-term management of plant, fish and wildlife species, especially those that are currently listed or may be listed in the future under the Federal Endangered Species Act (FESA) or the California Endangered Species Act (CESA), and to provide and maintain multiple-use open spaces that contribute to the quality of life of the residents of San Joaquin County. The City of Lodi has adopted the SJMSCP. The SJMSCP classifies the eastern half of the project site as Category C Agricultural Habitat Open Spaces Pay Zone B (Agricultural) while the western half of the project site is classified as Category A Exempt No Pay Zone.[4] Participation in the San Joaquin County Multi Species Habitat Conservation and Open Space Plan (SJMSCP) is generally voluntary, but has been required for projects in the City of Lodi. The project applicant shall contact SJCOG during the NOP period to request coverage under the SJMSCP. An on-call biologist with SJCOG will then conduct a pre-construction biological survey prior to ground disturbance to assess the habitat on the site. The information collected is used to determine what, if any, Incidental Take Minimization Measures, from the SJMSCP, need to be required to avoid or mitigate for potential impacts on covered species. In the event that the project applicant decides to opt out of the SJMCP, the project applicant shall satisfy applicable federal Endangered Species Act, California Endangered Species Act, CEQA, and other applicable local, state and federal laws and regulations provisions through consultations with the Permitting Agencies and local planning agencies..

a. A search of the CNDDB and the California Native Plant Society Electronic Inventory of Rare and Endangered Plants conducted by PBS&J identified two plant species that occur in the vicinity of the project site; Mason's lilaeopsis (*Lilaeopsis masonii*) and succulent owl's clover (*Castilleja campestris ssp. succulenta*). The Mason's lilaeopsis is typically found in riparian, freshwater-marsh, or brackish-marsh habitat, whereas the succulent owl's clover is typically found in vernal pools. Due to the high degree of disturbance on the project site related to agricultural cultivation and golf driving range activities, and the fact that no riparian, freshwater marsh, brackish-marsh, or vernal pool habitat were found in the project site, the site does not contain suitable habitat for any special-status plant species known to occur in the region.

   According to the CNDDB a total of five special-status wildlife species are known to occur in the vicinity of the project site. However, based on habitats present, special-status species with the potential to occur on the project site and potentially be impacted by the proposed project are the Swainson's hawk (*Buteo swainsoni*) and burrowing owl (*Athene cunicularia*).

4 San Joaquin County Multi-Species Habitat Conservation and Open Space Plan. City of Lodi SJMSCP Compensation Map. Available online at http://www.sjcog.org/Programs%20&%20Projects/Habitat_files/Participation.htm.

Swainson's hawk is a state threatened species that breeds in stands with few trees in juniper-sage flats, riparian areas, or oak savannah adjacent to suitable foraging habitat such as grasslands, alfalfa, or grain fields with rodent populations. Threats to Swainson's hawk include development, which results in the loss of foraging and nesting habitat. The agricultural fields within and adjacent to the project site represent suitable foraging habitat for Swainson's hawk.

Burrowing owl is listed as a state species of special concern. Burrowing owls feed on rodents, small reptiles, and large insects in annual grasslands, pastures, and ruderal vegetation. They breed between March and August in communal burrow colonies that they have taken over from ground squirrels and other burrowing mammals. Grasslands and open ruderal habitats along the proposed project could provide suitable habitat for this species.

Potential nesting habitat for birds including Swainson's hawk and burrowing owl as well as other migratory bird species, protected under the Migratory Bird Treaty Act, occurs on the project site. This habitat consists of trees within the project site and ground squirrel burrows on the abandoned golf driving range. Activities associated with the construction of the proposed project in close proximity to active nest sites (i.e., within 500 feet) or burrows could disturb nesting birds, if present.

In addition, Swainson's hawk, burrowing owls, and other raptors forage (search for food) over agricultural land and ruderal fields, which comprises the majority of the project site. Swainson's hawks forage up to 10 miles from their nests and 30 recorded nests have been documented in the CNDDB within 10 miles of the project site, the closest of which is located approximately one mile to the southwest. The California Department of Fish and Game (CDFG) recommends mitigation for projects that result in the loss of Swainson's hawk foraging habitat within 10 miles of active nest sites.

Implementation of the proposed project could result in direct impacts to some or all of the special-status wildlife species listed above, or in the disturbance of habitats that support these species, which would constitute a significant impact. However, implementation of the following mitigation measures would reduce these impacts to ***less-than-significant with mitigation incorporated***.

Mitigation Measure

BIO-1 Swainson's Hawk Foraging Habitat

The project applicant shall ensure that mitigation for loss of Swainson's hawk foraging habitat within San Joaquin County occurs through one of the following measures. Should measures b, c, or d be implemented, the project applicant shall ensure that an appropriate number of acres (as approved by the California Department of Fish and Game [CDFG]) of agricultural land, annual grasslands, or other suitable raptor foraging habitat are preserved off site at a habitat preservation bank within San Joaquin County at a 1 to 0.5 (habitat lost to preserved) ratio.

a) The Project Site is located within the boundaries of the San Joaquin County Multi-species Habitat Conservation and Open Space Plan (SJMSCP). Half of the site is an abandoned golf driving range located in a "no-pay" zone and half is within the "agricultural habitat pay zone."[5] As such,

5 San Joaquin County Multi-Species Habitat Conservation and Open Space Plan. City of Lodi SJMSCP Compensation Map. Available online at http://www.sjcog.org/Programs%20&%20Projects/Habitat_files/Participation.htm.

the project applicant could seek coverage under the SJMSCP. Additionally, the project applicant would be required to conduct "Incidental Take Minimization Measures," that for this site would likely include preconstruction surveys for nesting birds.

OR

b) Purchase of mitigation credits at an approved CDFG mitigation bank that is within San Joaquin County.

c) Payment of a mitigation fee to a habitat development and management company, through a negotiated agreement between said company, the project applicant, and CDFG. The lands must be within 10 miles of the nearest Swainson's hawk nest (consistent with CDFG guidelines).

d) Purchase of conservation easements or fee title in San Joaquin County. This mitigation must occur within 10 miles of the nearest Swainson's hawk nest, unless otherwise approved by CDFG (consistent with CDFG Guidelines).

BIO-2 Nesting Birds

Between March 1 and September 15, the project applicant shall have a qualified biologist conduct nest surveys no more than 30 days prior to any demolition/construction or ground disturbing activities that are within 500 feet of potential nest trees or suitable nesting habitat (i.e., trees, grassland). A pre-construction survey shall be submitted to CDFG that includes, at a minimum: (1) a description of the methodology including dates of field visits, the names of survey personnel with resumes, and a list of references cited and persons contacted; and (2) a map showing the location(s) of any bird nests observed on the project site. If no active nests of Migratory Bird Treaty Act (MBTA) covered species are identified, then no further mitigation is required.

If active nests of protected bird species are identified in the focused nest surveys, the project applicant shall take the following steps.

a) The project applicant, in consultation with San Joaquin County and CDFG, shall delay construction in the vicinity of active nest sites during the breeding season (March 1 through September 15) while the nest is occupied with adults and/or young. A qualified biologist shall monitor any occupied nest to determine when the nest is no longer used. If the construction cannot be delayed, avoidance measures shall include the establishment of a non-disturbance buffer zone around the nest site. The size of the buffer zone shall be determined in consultation with the CDFG, but will be a minimum of 100 feet. The buffer zone shall be delineated with highly visible temporary construction fencing.

b) No intensive disturbance (e.g., heavy equipment operation associated with construction, or use of cranes) or other project-related activities that could cause nest abandonment or forced fledging, shall be initiated within the established buffer zone of an active nest between March 1 and September 15.

c) If construction activities are unavoidable within the buffer zone, the project applicant shall retain a qualified biologist to monitor the nest site to determine if construction activities are disturbing the adult or young birds. If abandonment occurs, the biologist shall consult with CDFG or U.S. Fish and Wildlife Service (who monitor compliance with the MBTA) for the appropriate salvage measures. The project applicant will be required to fund the full costs of the salvage measures.

BIO-3 Burrowing Owl

a) The project proponent shall hire a qualified biologist to conduct a pre-construction burrowing owl survey. If nesting owls are found, no disturbance shall be allowed within 160-feet of the active nest burrow between February 1 and August 31. Outside the nesting season, and/or upon confirmation by the qualified biologist, and in consultation with California Department of Fish and Game, that all young have fledged and left an active nest, burrowing owls present in the burrow shall be excluded from the burrow(s) by a qualified biologist through a passive relocation as outlined in the California Burrowing Owl Consortium's April 1993 Burrowing Owl Survey Protocol and Mitigation Guidelines. Once the burrows have been cleared, they must be hand-excavated and collapsed prior to project construction.

b. No riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFG or U.S. Fish and Wildlife Service were found during the September 29, 2008 field survey, therefore, ***no impact*** would occur from the implementation of the project, and no further analysis is required in the EIR.

c. No wetlands were found during the September 29, 2008 field survey, therefore, ***no impact*** on federally protected wetlands, as defined by Section 404 of the Clean Water Act, would occur as a result of the proposed project, and no further analysis is required in the EIR.

d. The area north of the project site lies within the City of Lodi and is currently developed. The area east, south and west is currently agricultural fields. Given the existing development north of the site and regular disturbance associated with agricultural uses, it is unlikely that the site would serve as a migratory corridor or a nursery site. Furthermore, the area where the project site is located is not identified as a missing linkage on the California Wilderness Coalition California's Missing Linkages Report.[6] Therefore the development of the proposed project would result in ***no impact,*** and no further analysis is required in the EIR.

e. The City of Lodi Municipal Code does not contain any policies protecting biological resources, therefore ***no impact*** would occur. No further analysis is required in the EIR.

f. In an effort to protect sensitive and threatened species throughout San Joaquin County, SJCOG prepared the SJMSCP. The purpose of the SJMSCP is to provide for the long-term management of plant, fish and wildlife species, specially those that are currently listed or may be listed in the future under the FESA or CESA, and to provide and maintain multiple-use open space that contributes to the quality of life of residents of San Joaquin County. The City of Lodi has adopted the SJMSCP and participation by the project in the plan is required by the City. Therefore, the proposed project would comply with the SJMSCP, and ***no impact*** would occur. No further analysis is required in the EIR.

6 California Wilderness Coalition. *California's Missing Linkages Restoring Connectivity to the California Landscape*. Available online at http://www.calwild.org/pubs/reports/linkages/index.htm.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
5.	**CULTURAL RESOURCES.** *Would the project:*				
	a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	■	☐
	b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	■	☐	☐
	c. Directly or indirectly destroy a unique paleontological resource or unique geologic feature?	☐	■	☐	☐
	d. Disturb any human remains, including those interred outside of formal cemeteries.	☐	■	☐	☐

Discussion

This section summarizes the cultural resources investigation conducted for the proposed project. It also identifies potential impacts to cultural resources as defined by CEQA and recommended mitigation measures to lower potential impact to less-than-significant levels.

Survey and Records Search

A PBS&J archaeologist conducted a Phase I archaeological survey on September 9, 2008 to identify historical resources or unique archaeological resources within the project site.

The following PBS&J personnel conducted the fieldwork:

- Jesse Martinez, B.A. Anthropology, 11 years of experience in California and Great Basin archaeology.

The project site was systematically surveyed using transects spaced 15 meters apart. The eastern half of the project site consists primarily of agricultural fields. The surface of the northeast corner of this section is covered with imported gravels. An operating fruit stand is located in the graveled area. The western half of the project site consists of a former golf driving range which has seen extensive surface alteration. The northern half of this section includes a paved parking area, a trailer, and metal canopy. No archaeological resources or historical resources were encountered during the survey.

PBS&J requested a confidential records search of the project site from the Central California Information Center (CCIC) of the California Historical Resources Information System in September 2008. The records search included a review of the National Register of Historic Places, the California Historic Resources Inventory, California Historical Landmarks, California Points of Historical Interest, the Historic Property Data File, the Archaeological Determinations of Eligibility, the California Department of Transportation State and Local Bridge Survey, a 1907 Government Land Office plat, and the *Survey of Surveys* (1989). The CCIC has record of one previous archaeological study within the project

site conducted in 2000 and which included the western side of West Lane. The records search did not identify any recorded Native American or historic-era cultural resources on the project site.

PBS&J requested a search of the Native American Heritage Commission (NAHC) sacred lands database in October 2008 to determine if any Native American cultural resources are present on or within the vicinity of the project site. The NAHC response letter stated that the sacred lands database failed to indicate the presence of Native American resources on or within the immediate vicinity of the project site. The NAHC letter included a list of Native American organizations and individuals who may have knowledge of cultural resources on or within the vicinity of the project site. As requested by the NAHC, letters that included a brief description of the proposed project and a project map were sent to each organization/individual identified on the NAHC list. The NAHC also requests that follow-up phone calls be made to the Native Americans if no response is given. As of the preparation of this initial study, no Native American individuals or organizations have provided information regarding cultural resources or Native American properties on or within the vicinity of the project site.

Regulatory Setting

Under CEQA, public agencies must consider the effects of their actions on both "historical resources" and "unique archaeological resources." Pursuant to Public Resources Code section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment."

"Historical resource" is a term with a defined statutory meaning. (See Public Resources Code, section 21084.1 and CEQA Guidelines, section 15064.5, subdivisions (a) and (b)) The term embraces any resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR). The CRHR includes resources listed in or formally determined eligible for listing in the National Register of Historic Places, as well as some California State Landmarks and Points of Historical Interest.

Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the CRHR and are presumed to be "historical resources" for purposes of CEQA unless a preponderance of evidence indicates otherwise (Public Resources Code, section 5024.1 and California Code of Regulations, Title 14, section 4850). Unless a resource listed in a survey has been demolished, lost substantial integrity, or there is a preponderance of evidence indicating that it is otherwise not eligible for listing, a lead agency should consider the resource to be potentially eligible for the CRHR. Section 21083.2 requires agencies to determine whether proposed projects would have effects on "unique archaeological resources."

a. No historical resources as defined in CEQA Guidelines section 15064.5 were identified in the records search performed by the CCIC, and none were encountered during the archaeological survey conducted for the proposed project. Therefore, the project would have ***no impact*** on historical resources as defined by CEQA, and no further analysis is required in the EIR.

b. No archaeological resources were identified in the records search performed by the CCIC nor were any archaeological resources encountered during the archaeological survey performed for the proposed project. The absence of archaeological resources indentified in the records search or during the pedestrian survey does not, however, preclude the possibility of subsurface

archaeological resources being present on the project site. Any ground disturbing activities performed for the proposed project could possibly disturb previously unidentified archaeological resources. Therefore, potential impacts to archaeological resources are considered potentially significant. Implementation of Mitigation Measure CR-1 would ensure that any previously unidentified archaeological resources encountered during ground disturbing activities for the proposed project would be managed in accordance with applicable regulations. Therefore, the impact on archaeological resources is considered ***less than significant with mitigation incorporated***, and no further analysis is required in the EIR.

Mitigation Measure

CR-1 If evidence of an archaeological site or other suspected historical resource as defined in CEQA Guidelines section 15064.5, including midden, that could conceal material remains (e.g., worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials) are discovered during project-related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Lodi shall notified within 24 hours of the discovery. The project applicant shall hire a qualified archaeologist to assess the significance of the find. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) forms and filed with the Central California Information Center. If the resource is a historical resource or unique archaeological resource which cannot be avoided, a qualified archaeologist shall prepare a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the resource.

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

Mitigation Measure

CR-2 Should paleontological resources be identified on the project site during any ground disturbing activities related to the project, all ground disturbing activities within 100 feet of the discovery shall cease and the City of Lodi shall be notified within 24 hours of the discovery. The project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less-than-significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, specific plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

d. No human remains were encountered during the archaeological survey and the records search conducted by the CCIC did not identify any previously discovered human remains within the

boundaries of the proposed project. The CCIC records search did note that human remains have been found just outside the quarter-mile radius of the project boundary search that was requested. Disturbing human remains, either in a formal cemetery or disarticulated, would be considered a significant impact under CEQA Guidelines §10564.5. Implementation of Mitigation Measure CR-3 would ensure that that any human remains encountered during activities associated with the proposed project would be managed in accordance with applicable regulations. Therefore, the impact on human remains is considered ***less than significant with mitigation incorporated***, and no further analysis is required in the EIR.

Mitigation Measure

CR-3 If human remains (including disarticulated or cremated remains) are discovered at any project construction sites during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Lodi and the San Joaquin County coroner shall be notified immediately. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project applicant shall retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The project applicant will be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of state law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project applicant shall implement approved mitigation before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

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

Discussion

a. i. Similar to the rest of California, the project site is located in a seismically active area, thus potentially exposing residents and others on the project site to seismic events. The site is not located within a delineated Alquist-Priolo Earthquake Fault Zone, as no faults are known to underlie the area.[7] Impacts associated with seismic hazards would generally be addressed through adherence to applicable regulations (i.e., California Building Code) and design, grading, and structural recommendations identified in the geotechnical investigation that is being prepared as part of the project. As such, and due to the large distance from any active faults

7 City of Lodi, *1991 City of Lodi General Plan*, adopted June 12, 1991, p. 9-1.

within the greater area, surface rupture would not be expected at the project site.[8] As such, impacts would be ***less than significant***, and no further analysis is required in the EIR.

ii. The greatest geologic hazard in the City of Lodi is the structural danger posed by ground shaking from earthquakes outside the area. The Modified Mercalli Intensity Scale is a commonly used scale used to judge the severity of earthquake effects. Intensity ratings are expressed as Roman numerals between I at the low end (i.e. people do not feel any earth movement) and XII at the high end (i.e., almost everything is destroyed). The maximum expected earthquake intensity to be expected in the Lodi area would correspond to a Modified Mercalli Intensity VIII, or possibility higher. During an intensity VIII event, some damage would occur to well-made structures and chimneys; some towers would fall; and poorly constructed or weak structures would be heavily damaged. An earthquake with an intensity of VIII would be most probable in areas where the water table is most shallow in proximity to the Mokelumne River. Where the water table is deeper than 30 feet, which is throughout most of the General Plan area, a maximum intensity of only VII would be more reasonably expected. In such an earthquake, damage in well-built structures would be slight.[9] As discussed above, impacts associated with seismic hazards would generally be addressed through adherence to applicable regulations (i.e., Uniform Building Code) and design, grading, and structural recommendations identified in the geotechnical investigation that is being prepared as part of the project. As such, impacts would be ***less than significant***, and no further analysis is required in the EIR.

iii. Liquefaction is a hazardous situation that occurs when a water-saturated, cohesionless soil loses its strength and liquefies, typically because of intense and prolonged ground shaking. Areas which have the greatest potential for liquefaction are those areas in which the water table is less than 50 feet below the ground surface and soils are predominantly clean, comprised of relatively uniform sands and are of loose to medium density. A review of historic groundwater levels identifies groundwater levels at 55 to 70 feet below ground surface. Due to the depth to groundwater, the potential for liquefaction to occur is considered low. As such, potential impacts are considered ***less than significant***, and no further analysis is required in the Draft EIR.

iv. Slope stability hazards are nonexistent and present no risk in the City of Lodi.[10] The project site is located in an area of generally level terrain that would likely not produce a landslide. Average grade within the project site is between zero and five degrees. As a result, ***no impacts*** related to landslides would occur, and no further analysis is required in the Draft EIR.

b. Erosion in all its forms involves the dislodgement of soil particles, their removal and eventual deposition away from the original position. Typically, erosion is caused by one of three things: wind, water, and tillage. Based on the topography of the project site, it may be subject to occasional high wind conditions and half the site is already subject to regular watering and tilling. Development of the proposed project has the potential to subject a large area to further wind and water erosion during the construction phase. However, the proposed project would be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit

8 Neil O. Anderson & Associates, Inc. *Geologic/Seismic Hazard Investigation – South Harney Lane Annexation*. December 8, 2008.
9 City of Lodi, *1991 City of Lodi General Plan*, adopted June 12, 1991, p. 9-1.
10 City of Lodi, *1991 City of Lodi General Plan*, adopted June 12, 1991, p. 9-2.

from the California Water Resources Control Board which would require the preparation of a plan to address the potential for soil erosion during construction and the implementation of Best Management Practices (BMPs) to control soil erosion. Therefore, impacts with regards to erosion would be ***less than significant***, and no further analysis is required in the Draft EIR.

c.,d. Subsidence from natural gas or groundwater withdrawals in the Lodi area is not considered to be a significant hazard.[11] As discussed above, soils on the project site consist of Tokay fine sandy loam and Tokay-Urban land complex soils. The shrink-swell potential of these soils is not high; the site is not designated as "expansive" on the 1999 San Joaquin County Expansive Soils Map.[12] In addition, the proposed project would be required to adhere to recommendations in the geotechnical investigation that is being prepared as part of the project, meet the City's design standards for grading and comply with the applicable regulations (i.e., Uniform Building Code). With adherence to the recommendations in the in the geotechnical study and applicable regulations, impacts with regards to unstable and expansive soils is ***less than significant***. This issue will not be further evaluated in the EIR.

e. The proposed project would not entail the use of septic tanks. Sanitary sewer service to the project site would be provided by the City of Lodi. Therefore, ***no impact*** would occur, and this issue will not be further evaluated in the EIR.

11 City of Lodi, *1991 City of Lodi General Plan*, adopted June 12, 1991, p. 9-2.
12 County of San Joaquin, 1999 San Joaquin County Expansive Soils Map, http://sjmap.org/mapdocs/FrontCounter_Expansive_Soils.pdf, accessed November 12, 2008.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
7.	**HAZARDS AND HAZARDOUS MATERIALS.** *Would the project:*				
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	■	☐
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	■	☐
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	■	☐
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	■	☐
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard 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. Construction of the proposed project would not require extensive or on-going use of materials that would create a significant hazard. Some examples of hazardous materials handling include

fueling and servicing construction equipment on-site and the transport of fuels, lubricating fluids, and solvents. These materials are generally disposed of at non-hazardous Class II and III landfills (along with traditional solid waste).

Operation of the laboratory associated with the proposed medical office building would use, store, or require the transportation and disposal of hazardous materials, and employees working in the laboratory would be at the greatest risk for exposure. Adverse health effects of exposure depend upon a complex interaction of factors such as the exposure pathway (the route by which a hazardous material enters the body); the amount of material to which the person is exposed; the physical form (e.g., liquid, vapor) and characteristics (e.g., toxicity) of the material; the frequency and duration of exposure; and the individual's unique biological characteristics, such as age, gender, weight, and general health. Adverse health effects from exposure to hazardous materials may be short-term (acute) or long-term (chronic). Acute effects can include damage to organs or systems in the body and possibly death. Chronic effects, which may result from long-term exposure to a hazardous material, can also include organ or systemic damage, but chronic effects of particular concern include birth defects, genetic damage, and cancer. Off-site hazardous materials exposure would only reasonably occur through limited circumstances such as accidental spill or release during transport or use. Although implementation of the proposed project could potentially expose people to potential hazards, safety procedures mandated by federal and state laws and regulations would ensure that the use, transport, or disposal of hazardous materials does not expose employees, visitors, or the nearby public to significant health or safety risks.

Operation of the proposed retail, restaurant and remaining office uses would not involve the transportation or disposal of hazardous materials. Small amounts of cleaning agents, pesticides, and fertilizers associated with retail, restaurant, and office uses may be used, although this would not create a significant hazard. As a result, a ***less-than-significant*** impact related to acute and chronic exposure to hazardous materials would occur, and no further analysis is required in the Draft EIR.

b. Historical information indicates that the project site has been occupied primarily by agricultural uses since at least 1940. A Phase I Environmental Site Assessment (ESA) conducted for the project site indicated that based on the historical agricultural use of the property, it is possible that persistent agricultural chemicals may remain in on-site soils. However, testing revealed residual levels of these chemicals may be acceptable for future retail, restaurant and office uses. Stains to concrete and soil were observed near the equipment storage on the property. Although the stains observed on the subject property do not constitute recognized environmental conditions, it is possible that the surface soils have been impacted. Historic underground storage tanks (USTs) are located adjacent to the project site and include three 10,000 gallon fuel tanks to the north and one 500 gallon fuel tank to the east. The three fuel tanks to the north are closed and no reports of leaks have been reported for the fuel tank to the east. Based on the status of the USTs, no impact to the project site is expected from these tanks. One adjacent site was listed on the Resource Conservation and Recovery Act and cleaners databases; however, the facility is now closed. This assessment has revealed no evidence of recognized environmental conditions in connection with the subject property.[13] Based on the results of the Phase I ESA, impacts are ***less than significant***, and no further analysis is required in the Draft EIR.

13 Neil O. Anderson & Associates, Inc., *Phase I Environmental Site Assessment, Harney Lane 30-Acre Site,* August 28, 2007, p. 1.

c. The project site is located within one-quarter mile of Beckman Elementary School to the north. Construction of the proposed project would involve utilization of diesel-powered trucks and equipment, which would emit toxic air contaminants in the form of diesel particulate matter. However, construction activities would be temporary and periodic. In general, health risks associated with air emissions are assessed over a period of prolonged exposure (approximately 70 years). As such, the potential periods of exposure to diesel exhaust from construction of the proposed project are not anticipated to result in an increased health risk because the potential exposure is not chronic in nature.

Operation of the laboratory associated with the proposed medical office building would process and store hazardous materials. Safety procedures mandated by federal and state laws and regulations would ensure that emissions from the use and storage of hazardous materials would not be hazardous to employees, visitors or the nearby public. Operation emissions associated with the retail, restaurant and remaining office uses would be generated by both stationary and mobile sources. Emissions from these sources are not considered toxic air contaminants, and would not be classified as hazardous emissions. For these reasons, impacts to existing or proposed schools from acute and chronic hazardous emissions or materials would be ***less than significant***, and this issue will not require further analysis in the Draft EIR.

d. The proposed project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.[14] Therefore, the proposed project would not create a significant hazard to the public or the environment. Impacts would be ***less than significant***, and this issue will not require further analysis in the Draft EIR.

e.,f. The project site is located with the area of influence for the Lodi Airpark and Kingdon Executive Airport. The Lodi Airpark is located roughly 2 miles to the southwest of the project site while the Kingdon Executive Airport is located approximately 4 miles southwest of the project site. The primary function of the Lodi Airpark is as a base for a commercial aerial chemical application service for both agriculture and insect abatement purposes. The Lodi Airpark is also used for pilot training activity.[15] The Kingdon Executive Airport presently hosts a variety of aviation activities including pilot training and aerial application of agricultural chemicals. The airport is also home to the Delta Flying Club, which owns six single-engine piston aircraft for use by its members.[16]

The project site is located outside of the Part 77 Horizontal Surface zone of both airports, which consists of the airport's primary, horizontal, conical, approach and transitional surfaces. Therefore, impacts related to safety hazards for people visiting or working within the project site would be ***less than significant***, and this issue will not be further evaluated in the EIR.

g. During construction of the proposed project, lane closures may be necessary. However, a minimum of one lane would remain open throughout construction activities which would allow emergency access at all times. Therefore, this impact would be ***less than significant***, and this issue will not be further evaluated in the EIR.

h. There are no known wildlands on the project site or in the vicinity of the project site. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury,

14 Neil O. Anderson & Associates, Inc., *Phase I Environmental Site Assessment, Harney Lane 30-Acre Site*, August 28, 2007, p. 8.
15 San Joaquin County, *Draft Airport Land Use Compatibility Plan*, 2008, p. 2-12.
16 San Joaquin County, *Draft Airport Land Use Compatibility Plan*, 2008, p. 2-6.

or death involving wildland fires, including where wildland fires are adjacent to urbanized areas. As such, there would be ***no impact***, and no further analysis is required in the Draft EIR.

Issues			Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
8.	**HYDROLOGY AND WATER QUALITY.** *Would the project:*					
	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 (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	■	☐	☐	☐
	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 floodplain 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.–f. The Draft EIR will evaluate the proposed project's compliance with the requirements of the Regional Water Quality Control Board related to NPDES and any appropriate BMPs. The approximately 30-acre site consists of an abandoned golf driving range and agricultural land, and irrigation associated with agricultural uses would be removed during construction of the proposed project. Development of the project site would substantially alter the on-site drainage pattern and require installation of on-site storm water conveyance features and modification or installation of off-site drainage facilities due to the increased amount of storm water runoff from impervious surfaces. A different rate of groundwater recharge through percolation would result due to the difference in type of ground cover and type and extent of improvements. In addition, due to the conversion of the project site to urban uses, the potential for water quality impacts to storm water discharged off-site would occur. This is considered a ***potentially significant impact***. The Draft EIR will evaluate potential impacts related to flooding, groundwater, drainage, runoff, and water quality.

g. The proposed project would not involve the construction of any residential units. As such, the proposed project would not place housing within a 100-year flood hazard area. ***No impact*** would occur.

h. According to the Federal Emergency Management Agency, a majority of the project site is located within Flood Zone B, which is designated as an area located outside of the 100-year floodplain and potentially protected by levees from the base flood. The eastern portion of the project site is located in Flood Zone C, which is designated as an area of minimal flooding that is located outside the of 100- and 500-year floodplains.[17] As such, the proposed project would not place structures within a 100-year floodplain. ***No impact*** would occur.

i. The project site is located within the inundation zones of the Pardee and Camanche Dams.[18] The East Bay Municipal Utility District (EBMUD) prepared an *Emergency Action Plan (EAP) for the Lower Mokelumne River Project* in 2000, which addressed potential inundation due to failure of the Pardee and Camanche Dams. The purpose of the EAP is "to define actions to be taken in the event of a dam break and to assist responsible EBMUD personnel and emergency response agencies in their actions to safeguard the lives and reduce damage to the properties along the Lower Mokelumne River." Even in the worst possible scenarios, inundation lead times at the project site indicate that the greatest potential flooding risks would be for property damage rather than for loss of life. Given the likelihood of a cataclysmic event, the historical performance of the facilities, and the EAP that would be initiated by EBMUD, the flooding risk associated with the water supply/flood control facilities along the Mokelumne River have been determined to be acceptable; and these risks are no greater on the project site than they are throughout the City of Lodi. As such, impacts are considered ***less than significant***.

j. The project site is not located in close proximity to any large water bodies, such as lakes or oceans. Therefore, there would be ***no impact*** due to seiche, tsunami, or mudflow.

17 Flood Emergency Management Agency, Flood Insurance Rate Map No. 0602990285C for San Joaquin County and Incorporated Areas, April 2, 2002.

18 San Joaquin County, Office of Emergency Services, Dam Failure Plan, December 2003, p. 97-99.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
9.	**LAND USE AND PLANNING.** *Would the project:*				
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 on environmental effect?	■	☐	☐	☐
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	■

Discussion

a. The approximately 30-acre site consists of an abandoned golf driving range and agricultural land and does not support a residential community. Residential and commercial uses are located to the north while agricultural uses are located to the east, south and west. As such, the proposed project would not divide an established community, and ***no impact*** would occur. No further analysis is required in the Draft EIR.

b. The project site is presently designated by the City of Lodi 1991 General Plan as Planned Residential Reserve (PRR)[19], which is applied to areas that are well suited for residential development, but are not expected to develop within the time frame of the existing 1991 General Plan.[20] The proposed project would require annexation into the City of Lodi and would require a General Plan Amendment. Given that the project site is reserved for residential uses, the Draft EIR will analyze the need for retail, restaurant and office uses within the City. In addition, the Draft EIR will analyze the consistency of the proposed project with the policies contained in the City of Lodi 1991 General Plan. This is considered a ***potentially significant impact*** and this issue will be further addressed in the EIR.

c. As mentioned previously in item 4, the project site is located within the boundaries of the SJMSCP. The purpose of the SJMSCP is to provide for the long-term management of plant, fish and wildlife species, specially those that are currently listed or may be listed in the future under the FESA or CESA, and to provide and maintain multiple-use open space that contributes to the quality of life of residents of San Joaquin County. The City of Lodi has adopted the SJMSCP and participation by the project in the plan is required by the City. The SJMSCP classifies the eastern half of the project site as Category C Agricultural Habitat Open Spaces Pay Zone B (Agricultural) and the western half of the project site as Category A Exempt No Pay Zone. Therefore, the proposed project would comply with the SJMSCP, and the eastern half of the project site would be subject the 2008 SJMSCP agricultural fee. Furthermore, the proposed

19 City of Lodi, *1991 City of Lodi General Plan*, adopted June 12, 1991, p. A-4-3.
20 City of Lodi, *1991 City of Lodi General Plan*, adopted June 12, 1991, p. 2-4

project would not conflict with any other applicable habitat or natural community conservation plans. Therefore, ***no impact*** would occur, and no further analysis is required in the Draft EIR.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
10.	**MINERAL RESOURCES.** *Would the project:*				
	a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	■
	b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	■

Discussion

a., b. As discussed above in item 6.a.iii, soils on the project site consist of Tokay fine sandy loam and Tokay-Urban land complex soils. The project site is not known to contain any mineral resources. As a result, ***no impact*** to mineral resources would result, and no further analysis of this issue is required in the Draft EIR.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
11.	**NOISE.** *Would the project result in:*				
	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. Existing noise levels in the vicinity of the project site are dominated by local traffic. Nearby noise-sensitive receptors include existing residences located north of the project site. Over the long term, increased noise levels would be generated at the project site due to increased traffic during project operation and by retail activities at the site once it is occupied. The noise created by the proposed project could exceed the City's established noise criteria set forth in Chapter 9.24 of the Lodi Municipal Code and the City of Lodi General Plan, thus affecting existing sensitive receptors along Harney Lane. This is considered a ***potentially significant impact***. The Draft EIR will also include an analysis of the estimated interior and exterior noise levels for residential uses adjacent to the project site in relation to the City's established noise criteria, and recommend appropriate mitigation measures to help reduce or eliminate any potential noise impacts resulting from the project.

b. Project operation would not include uses that would result in groundborne vibration. However, potential sources of groundborne vibration or noise levels could temporarily occur during some construction activities. This is considered a ***potentially significant impact***. Vibration impacts associated with construction will be addressed in the Draft EIR, and appropriate mitigation measures will be recommended to help reduce or eliminate any potential noise vibration impacts.

c. As stated above in the discussion for item 11a., noise generated by vehicles and retail activities associated with operation of the proposed project could exceed thresholds of significance for noise. This is considered a ***potentially significant impact***. This issue will be addressed in the Draft EIR, and appropriate mitigation measures will be recommended to help reduce or eliminate any potential noise impacts during operation of the proposed project.

d. Project construction activities would cause a temporary increase in ambient noise. This is considered a ***potentially significant impact***. Noise impacts from construction will be addressed in the Draft EIR, and appropriate mitigation measures will be recommended to help reduce or eliminate any potential noise impacts during construction of the proposed project.

e.,f. The project site is located roughly two miles from the Lodi Airpark and approximately four miles from the Kingdon Executive Airport. The proposed project is not located with the 65 dB CNEL, 60 dB CNEL or 55 dB CNEL noise contours of either airport.[21] As a result, ***no impacts*** from excessive noise levels related to airport/airstrip operations would occur, and no further analysis is required in the Draft EIR.

21 San Joaquin County, *Draft Airport Land Use Compatibility Plan*, 2008, Exhibits 2KA-2 and 2LP-2.

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

Discussion

a. Using an employee generation rate of 3.0 employees per 1,000 square feet of commercial retail use,[22] including restaurants, and 4.44 employees per 1,000 square feet for office use, development of the proposed project would result in the addition of approximately 1,125 new jobs within the City.[23] Based on the existing residence characteristics of the workforce in Lodi, it is estimated that a little more than one-third of these employees could relocate to the City. Travel time-to-work data collected by the 2000 U.S. Census indicates that approximately 10,400 workers in Lodi aged 16 and over commute less than 15 minutes to their places of employment or work at home.[24] It can be assumed that these workers are employed within the City limits, since it would conceivably take longer than 15 minutes to commute to jobs located outside Lodi. In 2000, the City of Lodi had 26,700 employees based on the number of resident and non-resident employees reported to the State of California Employment Development Division by firms located in Lodi.[25] In 2000, therefore, approximately 10,400 of the 26,700 employees working in Lodi resided in the City, which equates to approximately 39 percent of the work population.

Applying this ratio to the 1,125 employment positions that would be generated by the proposed project, it is estimated that approximately 439 of these employees could reside in the City of Lodi. If it is conservatively assumed that each of these employees forms a single new household in the City, these households could add approximately 1,229 new residents (439 households x 2.8 persons per household).[26] However, it should be noted that this estimate is conservative since it is based on the assumption that existing City residents will fill none of the employment opportunities associated with the project. Given that unemployment in Lodi stands at 6.1

22 Southern California Association of Governments, *SCAG GMA-4 Forecast and CBD Land Use Database.*
23 Retail (103,350 sq. ft. X 3.0 employees per 1,000 square feet = 310 employees) + Restaurant (6,400 sq.ft. X 3.0 employees per 1,000 square feet = 19 employees) + Office (179,200 sq. ft. X 4.44 employees per 1,000 square feet = 796 employees) = 1,125 employees.
24 2000 U.S. Census, *Table P31 - Travel Time To Work For Workers 16 Years And Over.*
25 California State Employment Development Division, 2000 Labor Force Data for Sub-county Area (Revised).
26 California Department of Finance, *E-5 City/County Population and Housing Estimates, January 1, 2008*, May 2008.

percent,[27] it is reasonable that some of the employment opportunities associated with the project will be filled by current residents of the City.

The City of Lodi is projected to increase by 8,100 residents between 2010 and 2020, the year the proposed project will be completely built out. The population growth estimated to be associated with the proposed project—approximately 1,229—will not result in growth exceeding this projection. In addition, the City of Lodi recently annexed three parcels of land which will add up to 2,425 units to the City housing stock.[28] Therefore, adequate housing would exist to house future employees that may relocate to the City as a result of the proposed project. For these reasons, population growth associated with the project is considered ***less than significant***.

b-c. The approximately 30-acre site consists of an abandoned golf driving range and agricultural land. No residential structures are currently located at the project site. As such, no displacement of existing housing or people would occur as a result of implementation of the proposed project. ***No impact*** related to the displacement of housing and population would occur, and no further analysis is required in the Draft EIR.

27 California State Employment Development Division, 2007 Labor Force Data for Sub-county Area (Revised).
28 City of Lodi, *Lodi Annexation Draft EIR*, p. 43.

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

Discussion

a. The proposed project would be served by the City of Lodi Fire Department. The nearest fire station to the proposed project site is Fire Station No. 3, located at 2141 South Ham Lane (approximately 2,000 feet or 0.38 miles north of the project site). It should also be noted that the Reynolds Ranch project, which was recently approved by the City, is located approximately 0.28 miles to the east and includes the provision of another fire station, which, based on proximity, would be assumed to also serve the project site.

Conversion of the project site to urban uses would require an increase in demand for fire protection services and may require additional personnel or equipment. However, all new development, including the proposed project, would be required to be constructed to meet current fire safety standards, and the proposed project would not result in a direct increase in population due to the addition of residential structures. In addition, the proposed project would be required to comply with Lodi Municipal Code Chapter 15.64, which establishes development impact fees to offset impacts caused by new development. While Chapter 15.64 bases the calculation of fees on residential development, it also includes a residential acreage equivalent (RAE) factor that would be applied to the proposed uses at the project site.[29] With payment of the fees identified in the Lodi Municipal Code, impacts to fire protection services are anticipated to be ***less than significant***. This issue will not be further evaluated in the EIR.

b. The proposed project would be served by the City of Lodi Police Department. Conversion of the project site to urban uses would require an increase in demand for police protection services and may require additional personnel or equipment. Similar to fire protection services, the proposed project would be required to pay fees in compliance with Chapter 15.64 of the Lodi Municipal Code that would be used to augment police protection services as needed to effectively handle any increased demand generated by the proposed project.[30] Therefore,

29 Current fire protection fees include $4,166/acre of retail and $3,810/acre of office uses.
30 Current police protection fees include $6,530/acre of retail and $5,895/acre of office uses.

impacts to police protection services would be ***less than significant***. This issue will not be further evaluated in the EIR.

c. Residential land uses are not part of the proposed project; therefore, there would not be a direct impact on schools due to an increase in residential population. However, the proposed project would pay required fees for non-residential uses imposed by the Lodi Unified School District. In addition, those employees who move into the city as a result of becoming employed at the proposed project would either move into an area already served by schools, or into a new residential development subject to school mitigation fees. Therefore, the indirect impact on schools would be ***less than significant***. This issue will not be further evaluated in the EIR.

d., e. Development of the proposed project would have an indirect effect on parks. Upon build out and occupation of the proposed project there would be approximately 1,125 employees on the project site. These new employees could use area parks on their lunch breaks; however, the increase in use would be minimal given that there are no parks in the immediate area. Regardless, the proposed project would be required to pay fees imposed by the City to provide parks and recreational services. In addition, those employees who move to the City as a result of employment opportunities at the proposed project would move into an area already served by parks, or a new residential development subject to park fees. Therefore, the indirect impact on parks would be ***less than significant***. This issue will not be further evaluated in the EIR.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
14.	**RECREATION.**				
	a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	■	☐
	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, b. No recreational facilities would be constructed as part of the proposed project. Impacts to existing recreational facilities have been addressed under Section 13, Public Services.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
15.	**TRANSPORTATION / TRAFFIC.** *Would the project:*				
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., b. Development of the proposed project would result in an increase in traffic and modifications to existing roadways. A traffic analysis will be prepared to assist in the evaluation of the potential impacts related to traffic that would result from project implementation. During construction of the proposed project, impacts on traffic from construction vehicles queuing at and entering and exiting the site could occur. In addition, operation of the proposed project would generate additional vehicular trips that could potentially result in a substantial traffic increase in the area. This increase in traffic would further add to the existing traffic load and could impact the existing capacity of the street system. This is considered a ***potentially significant impact***. The potential impacts due to increased trip generation, changes to the volume to capacity ratio on roads, and congestion at intersections will be analyzed in the Draft EIR.

c. The project site is located roughly two miles from the Lodi Airpark and approximately four miles from the Kingdon Executive Airport. The project site is located more than 500 feet from the runway centerline of each runway and does not propose buildings that could present a hazard to aircraft. As a result, the proposed project would not cause changes to air traffic patterns, and ***no impact*** would occur. This issue will not be further evaluated in the EIR.

d. The proposed project is not anticipated to include any design features that would result in roadway hazards, and impacts are considered ***less than significant***. However, potential design hazards will be analyzed further in the Draft EIR.

e. The placement of access points to the project site would not interfere with existing emergency access routes in the vicinity of the proposed project. Further, the proposed project's internal roadway system would be designed in a manner that allows for adequate emergency access per City of Lodi design standards. As a result, ***no impact*** to emergency access would occur, and no further analysis is required in the Draft EIR.

f. As discussed in the project description, the proposed project would provide a total of 1,554 parking spaces, 495 more parking spaces than is required by the parking regulations set forth in the Lodi Municipal Code. As a result***, less-than-significant*** impacts related to parking capacity are likely to occur. However, parking capacity will be further analyzed in the Draft EIR.

g. The proposed project would involve incremental new demands on existing pedestrian, bicycle and transit systems. This increase in demand could conflict with policies, plans, or programs supporting alternative transportation, resulting in a ***potentially significant impact*** . The Draft EIR will evaluate the proposed project's alternative transportation elements and evaluate the proposed project as it relates to the existing alternative transportation infrastructure, including existing transit operations in the area.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
16.	**UTILITIES AND SERVICE SYSTEMS.** *Would the project:*				
	a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	■	☐	☐	☐
	b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	■	☐	☐	☐
	c. Require or result in the construction of new 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.–f. The Draft EIR will analyze project-related impacts to utility and service systems. The analysis will incorporate the input of local utility providers regarding existing infrastructure and capacities. City departments and other service providers will provide data on current and planned capacities for their respective service type. These services will include water, wastewater (sewer), power, and solid waste. Current and anticipated future service capacities will be evaluated with respect to the proposed project. If the proposed project would result in capacities being exceeded or close to being exceeded, a ***potentially significant impact*** would result. The Draft EIR will also recommend mitigation measures that may be required to reduce impacts.

g. The proposed project is required to comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts are considered ***less than significant***. Nonetheless, as stated above, as part of the Draft EIR process, solid waste service providers (i.e., landfills) will be contacted to provide data on current and planned capacities. Current and anticipated future service capacities will be evaluated with respect to the proposed project in the Draft EIR.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
17.	**MANDATORY FINDINGS OF SIGNIFICANCE.**				
	a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	■	☐	☐
	b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	■	☐	☐	☐
	c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	■	☐	☐	☐

Discussion

a. Potential nesting habitat for two special-status wildlife species, Swainson's hawk and burrowing owl, as well as other migratory bird species, protected under the Migratory Bird Treaty Act, occurs on the project site. In addition, as the majority of the project site consists of agricultural land and ruderal fields, the site is considered foraging habitat for Swainson's hawk, burrowing owls, and other raptors. As a result, implementation of the proposed project could result in direct impacts to special-status wildlife species, or disturb habitats that support these species. However, Mitigation Measures Bio-1 through Bio-3 would reduce potential impacts to these species. While there are no known cultural resources on the project site, ground disturbing activities performed for the proposed project could possibly disturb previously unidentified cultural resources. However, Mitigation Measures CR-1 through CR-2 would reduce potential impacts on previously unknown cultural resources including human remains that could be discovered on the project site. Therefore, the impact would be ***less than significant with mitigation incorporated***. Therefore, no further analysis is required in the Draft EIR.

b. Potential project impacts relating to agricultural resources, air quality, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems could contribute to cumulative impacts to these resource areas. This is considered a ***potentially significant impact***. The Draft EIR will discuss the potential for cumulative impacts to all resource areas analyzed in the Draft EIR.

c. The proposed project includes retail, restaurant and office uses that would be required to conform to mandatory obligations related to human safety. Therefore, implementation and operation of the proposed project would not cause substantial adverse effects on human beings. However, construction and operation of the proposed project could result in substantial air quality and noise impacts. This is considered a ***potentially significant impact***. The Draft EIR will discuss the potential of the proposed project to cause substantial adverse effects on human beings.