



Jennifer Jolley, Director

Filed Doc #: 39-02192026-046
 Thu Feb 19 14:59:15 PST 2026
 Page: 1 of 39 Fee: \$0.00
 Steve J. Bestolarides
 San Joaquin County Clerk

Eric Merlo, Assistant Director
 Tim Burns, Code Enforcement Chief
 Corinne King, Deputy Director of Planning
 Jeff Niemeyer, Deputy Director of Building Inspection

By Deputy: aambriz



MITIGATED NEGATIVE DECLARATION

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

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

County Clerk, County of San Joaquin

PROJECT TITLE: Administrative Use Permit No. PA-2200045 (A)

PROJECT LOCATION: The project site is on W. Acker Island, adjacent to the Stockton Deep Water Channel and Turner Cut, west of Stockton, San Joaquin County. (APN/Address: 131-020-01 / 11050 W. Acker Island, Stockton) (Supervisory District: 3)

PROJECT DESCRIPTION: An Administrative Use Permit application to rebuild a marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment. In 2022, a fire on the island destroyed the structures. This project includes reconstruction of these structures in addition to construction of new structures (summarized below). Construction materials will be delivered to the site by a barge, and floating structures will be floated in. The current project scope is substantially the same as the previously approved Site Approval application No. PA-1000044, which expired. There is an existing underground power line within the jurisdiction of the State Lands Commission that extends to the facility, however no work is proposed to the underground power line beyond connection to a new main service panel. The project site is not under a Williamson Act contract (Use Types: Marina, Recreation Facility - Resort).

Phase 1, to be completed in 3 years, includes the construction of:

- 2,500-sq.ft. restaurant building
- 300-sq.ft. restroom
- 800-sq.ft. restroom/storage/security building
- 100-ft. tall, 100-sq.ft. security tower

Phase 2, to be completed in 5 years, includes the construction of:

- 1,200-sq.ft. replacement tiki bar
- 1,200-sq.ft. covered seating area
- 800-sq.ft. replacement covered seating area
- 1150-sq.ft. replacement office and store
- Stage platform
- Retrofit and remodel 2 floating barges for entertainment related uses
- In-Water dock replacement utilizing existing pilings.
 - o Remove existing dock bridge and access ramps
 - o Service ramp construction to accommodate supplies and field deliveries plus sewage and waste haul out
 - o Replace existing water-side docks [6,400-sq.ft.]
 - o Replace new dock bridge and access ramps per ADA [1,000-sq.ft.]
 - o Construct main dock access ramp.

The Property is zoned AG-80 (General Agriculture, 80-acre minimum) and the General Plan designation is OS/RC (Resource Conservation).

PROPONENT: Lost Isle, LLC / Lost Isle Resort, LLC c/o David Wheeler

This is a Notice of Intent to adopt a Mitigated Negative Declaration for this project as described. San Joaquin County has determined that through the Initial Study that contains proposed mitigation measures all potentially significant effects on the environment can be reduced to a less than significant level. The Mitigated Negative Declaration and Initial Study can be viewed on the Community Development Department website at www.sjgov.org/commdev under Active Planning Applications.

Date: February 18, 2026

Contact Person:

Giuseppe Sanfilippo Phone: (209) 468-0227 Fax: (209) 468-3163 Email: gsanfilippo@sjgov.org

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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

LEAD AGENCY: San Joaquin County Community Development Department

PROJECT APPLICANT: Lost Isle Partners PTP

PROJECT TITLE/FILE NUMBER(S): PA-2200045 (A)

PROJECT DESCRIPTION: An Administrative Use Permit application to rebuild a marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment. In 2022, a fire on the island destroyed the structures. This project includes reconstruction of these structures in addition to construction of new structures (summarized below). Construction materials will be delivered to the site by a barge, and floating structures will be floated in. The current project scope is substantially the same as the previously approved Site Approval application No. PA-1000044, which expired. There is an existing underground power line within the jurisdiction of the State Lands Commission that extends to the facility, however no work is proposed to the underground power line beyond connection to a new main service panel. The project site is not under a Williamson Act contract (Use Types: Marina, Recreation Facility - Resort).

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- 800-sq.ft. replacement covered seating area
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- In-Water dock replacement utilizing existing pilings.
 - o Remove existing dock bridge and access ramps
 - o Service ramp construction to accommodate supplies and field deliveries plus sewage and waste haul out
 - o Replace existing water-side docks [6,400-sq.ft.]
 - o Replace new dock bridge and access ramps per ADA [1,000-sq.ft.]
 - o Construct main dock access ramp.

The project site is located West Acker Island, adjacent to the Stockton Deep Water Channel and Turner Cut, west of Stockton

ASSESSOR PARCEL NO.: 131-020-01

ACRES: 7.17-Acres

GENERAL PLAN: OS/RC

ZONING: AG-80

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):

A resort and marina with docks, entertainment barges, restaurant and bar, and restroom buildings with a total of 8,050 square feet of buildings at full buildout.

SURROUNDING LAND USES:

NORTH: San Joaquin River/Agriculture with scattered residences

SOUTH: Turner Cut/Agricultural with scattered residences
EAST: Turner Cut/Agricultural with scattered residences
WEST: San Joaquin River/Agricultural with scattered residences

REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:

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

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources, which should be specifically cited below, include on-site visits by staff, note staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (Air Pollution Control District Air Impact Assessment approval letter dated September 26, 2024, Biological Resources Assessment dated October 2025 prepared by Acorn Environmental, Aquatic Resources Delineation Report Dated October 2025, Technical Memorandum: Lost Isle Resort Project Records Search & Shipwreck Database Results dated June 21, 2025). Copies of these reports can be found by contacting the Community Development Department.

TRIBAL CULTURAL RESOURCES:

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

No.

GENERAL CONSIDERATIONS:

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?
 Yes No

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

2. Will the project require approval or permits by agencies other than the County?
 Yes No

Agency name(s): **San Joaquin Valley Air Pollution Control District, State Lands Commission, California Department of Fish and Wildlife**

3. Is the project within the Sphere of Influence, or within two miles, of any city?
 Yes No

City: **None**

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

G.S.

Signature: Giuseppe Sanfilippo
Associate Planner

2.18.2026

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>I. AESTHETICS.</u>					
Except as provided in Public Resources Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. The project site is located along a designated scenic route pursuant to 2035 General Plan Figure 12-2, The use and character of the proposed buildings are consistent with other buildings constructed in the Delta. Additionally, the proposed building will be subject to all applicable Development Title requirements regarding setbacks and building heights. The proposed project is not anticipated to have an adverse effect on a scenic vista.
- b) Although the project site is located along a designated scenic route pursuant to 2035 General Plan Figure 12-2, it is not located within a state scenic highway. Therefore, the project will not Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway
- c) Because the use and character of the proposed buildings is consistent with other buildings in the vicinity, the proposed project is not anticipated to substantially degrade the existing visual character or quality of public views that are experienced from a publicly accessible vantage point.
- d) The proposed project will be subject to all the provisions of Development Title Chapter 9-403, Lighting and Illumination, including Section 9-403.050(d) which requires all nonexempt outdoor lighting fixtures to have shielding so as not to be directly visible from a public street or adjacent lot. The project site is approximately 1.2 miles southwest of the closest known residence. Therefore, the proposed project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area

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

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

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

Impact Discussion:

- a) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. Although the project site zoning is AG-80 (General Agriculture, 80-acre minimum), the site was formerly developed with marina, restaurant, and associated uses and is currently not in agricultural production. Therefore, the project is not a conversion to a nonagricultural use.
- b) The Marina and Recreation-Resort are conditionally permitted in the AG-80 (General Agriculture, 80-acre minimum) zone with an approved Use Permit. The project site is not under a Williamson Act contract, and the closest parcel under contract is across approximately 250 feet from the project site, across the San Joaquin River. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act contract.

(c, d, &e)

As mentioned previously, the project site has a zoning designation of AG-80 (General Agriculture, 80-acre minimum), and is not designated forest land or timberland, nor will it result in the rezoning of in the loss of forest land or conversion of forest land to non-forest use. Since the project site was previously developed with a marina and associated uses, and the site is not in crop production, the project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

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

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

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

Impact Discussion:

- a) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. The project, as proposed, is not anticipated to conflict with or obstruct implementation of the applicable air quality plan.
- b, d) This project is primarily for reconstruction of an existing facility and is not anticipated to generate a significant increase in boating traffic. This facility is also a pass-by location, where boats already in the water may stop. Therefore, it is not anticipated that the boat traffic associated with the project will result in substantial new emissions or an increase in criteria pollutants. However, during construction of the project, the project is expected to have construction related fugitive emissions. A referral was sent to the San Joaquin Valley Air Pollution Control District (APCD), and a response was received April 18, 2022, which stated the project is subject to District Rule 9510, which requires an Air Impact Assessment (AIA) to be completed. The approval of the AIA includes mitigation measures to mitigate for project emissions. As a result, the mitigation measures included in the AIA approval will mitigate cumulatively considerable net increase of criteria pollutants to less than significant. On September 26, 2024, APCD issued an Air Impact Assessment (AIA) approval letter for the project. The letter states that the project is required to:
- File a Dust Control Plan with APCD during earth moving activities as described in District Rule 8021.
 - A Certified Asbestos Consultant needs to perform an asbestos survey prior to any demolition activities, with the survey, Asbestos Notification, Demolition Permit Release, and the proper fees submitted to APCD 10 working days prior to demolition activities.
 - Obtain an Authority to Construct prior to installation of equipment that controls or may emit air contaminants to comply with District Rule 2010.

The AIA approval also includes Air Pollution Control District enforced emission reduction measures, which include:

- Maintain all records on site, and for a period of ten years, following either the end of construction or the issuance of the first Certificate of Occupancy. The records shall be made available to APCD upon request.

- For each project phase, maintain records of construction start/end dates, and the date of issuance of first Certificate of Occupancy, if applicable
- Submit a summary report of construction start and end dates within 30-days of the end of each construction phase.
- Install Solar panels with a total power output of 12kW
- 3% of landscape equipment electrically powered.

The project requirements will be incorporated into the project's Conditions of Approval, and the Air Pollution Control District's emission reduction measures will be incorporated into the project's Mitigation Monitoring and Reporting Plan.

- c) As stated earlier in this document, the project site is approximately 1.2 miles southwest of the nearest known single-family residence. Therefore, with the incorporated mitigation measures, exposure to sensitive receptors to substantial pollutant concentrations will be mitigated to less than significant.

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

Would the project:

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

Impact Discussion:

- a-f) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout.

A referral was sent to the San Joaquin Council of Governments (SJCOG) for review. The San Joaquin Council of Governments (SJCOG) determined that the project is subject to the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP)* for any future development that results in ground disturbance. Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA), and the applicant has confirmed participation in the Plan. As a result, the anticipated impact to Biological Resources is less than significant.

A response from the California Department of Fish and Wildlife (CDFW) was received by the Community Development Department of December 4, 2024. That response identified 7 fish species as potentially occurring on the site. These species are the Delta Smelt, Longfin Smelt, Central Valley Spring Run Chinook Salmon, Sacramento Winter Run Chinook Salmon, Green Sturgeon, White Sturgeon, and the Central Valley Steelhead. The December 4, 2024, letter included example avoidance and minimization measures including:

- Use of vibratory drives only when installing pilings for docks

- In-water work limited to the period between August 1-November 30 to avoid impacts to special-status fish species
- Use of underwater sound reduction methods if impact hammer uses is necessary such as the use of an impact hammer cushion block, use of impact hammers during daylight hours only, pile driving during slack tides, using a ramping up technique such that pile strikes gradually increase energy and frequency until full force and frequency are achieved, use of cofferdams, pipe caissons installed with a vibratory hammer to isolate the piles from the water, and the use of a bubble curtain surrounding the piles to be driven
- Hydroacoustic monitoring of pile driving to ensure that sound thresholds are not exceeded to avoid injury and death to aquatic species
- A 500 meter buffer such that work does not occur within 500 meters of marine mammals until they leave on their own accord.

These measures will be incorporated into the project's Mitigation Monitoring and Reporting Program.

The December 4, 2024, response from CDFW also included recommendations for pre-construction surveys and a Rare Plant Survey. A Biological Resources Assessment dated October 2025 prepared by Acorn Environmental included information regarding potentially occurring plant, mammal, and aquatic species. The assessment did not identify any rare or endangered plants occurring on the project site during the July 2025 site visit conducted for the assessment.

The CDFW response also included comments regarding artificial light impacts on the circadian rhythms of wildlife, and included recommended mitigation measures regarding artificial light avoidance at night, and light pole modification and shielding. As such, the project will be subject to the following mitigation measures to reduce potential impacts from lighting on sensitive species:

- Project site structures shall be designed to eliminate all non-essential lighting and avoid or limit the use of artificial light during the hours of dawn and dusk when many wildlife species are most active.
- The Project shall only use motion-activated lighting to decrease the amount of time artificial night lighting is used and decrease wildlife exposure.
- The Project shall ensure that lighting for necessary activities (such as security purposes) is shielded, cast downward, and does not spill over onto other properties or upwards into the night sky.
- The Project shall use only LED lighting with a correlated color temperature at or under 2,700 kelvin or less that results in the output of a warm white color spectrum, properly dispose of hazardous waste, and recycle all lighting that contains toxic compounds with a qualified recycler.
- All light poles or sources of illumination that are new or replacement installations of existing light sources should be installed with the appropriate shielding to avoid excessive light pollution into natural landscapes or aquatic habitat within the Project site.
- The light pole arm length and mast heights should be modified to site-specific conditions to reduce excessive light spillage into natural landscapes or aquatic habitat surrounding the Project site.

Additionally, Development Title Section 9-403.050(d) requires all outdoor lighting fixtures shall have shielding so as not to be directly visible from a public right-of-way or an adjacent lot. This requirement will also be incorporated into the project's Conditions of Approval.

V. CULTURAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Impact Prior EIR
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a-c) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. No impact on cultural resources is anticipated. Should human remains be discovered during any ground disturbing activities, all work shall stop immediately in the vicinity (e.g. 100 feet) of the finds until they can be verified. The County coroner shall be immediately contacted in accordance with Health and Safety Code section 7050.5(b). Protocol and requirements outlined in Health and Safety Code sections 7050.5(b) and 7050.5(c) as well as Public Resources Code section 5097.98 shall be followed.

A Technical Memorandum was prepared for by Acorn Environmental for Cultural Resources and Shipwrecks dated June 21, 2025. The report included a records search with the Central California Information Center (CCIC) of the California Historical Resources Information System (CHRIS). The search included a ¼ mile radius of the project site, and the search indicated there are no documented cultural resources within the project site or search radius. Additionally, a search of the California Shipwreck and Historic Maritime Resources Program (CSHMRP database maintained by the California State Lands Commission (CSLC) up to ½ mile radius of the project site determined there are no shipwrecks or submerged archaeological sites known to exist within the search area.

The California State Lands Commission states that the title to all abandoned shipwrecks, archaeological sites, and historic or cultural resources on or in the tide and submerged lands of California is vested in the State and under the jurisdiction of the California State Lands Commission (Public Resources Code, section 6313). The final disposition of archaeological, historical, and paleontological resources recovered on State lands under the jurisdiction of the California State Lands Commission must be approved by the California State Lands Commission.

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

Would the project:

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

Impact Discussion:

- a,b) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. These standards are updated periodically by the California Energy Commission. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applicable to any development at the time of building permit. This will ensure that any impacts to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be reduced to less than significant and help to prevent any conflict with state or local plans for energy efficiency and renewable energy.

VII. GEOLOGY AND SOILS.

Would the project:

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

Impact Discussion:

(a-f) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout.

The Soil Survey of San Joaquin County classifies the soil on the parcel as *Fluvaquents, 0 to 2 percent slopes*; and *Fluvaquents* permeability is slow to moderately rapid and water capacity is low to high. This unit is suited to wildlife habitat and wetland functions. *Fluvaquents* has a storic index rating of 7 and a land capability of VIIw nonirrigated.

The project site contains expansive soil. At the time of future development, the Building Division will require a soils report to be submitted with a Building Permit application. The proposed project will not cause the risk of injury or death as a result of a rupture of a known earthquake fault, seismic activity, or landslides because there are no faults located near the project site, and the site is relatively flat. Like other areas located in seismically active Northern California, the project area is susceptible to strong ground shaking during an earthquake, and the site would not be affected by ground shaking more than any other area in the region.

The proposed project will not result in substantial soil erosion or the loss of topsoil. Additionally, the proposed project will not destroy a unique paleontological resource or site or unique geological feature. The proposed project is also not 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. As a result, the impact to geology and soils is anticipated to be less than significant.

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

Would the project:

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

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

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

a-b) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. Emissions (GHG) contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG, are inherently considered cumulative impacts.

Implementation of the underlying project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO₂e/yr).

As noted previously, the underlying project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the *Guidance for Valley Land- use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*.¹ The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific GHG, on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG, emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002-2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy-efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. As a result, impacts related to GHG emissions are anticipated to be less than significant and not in conflict with any plans, policies, or regulations.

¹ San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17, 2009. San Joaquin Valley Air Pollution Control

District. *District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. December 17, 2009.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>IX. HAZARDS AND HAZARDOUS MATERIALS.</u>					
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a,b) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. The project is not expected to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment because no transport, use, or disposal of hazardous materials is proposed with this application.
- c) The nearest public school in the vicinity of the project site is Don Riggio Elementary School, which is over 5 miles from the project site. Therefore, the project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school
- d) The project site is not 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 not create a significant hazard to the public or the environment.

e, f, g)

The project would not result in, create or induce hazards and associated risks to the public. Construction activities for the project typically involve the use of toxic or hazardous materials such as paint, fuels, and solvents. Construction activities would be subject to federal, state, and local laws and requirements designed to minimize and avoid potential health and safety risks associated with hazardous materials. The proposed application would not result in, create, or induce hazards and associated risks to the public as no significant impacts are anticipated related to the transport, use, or storage of hazardous materials during construction activities. Additionally, the site is not located within an Airport Land Use Plan (ALUP) or within 2-miles of an existing airport. The project site does not physically interfere with an emergency evacuation plan or affect wildlands. Therefore, the project's impacts are less than significant.

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

Impact Discussion:

a-e) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. A referral was sent to the Department of Public Works Flood Control Division for comments. The Department of Public Works submitted a response dated July 26, 2022, stating that all new construction and the substantial improvement of any structure or tanks in the area of special flood hazard shall be elevated or floodproofed in accordance to San Joaquin County Ordinance Code Section 9-1605.12 (a), (b) and (c) prior to release of building permits. (Note: When the County's Development Title was updated at the end of 2022, this code section became Development Title Section 9-703.130 [a], [b], and [c].) Plans and calculations shall be submitted and approved by the Public Works Department – Water Resources Division as part of the standard building permit process to ensure compliance with flood regulations. If approved, this will be included as a condition of approval for the project.

The project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge, substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface

runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. Additionally, the proposed project would not risk release of pollutants in flood hazard, tsunami, or seiche zones.

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

Would the project:

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

Impact Discussion:

- b) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. The project is not a growth-inducing action nor is it in conflict with any existing or planned uses. The Assembly-Religious use type may be conditionally permitted in the AG-80 (General Agriculture, 80-acre minimum) zone subject to an approved Administrative Use Permit application.

The project was reviewed under the Delta Stewardship Council's Delta Plan Covered Actions Checklist. A Covered Action is a development project within the boundary of the Delta Zone subject to the California Environmental Quality Act, carried out or approved by a public agency, which will have a significant impact on the Delta Stewardship Council's coequal goals, or the implementation of a government sponsored flood control program in the Delta. The project, although not statutory exempt from regulation, does not meet the definition of a Covered Action under the Delta Stewardship Council Delta Plan because all four of the following Screening Criteria do not apply, specifically Screening Criteria Number 4:

The plan, program, or project:

1. Is "...a plan, program, or project as defined pursuant to Public Resources Code Section 21065."

Yes, the proposed project is an activity defined under Public Resources Code Section 21065. The application will require approval from the San Joaquin County Community Development Department and a component of the project is grading and construction of buildings, which will result in a direct or indirect physical change in the environment.

2. Will occur, in whole or in part, within the boundaries of the Delta or Suisun Marsh.

Yes, the location of the project site is within the boundaries of the Primary Delta Zone as defined in the Delta Plan.

3. Will be carried out, approved, or funded by the State or a local public agency.

Yes, the proposed project will require approval from the San Joaquin County Community Development Department.

4. Will have a significant impact on the achievement of one or both of the coequal goals or the implementation of a government-sponsored flood control program to reduce risks to people, property, and State interests in the Delta;

No, the project will not have a significant positive or negative impact on the achievement of one or both of the coequal goals or the implementation of a government-sponsored flood control program to reduce risks to people, property, and the State interests in the Delta. Moreover, it will not have a significant negative impact on the Delta ecosystem or the reliability of the water supply. The project will not have a significant impact on the achievement of the

coequal goals because it is proposing the marina and resort, which is conditionally permitted in the AG-80 zone with an Administrative Use Permit.

Because all four Screening Criteria cannot be met, the project, for the purposes of the Delta Plan, does not meet the definition of a Covered Action. Additionally, the project does not appear to fall under the regulatory policies listed in the checklist. Referrals have been sent to the Delta Protection Commission and Delta Stewardship Council for review.

The project site is located within the Primary Zone of the San Joaquin Delta. In addition to General Plan requirements and Delta Stewardship Council findings, the project is also subject to the Delta Protection Commission Land Use and Resource Management Plan findings, which can be made in the affirmative.

1. The Development will not result in wetland or riparian loss.
 - **This Finding can be made because the project will not result in a loss of riparian habitat on or near the project site. The applicant will participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) or provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.**
2. The Development will not result in the degradation of water quality.
 - **This Finding can be made because the project will meet the requirements of the Environmental Health Department and the Regional Water Quality Control Board.**
3. The Development will not result in increased non-point source pollution or soil erosion, including subsidence or sedimentation
 - **This Finding can be made because the expansion of the marina and resort will not result in an increase of non-point source pollution. There will be no runoff into streams or waterways as a part of this project. The site is level and not subject to erosion. All run-offs must remain on site.**
4. The Development will not result in degradation or reduction of Pacific Flyway habitat.
 - **This Finding can be made because the project will not significantly reduce Pacific Flyway habitat. The applicant has confirmed participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP)**
5. The Development will not result in reduced public access, provided that access does not infringe upon private property rights.
 - **This Finding can be made because all ground disturbance will be on private land and will not result in reduced public access.**
6. The Development will not expose the public to increased flood hazards.
 - **This Finding can be made because all grading and construction will meet the requirements of the Flood Control Division of the Public Works Department.**
7. The Development will not adversely impact agricultural lands or increase the potential for vandalism, trespass, or creation of public or private nuisances on public or private land.
 - **This Finding can be made because the development will be limited to the project site and will not impact agricultural uses on adjacent parcels. The project includes a security tower and will have a dedicated dock for Sheriff Department access decreasing the potential for vandalism, trespassing, or the creation of public or private nuisances.**
8. The Development will not result in the degradation or impairment of levee integrity.
 - **This Finding can be made because the project is not near an existing or proposed levee and no portion of the construction activities will require any changes to levees.**

9. The Development will not adversely impact navigation.

- **This Finding can be made because the project will not impact water navigation because no bridges will be crossed, and the marina supports water recreation opportunities in the area. All site work will be performed on the project applicant's property and not within navigable waters.**

10. The development will not result in any increased requirements or restrictions upon agricultural practices in the primary zone.

- **This Finding can be made because the proposed project will be contained on the project parcel and will not impact agricultural uses on adjacent parcels.**

The zoning and the General Plan for the project site will remain the same if the project is approved. Additionally, the proposed project will have a less than significant impact to surrounding parcels and will not create premature development pressure on surrounding agricultural lands to convert land from agricultural uses to non-agricultural uses. The proposed project will not conflict with any existing or planned uses or set a significant land use precedent. The proposed project is not in conflict with any Master Plans, Specific Plans, or Special Purpose Plans, or any other applicable plan adopted by the County. As a result, the project's impacts to land use and planning considerations are anticipated to be less than significant.

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

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a, b) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. The proposed project will not result in the loss of availability of a known mineral resource of a resource recovery site because the site does not contain minerals of significance or known mineral resources. San Joaquin County applies a mineral resource zone (MRZ) designation to land that meets the significant mineral deposits definition by the State Division of Mines and Geology. The project site is not in an area designated MRZ, there is currently no mining activity in the area, and the surrounding area is developed with agricultural and residential uses. Therefore, the proposed project applications will have less than a significant impact on the availability of mineral resources or mineral resource recovery sites within San Joaquin County.

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

Would the project result in:

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

Impact Discussion:

- a-c) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout.

The nearest single-family residence is located approximately 8,000 feet east of the project site. Development Title Section 9-404.040 lists the Residential use type as a noise sensitive land use. Development Title Section Table 9-404.050 states that the maximum sound level for stationary noise sources during the daytime and nighttime and 65dB. This applies to outdoor activity areas of the receiving use, or applies at the lot line if no activity area is known. Additionally, noise from construction activities are exempt from noise standards provided the construction occur no earlier than 6:00 A.M. and no later than 9:00 P.M. The proposed project would be subject to these Development Title standards. Therefore, noise impacts from the proposed project are expected to be less than significant.

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

Would the project:

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

Impact Discussion:

- a-b) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. The project will not induce substantial unplanned population growth in the area. The project also will not displace substantial numbers of existing people or housing as there is no reduction in the number of available housing units. Therefore, the project's impact on population and housing will be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XV. PUBLIC SERVICES.</u>					
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. The existing Mutual Fire Aid is provided by the Stockton Fire Department. Existing law enforcement protection is provided by the San Joaquin County Sheriff's Department, and the existing school services are provided by the Tracy Unified School District. There are no parks in the vicinity, and none are required to be provided. Therefore, the project will not result in the need for additional fire protection, police protection, schools, parks, or other public facilities.

XVI. RECREATION.

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

Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact Analyzed In The Prior EIR

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?

Impact Discussion:

a,b) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. The proposed project will not substantially increase the use of existing neighborhood and regional parks because there is no increase in permanent housing with this application. While the project does include the expansion of marina, all proposed construction will be on the project parcel and the project will be required to participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for biological impacts and will be required to meet all Air Pollution Control District requirements. Therefore, impacts from the expansion of the marina facility are anticipated to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XVII. TRANSPORTATION.</u>					
Would the project:					
a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a-d) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. A referral was sent to the Department Public Works, and a response was received on July 26, 2022. The response letter did not identify any concerns as a result of the proposed project.

It was determined that this project will generate less than 110 automobile trips per day and, therefore, is considered a small project according to the Technical Advisory on Evaluating Transportation Impacts in CEQA, as published by the California Office of Planning and Research (OPR) in December 2018. According to this OPR guidance, a small project that generates or attracts "fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact" with regards to Vehicle Miles Traveled (VMT)

The project is not expected to conflict with any program plans, ordinances, or policies addressing the vehicle circulation system. There will be no changes to the geometric design of roads or to emergency access routes. The existing driveways meet all applicable Development Title standards. Therefore, the proposed project will have adequate emergency access. As a result, the project will have a less than significant impact on transportation.

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

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

- | | | | | | | |
|-----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i) | Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) | A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. A referral was sent to the United Auburn Indian Community (UAIC), North Valley Yokuts Tribe, and the Buena Vista Rancheria for review related to potential Tribal Cultural Resources (TCR). The list of Tribes that received a referral were sourced by the California Native American Heritage Commission. No Tribes requested consultation under Assembly Bill 52 (AB 52).

If any suspected TCR are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find. A tribal representative from culturally affiliated tribes shall be immediately notified and shall determine if the find is a TCR pursuant to Public Resources Code Section 21074. The tribal representative will make recommendations regarding the treatment of the discovery. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of CEQA, including AB 52, has been satisfied. The contractor shall implement any measures deemed by the lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. This has been incorporated into the project's Conditions of Approval.

Additionally, if human remains are discovered during any ground disturbing activities, all work shall stop immediately in the vicinity (e.g. 100 feet) of the finds until they can be verified. The County Coroner shall be immediately contacted in accordance with Health and Safety Code section 7050.5(b). Protocol and requirements outlined in Health and Safety Code sections 7050.5(b) and 7050.5(c) as well as Public Resources Code section 5097.98 shall be followed.

As a result of the Conditions of Approval for the discovery of TCRs and meeting the existing Health and Safety Code regulations, the impact to tribal cultural resources is anticipated to be less than significant.

XIX. UTILITIES AND SERVICE SYSTEMS.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a-c) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. There is an existing underground power line within the jurisdiction of the State Lands Commission, however no work is proposed to the underground power line beyond connection to a new main service panel.

The project site will be required to keep all storm drainage on-site, and the project proposes an on-site stormwater retention pond. The Department of Public Works will determine the appropriate size of the proposed stormwater pond. Any on-site well and septic systems will be required to be constructed under permit by the Environmental Health Department. Pumping of sewage holding tanks will be performed as needed and in compliance with the Environmental Health Department standards. Therefore, potential impacts on utilities and service systems will be less than significant.

XX. WILDFIRE.

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-d) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the remaining structures and thus requires the reconstruction of these structures in addition to new structures totaling 8,050 square feet at full buildout. Pursuant to the San Joaquin Fire Severity Zone map, the project site is located in a Local Responsibility Area fire zone designation, and the construction of buildings will be subject to California Building Code requirements for fire proofing. As a result, the proposed project will have a less than significant impact on wildfire hazards.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

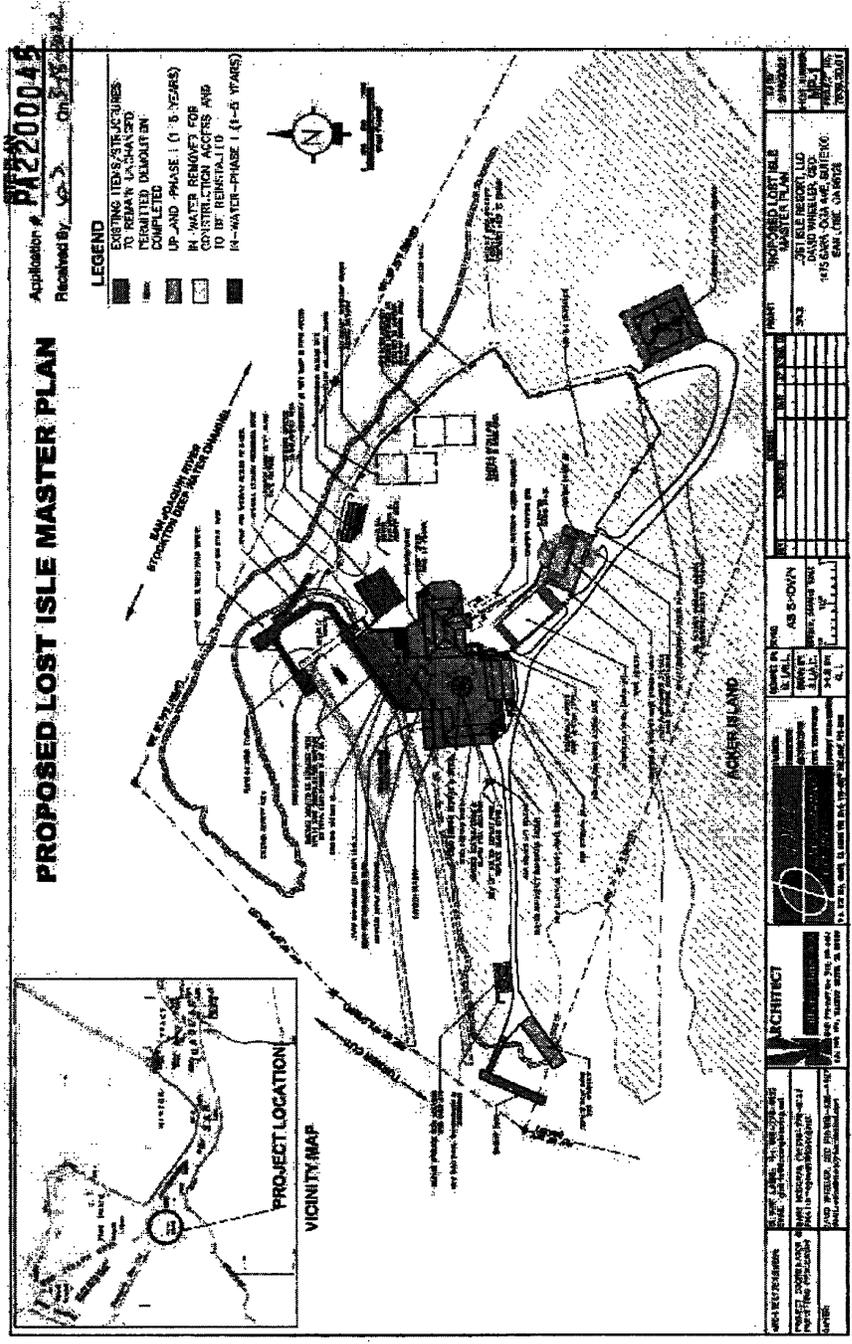
Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact Analyzed In The Impact Prior EIR

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?

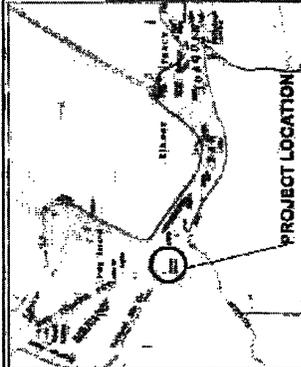
Impact Discussion:

a-c) This project is an Administrative Use Permit to expand an existing marina and associated uses on Acker Island in two phases over five years. The site previously operated as a restaurant with music and entertainment before ceasing operations in 2009. In 2022, a fire on the island destroyed the existing structures. This project includes reconstruction of these structures in addition to construction of new structures for a total of 8,050 square feet at full buildout. With the proposed mitigation measures related to biological resources, the potential for the project to degrade the environment or eliminate a plant or animal community or eliminate important examples of major periods of California history or prehistory is less than significant. With the incorporation of proposed mitigation measures for potential impacts to air quality, the project would not result in significant cumulative impacts or cause substantial adverse effects on human beings, either directly or indirectly.

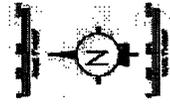


ATTACHMENT: (MAPS) OR PROJECT SITE PLANS)

PROPOSED LOST ISLE MASTER PLAN AERIAL VIEW



- LEGEND**
- EXISTING ITEMS/STRUCTURES TO REMAIN UNCHANGED
 - PHASE I CONSTRUCTION (1-2 YEARS)
 - PHASE II CONSTRUCTION (2-3 YEARS)
 - PHASE III CONSTRUCTION (3-4 YEARS)
 - PHASE IV CONSTRUCTION (4-5 YEARS)



NOTE: GOOGLE IMAGE DATED 2/2008

PROJECT/OWNER: SUNBELT ENERGY SERVICES, INC. 2000 S. W. 10TH AVENUE MIAMI, FL 33135	ARCHITECT: SUNBELT ARCHITECTS, INC. 1000 S.W. 10TH AVENUE MIAMI, FL 33135	DATE: 01/10/08	SCALE: AS SHOWN	PROJECT NO.: 01	DATE: 01/10/08	PROJECT NAME: LOST ISLE MASTER PLAN AERIAL VIEW	DATE: 01/10/08
PROJECT LOCATION: LOST ISLE, FLORIDA	PROJECT NO.: 01	DATE: 01/10/08	SCALE: AS SHOWN	PROJECT NAME: LOST ISLE MASTER PLAN AERIAL VIEW	DATE: 01/10/08	PROJECT NO.: 01	DATE: 01/10/08
PROJECT LOCATION: LOST ISLE, FLORIDA	PROJECT NO.: 01	DATE: 01/10/08	SCALE: AS SHOWN	PROJECT NAME: LOST ISLE MASTER PLAN AERIAL VIEW	DATE: 01/10/08	PROJECT NO.: 01	DATE: 01/10/08

