



Community Development Department

Planning · Building · Code Enforcement · Fire Prevention

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

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-2400352

PROJECT LOCATION: The project site is at the southeast corner of South Airport Way and South Kasson Road, Tracy, San Joaquin County. (APN/Address: 241-160-02 / 30836 S. Airport Way, Tracy) (Supervisory District: 5)

PROJECT DESCRIPTION: An Administrative Use Permit application to expand an existing nonconforming market with a 2,035 square foot building addition and an 850 square foot covered outdoor seating area. The proposed expansion will accommodate additional storage space, an enlarged food preparation area and kitchen, a larger walk-in cooler and freezer, a new office, and one additional restroom for a total of three restrooms. The indoor seating area will remain. The project occupies approximately 1.25 acres of the total 13.97-acre site. The project proposes three (3) driveways: two (2) from S. Airport Way and one (1) from S. Kasson Road. Water is supplied by a private on site well and sanitary sewer is supplied by a private on site septic system. A retention pond serves for storm water drainage. The project's Use Type, Retail Sales and Services – Market, is not a permitted use in the General Agriculture zones however, this existing market is considered legal nonconforming.

The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is A/G (General Agriculture).

PROPONENT: Jimmy Nagi / Jimmy Nagi

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: October 1, 2025

Contact Person:

Alisa Goulart Phone: (209) 468-0222 Fax: (209) 468-3163 Email: alisa.goulart@sjgov.org

Filed Doc #: 39-10022025-289
Thu Oct 02 10:17:56 PDT 2025
Page: 1 of 32 Fee: \$0.00
Steve J. Bestolarides
San Joaquin County Clerk

By Deputy: rosaa



INITIAL STUDY/NEGATIVE DECLARATION

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

LEAD AGENCY: San Joaquin County Community Development Department

PROJECT APPLICANT: Jimmy Nagi

PROJECT TITLE/FILE NUMBER(S): PA-2400352

PROJECT DESCRIPTION: An Administrative Use Permit to expand an existing nonconforming market with a 2,035 square foot building addition and an 850 square foot covered outdoor seating area. The proposed expansion will accommodate additional storage space, an enlarged food preparation area and kitchen, a larger walk-in cooler and freezer, a new office, and one additional restroom for a total of three restrooms. The indoor seating area will remain. The project occupies approximately 1.25 acres of the total 13.97-acre site. The project proposes three (3) driveways: two (2) from S. Airport Way and one (1) from S. Kasson Road. Water is supplied by a private on site well and sanitary sewer is supplied by a private on site septic system. A retention pond serves for storm water drainage. The project's Use Type, Retail Sales and Services – Market, is not a permitted use in the General Agriculture zones however, this existing market is considered legal nonconforming.

The parcel is located at the intersection of S. Kasson Road, E. Durham Ferry Road, and S. Airport Way, southeast of the City of Tracy.

ASSESSORS PARCEL NO(S): 241-160-02

ACRES: 13.97 acres

GENERAL PLAN: A/G (General Agriculture)

ZONING: AG-40 (General Agriculture, 40-acre minimum parcel size)

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):
5,300 total square feet market.

SURROUNDING LAND USES:

NORTH: River Club; San Joaquin River; Rainbow Lake; Agriculture with scattered residences

SOUTH: Agriculture with scattered residences

EAST: Agriculture with scattered residences; San Joaquin River

WEST: Agriculture 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 date); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application. Copies of these reports can be found by contacting the Community Development Department.

TRIBAL CULTURAL RESOURCES:

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

No

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): Enter agency name(s).

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

☐

Yes

☒

No

City: Enter city name(s).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology / Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology / Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities / Service Systems	☐ Wildfire	☐ 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.

Signature

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

I. AESTHETICS.

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

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☒ | ☐ | ☐ |
| c) 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 points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | ☐ | ☐ | ☒ | ☐ | ☐ |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | ☐ | ☐ | ☒ | ☐ | ☐ |

Impact Discussion:

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

The project is to enlarge an existing nonconforming market. The project site is southeast of the City of Tracy, in a largely agricultural area of the county. Potential scenic vistas include the Sierra Nevada to the east and nearby agricultural fields. These potential scenic vistas would not be changed with the proposed project as the project is consists of a 2,800 square foot, single-story addition. Therefore, the project will have not impact on scenic vistas.

- b) There are two officially designated state scenic highways in San Joaquin County: I-580 and I-5 (County of San Joaquin 2035). Both highways are located too far from the project site to be visible and therefore the project is not expected to impact these scenic resources.

In addition, the County has designated 26 roadways within the County as local scenic routes (County of San Joaquin 2035). The project site is located at the junction of Airport Way, Kasson Road, and Durham Ferry Road in the south county. The nearest designated scenic route, I-580, is located approximately 8 miles to the southwest of the project site. Therefore, the project will not damage scenic resources within a state scenic highway.

- c) See a. and b. above. Additionally, the project site does not exhibit any visual character which could be degraded by the project
- d) The existing lighting and glare conditions in the project area are typical of a rural area with few sources of nighttime lighting. The project proposes operation between the hours of 6:00 a.m. and 10:00 p.m. Lighting for the project includes outdoor building lighting and parking lot lighting. Parking lot lighting standards stipulate that all lighting be designed to confine direct rays to the premises, with no spillover beyond the property line except onto public thoroughfares, provided that such light does not cause a hazard to motorists (Development Title Section 9-1015.5). Therefore, the project is expected to have a less than significant impact from new sources of light or glare on day or nighttime views in the area.

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

II. AGRICULTURE AND FORESTRY RESOURCES.

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

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a nonagricultural use? | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☒ | ☐ | ☐ |
| 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))? | ☐ | ☐ | ☐ | ☒ | ☐ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ | ☐ |
| 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? | ☐ | ☐ | ☒ | ☐ | ☐ |

Impact Discussion:

- The Important Farmland Maps, prepared by the California Department of Conservation as part of the Farmland Mapping and Monitoring Program, designate the viability of lands for farmland use, based on the physical and chemical properties of the soils. According to the 2018 Important Farmland Map of San Joaquin County, the project site is designated as Urban and Built-up Land which is defined as land occupied by structures with a building density of at least one unit to 1.5 acres and is land used for developed purposes. Because urban and built-up land is not a prime farmland category, the project will not convert prime farmland from an agriculture to a non-agriculture use.
- The project is an addition to a nonconforming market on a parcel currently zoned for general agriculture. The parcel is located at the juncture of 3 main roadways on a site that is not prime farmland and where a market has been in continuous operation since at least 1960. Additionally, the site is not under a Williamson Act contract. Therefore, the project will not conflict with existing zoning for agricultural use, nor will it conflict with a Williamson Act contract.

- c-d) There are no forest resources or zoning for forestlands or timberland, as defined by Public Resources Code and Government Code, located on or near the project site, therefore, the project will have no impact on corresponding zoning or conversion of such land.
- e) The project will not involve conversion of Farmland, as described in a) above. Also, a market has been operating continuously in that location since at least 1960 therefore these proposed improvements would not serve to indirectly cause conversion of Farmland to nonagricultural use. As the project site contains no designated forest lands, the project would have no impact on indirect conversion of forest lands.

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

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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	☐
d) Result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐	☐

Impact Discussion:

- a-d) The project is to enlarge an existing nonconforming market. The project site is located within the San Joaquin Valley Air Basin which lies within the jurisdiction of the San Joaquin Valley Air Pollution Control District (District). SJVAPCD is the local agency established by the State of California to regulate air quality sources and minimize air pollution through the development and implementation of plans, programs and regulations that would enable the Air Basin to attain ambient air quality standards set under both the federal and California Clean Air Acts. Under their respective Clean Air Acts, both the State of California and the federal government have established ambient air quality standards for six criteria air pollutants: ozone, particulate matter, carbon monoxide, nitrogen dioxide, sulfur dioxide, and lead. California has four additional criteria pollutants under its Clean Air Act: sulfates, hydrogen sulfide, vinyl chloride, and visibility reducing particles. The project was referred to SJVAPCD on May 9, 2025.

Because the use of under-fired char broilers can release carcinogenic PM2.5 species, installation of a particulate matter emission control system may be required if the proposed restaurant will use an under-fired char broiler. Additionally, the project proponent will be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities to satisfy District Rule 8021 related to dust control during earthmoving activities, and an Authority to Construct to satisfy District Rules 2010 and 2201, a requirement for stationary source emissions emitters.

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. The project will comply with the rules and regulations of the Air Pollution Control District and will obtain permits to satisfy all District rules that apply. With implementation of the District Rules' requirements, the project's impact on air quality is expected to be less than significant.

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

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? | ☐ | ☒ | ☐ | ☐ | ☐ |
| 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? | ☐ | ☒ | ☐ | ☐ | ☐ |
| 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? | ☐ | ☒ | ☐ | ☐ | ☐ |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☒ | ☐ | ☐ | ☐ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☒ | ☐ | ☐ | ☐ |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☒ | ☐ | ☐ | ☐ |

Impact Discussion:

- a-f) The San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP) is a comprehensive plan for assessing and mitigating the biological impacts of converting open space or biologically sensitive lands to urban development in San Joaquin County and its incorporated cities. For the conversion of open space to non-open space uses that affect covered plant, fish, and wildlife species, the SJMSCP provides three compensation methods: preservation of existing sensitive lands, creation of new comparable habitat on the project site, or payment of fees that would be used to secure preserve lands outside the project site. In addition to fee payments, the SJMSCP identifies Incidental Take Minimization Measures - protection measures that avoid direct impacts of development on special-status species - with which projects are required to comply (SJCOG 2000). The San Joaquin Council of Governments (SJCOG) implements the SJMSCP on a project by-project basis. Pursuant to the Final EIR/EIS for SJMSCP, dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

A project referral was sent to SJCOG on May 9, 2025. SJCOG responded to this project referral in a letter dated May 12, 2025, stating that the project is subject to the SJMSCP and is in an unmapped area. The applicant's participation in the habitat plan will ensure that any potential impacts to endangered species or habitat will be less than significant and the project will not conflict with an adopted Habitat Conservation Plan.

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

V. CULTURAL RESOURCES.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | ☐ | ☐ | ☒ | ☐ | ☐ |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | ☐ | ☐ | ☒ | ☐ | ☐ |

Impact Discussion:

- a-c) The project is to enlarge an existing nonconforming market. The site is located at the juncture of 3 main roadways – Airport Way, Durham Ferry Road, and Kasson Road, southeast of the City of Tracy in a predominantly agricultural area. There are no historical resources in the area listed on the National Register of Historic Places or designated as a State Point of Historic Interest. Therefore, project impacts on historical or cultural resources are considered less than significant.

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

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?
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

☐	☐	☒	☐	☐
☐	☐	☒	☐	☐

Impact Discussion:

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

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

Impact Discussion:

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

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

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

- b) The project would not result in substantial soil erosion or the loss of topsoil because the project will require a grading permit in conjunction with a building permit. Therefore, the grading will be done under permit and inspection by the San Joaquin County Community Development Department's Building Division. As a result, impacts to soil erosion or loss of topsoil will be less than significant.
- c) As part of the project design process, a soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans. As a result of these grading recommendations, which are required by the California Building Code (CBC), the project would not be susceptible to the effects of any potential lateral spreading, subsidence, or liquefaction. Compliance with the CBC and the engineering recommendations in the site-specific soils report would ensure structural integrity in the event that seismic-related issues are experienced at the project site. Therefore, impacts associated with unstable geologic units are expected to be less than significant.
- d) The Soil Survey of San Joaquin County classifies the project site soil as having moderate expansive qualities. As mentioned above, a soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans. These recommendations will include measures to counter any effects resulting from low to moderately expansive soil. As a result of these recommendations, which are required by the California Building Code (CBC), the project's likelihood of project buildings being impacted by the effects of expansive soil is expected to be less than significant.
- e) The project will continue to utilize a private, on site septic system for sanitary sewer. The Environmental Health Department will determine if the current system needs upgrades to support the proposed expansion of the market. The applicant is required to have a Soil Suitability and Nitrate Loading Study performed to determine if the area is suitable for septic system usage and the study must be approved by the Environmental Health Department prior to issuance of building permits. Any construction of a new system will be based on the Soil Suitability and Nitrate Loading Study findings. A percolation test must also be conducted in accordance with the EPA Design Manual – Onsite Wastewater and Disposal Systems. The septic system must comply with the onsite wastewater treatment systems standards of San Joaquin County and will be constructed under permit and inspection by the Environmental Health Department.
- f) The project area has not been determined to contain significant historic or prehistoric archeological artifacts that could be disturbed by project construction. As discussed in Section V. Cultural Resources, the proposed project location is an existing disturbed area. Therefore, the project's likelihood of destroying indirectly a unique paleontological resource or site or unique geologic feature is less than significant.

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

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?

☐	☐	☒	☐	☐
--------------------------	--------------------------	-------------------------------------	--------------------------	--------------------------

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

☐	☐	☒	☐	☐
--------------------------	--------------------------	-------------------------------------	--------------------------	--------------------------

Impact Discussion:

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

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

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

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
--	--------------------------------------	---	------------------------------------	--------------	---------------------------------

IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☐ | ☒ | ☐ | ☐ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☒ | ☐ | ☐ |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☒ | ☐ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | ☐ | ☐ | ☒ | ☐ | ☐ |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☒ | ☐ | ☐ |
| 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? | ☐ | ☐ | ☒ | ☐ | ☐ |

Impact Discussion:

- a-c) Pursuant to the Hazardous Materials Disclosure Survey submitted with the application, there will be both handling and generating of hazardous materials but in quantities less than 55 gallons, 500 pounds, or 200 cubic feet. The Unified Hazardous Waste and Hazardous Management Regulatory Program, enacted in 1993, is a state and local effort to consolidate, coordinate, and make consistent existing programs regulating hazardous waste and hazardous materials management. The Unified Program is implemented at the local level by a Certified Unified Program Agency (CUPA). The San Joaquin County Environmental Health Department was approved by the State as the CUPA for the County and its incorporated cities. Among other responsibilities, the CUPA provides the management and record keeping of hazardous materials through the Hazardous Materials Program, which inspects businesses for compliance with the State's Hazardous Waste Control Law and issues hazardous materials/waste permits to businesses that handle quantities greater than or equal to 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a compressed gas at any given time. Businesses issued these permits are required to submit a Hazardous Materials Business Plan, which includes an inventory of hazardous materials and wastes and an emergency response plan for hazardous material incidents. In this way, impacts related to the use, transport, or disposal of hazardous materials are expected to be less than significant.

- d) The project site is not listed as a hazardous materials site on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and, therefore, will not result in creating a significant hazard to the public or the environment.
- e) The project site is located in the New Jerusalem Airport Area of Influence. New Jerusalem Airport serves as a staging area for aerial chemical application, pilot training, as well as powered parachute and ultralight activities. The airport is unattended and records are not kept regarding its operations. The number of operations at the airport is estimated to be 4,000. The project site is outside of both the marginal and significant noise exposure contour. For this reason, the project's risk of exposing people residing or working in the project area to safety hazards or excessive noise is less than significant.
- f) The County of San Joaquin Emergency Operations Plan is an all-hazards document describing the County's incident management structure, compliance with relevant legal statutes, other relevant guidelines, whole community engagement, continuity of government focus, and critical components of the incident management structure. According to the Emergency Operations Plan, Airport Way and Kasson Road would be a possible evacuation routes in the event of an emergency. The Project would not affect this route, and moreover, the Project would not affect the County's ability to implement its Emergency Operations Plan in the event of an emergency. Notwithstanding, the Project would not impede access to any public route that might be needed as an evacuation route. As a result, the Project's impact on emergency response or evacuation activities is expected to be less than significant.
- g) The project location is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

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

X. HYDROLOGY AND WATER QUALITY.

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐	☐
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:	☐	☐	☒	☐	☐
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐	☐
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	☐	☐	☒	☐	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐	☐

Impact Discussion:

- The project will utilize a private, on site septic system for sanitary sewer constructed under permit from the Environmental Health Department. Therefore, project impacts on water quality would be less than significant.
- The project will utilize a private, on site well for water. The project includes an onsite retention pond for storm water drainage and will be sized appropriately and under permit from the Department of Public Works. Therefore, although development of the site will create impervious areas equal to the size of the parcel, with the stormwater system returning stormwater to the ground, the project's interference with groundwater recharging is expected to be less than significant.
- The construction of the proposed project would result in grading and soil-disturbing activities and the installation of new impervious surfaces. A grading permit will be required which requires plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan must show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the California Building Code (CBC). The plans must also show the existing grade on adjoining properties in sufficient detail to identify how grade changes will

conform to the requirements of the CDC. A drainage plan must be submitted for review and approval, prior to release of a building permit. In this way, any impacts to the existing drainage pattern of the site will be less than significant.

- d) The flood zone information contained on the San Joaquin County Flood Information viewer is provided using the Digital Flood Insurance Rate Map data received from the US Department of Homeland Security, Federal Emergency Management Agency (FEMA). Pursuant to this information, the area containing the project site is not in a Special Flood Hazard Zone. Development of this project will not require compliance with Development Title Section 9-1605 regarding flood hazards. The project site is also not located in a tsunami nor a seiche zone. Therefore, results from project inundation are expected to be less than significant.
- e) This project is an individual development project, the level of which will not interfere with the implementation of any water quality control plan or sustainable groundwater management plan.

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

XI. LAND USE AND PLANNING.

Would the project:

- a) Physically divide an established community?
- 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?

☐	☐	☒	☐	☐
☐	☐	☒	☐	☐

Impact Discussion:

- a) The project is to expand an existing nonconforming market. The project does not include construction of any feature that would impair mobility within an existing community, nor does it include removal of a means of access between a community and outlying area. The project site is not used as a connection between established communities. Instead, connectivity with the area surrounding the project is facilitated via local roadways. Therefore, the project will not result in dividing an established community.
- b) The project is to expand an existing nonconforming market. Although the market is considered to be nonconforming as retail markets are not permitted in the general agriculture zone, a market has operated continuously at this location for over 50 years. The market has not interfered with surrounding uses, which are agriculture, and will not cause a significant environmental impact due to land use conflict.

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

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? | ☐ | ☐ | ☒ | ☐ | ☐ |
| 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? | ☐ | ☐ | ☒ | ☐ | ☐ |

Impact Discussion:

- a-b) Pursuant to the San Joaquin County General Plan Background Report, Chapter 10 - Natural Resources, the primary extractive resource in San Joaquin County is sand and gravel, with the principal areas of sand and gravel extraction located in the southwestern part of the county and along the Mokelumne, Calaveras, and Stanislaus rivers in the eastern portion of the county. The project site is located in an unclassified area adjacent to the San Joaquin River there is no information indicating whether there are significant mineral deposits present. However, due to the small size of the project 2,800 square feet, any loss of mineral would be insignificant. Therefore, the project's impact on the loss of important minerals is expected to be less than significant.

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

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? | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ | ☐ |
| 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? | ☐ | ☐ | ☒ | ☐ | ☐ |

Impact Discussion:

- a-b) The project site is located at the convergence of Airport Way, Durham Ferry Road, and Kasson Road in a rural area southeast of the City of Tracy. The project will result in a temporary increase in ambient noise level associated with project construction activities to include grading and use of heavy machinery and equipment, however, construction is exempt from the noise ordinance within the allowed hours. Therefore, noise impacts from the proposed project and impacts on vibrations are expected to be less than significant.
- c) The project site is located in the New Jerusalem Airport Area of Influence. New Jerusalem Airport serves as a staging area for aerial chemical application, pilot training, as well as powered parachute and ultralight activities. The airport is unattended and records are not kept regarding its operations. The number of operations at the airport is estimated to be 4,000. The project site is outside of both the marginal and significant noise exposure contour. For this reason, the project's risk of exposing people residing or working in the project area to safety hazards or excessive noise is less than significant.

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

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)? | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☒ | ☐ | ☐ |

Impact Discussion:

- a-b) The project will not induce substantial population growth in the area either directly or indirectly because the project is not anticipated to result in an increase in the number of jobs available. The proposed project would not displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere because no residences will be removed. Therefore, the project's impact on population and housing is expected to be less than significant.

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

XV. PUBLIC SERVICES.

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

Fire protection?	☐	☐	☒	☐	☐
Police protection?	☐	☐	☒	☐	☐
Schools?	☐	☐	☒	☐	☐
Parks?	☐	☐	☐	☒	☐
Other public facilities?	☐	☐	☐	☒	☐

Impact Discussion:

- a) The project site is located in unincorporated San Joaquin County, southeast of the City of Tracy. The site is located in the South County Fire District, which covers an area of approximately 170 square miles with 7 fire stations. As of 2023, the Fire District had 86 uniformed personnel and responded to approximately 11,000 calls in that year.

Police protection services in unincorporated San Joaquin County are provided by the San Joaquin County Sheriff's Department, with its station in the community of French Camp. The Sheriff's Department has more than 800 sworn and support personnel working in eight divisions, including the Field Forces Division that provides patrols.

The project area is within the New Jerusalem Elementary School District which has 6 schools and 1,765 enrolled students in kindergarten through the 8th grade. The Tracy School District provides high school education to the project area.

There are no parks or other public service facilities in the project area.

The public service agencies listed above were provided with the project proposal and invited to respond with any project concerns or conditions. No agencies responded with conditions or concerns. Therefore, the project is not expected to have a significant impact on the ability of these service providers to maintain current levels of service and the project's impact on these services is expected to be less than significant.

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

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?

☐
☐
☐
☒
☐

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) The project is not expected to result in a large number of employees nor is there any residential development as part of the project. Therefore, the project is not expected to result in an increase in demand for neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, because the project will not generate any new residential units and the project, an expansion of an existing winery, is not expected to result in an increased demand for recreational facilities. Therefore, the project will have no impact on recreation facilities.

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

XVII. TRANSPORTATION.

Would the project:

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

Impact Discussion:

- a) The project site is located at the juncture of Airport Way, Kasson Road, and Durham Ferry Road. The project is the expansion of an existing nonconforming market.

The project referral was sent to the San Joaquin County Department of Public Works. A response letter received from the Department listed conditions for the project to include the applicant's responsibility to pay for installation of 2 advance warning signs due to the new driveway.

There are no existing or planned pedestrian facilities, bicycle facilities, or transit facilities in the project vicinity therefore, the project's impact on pedestrian, bicycle or transit facilities is expected to be less-than-significant.

- b) The project would have a less-than-significant impact on Vehicle Miles Traveled (VMT) based on the San Joaquin County Transportation Analysis Guidelines of September 2020, which state that locally serving retail projects and retail projects that are less than 50,000 square feet are presumed to have a less-than-significant VMT impact. The proposed project can be considered a locally serving retail use due to its size, location, and the nature of the goods sold which will serve local residents.
- c) The Department of Public Works will require the applicant to improve the driveway approach in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17. Additionally, Public Works is requiring installation of 2 advance warning signs due to the new driveway. With these improvements, the project's impact on transportation hazards is expected to be less than significant.

The use is Retail Services – Market which is not permitted in the AG-40 zone in which the project is located. However, a market has operated at this location continuously for more than 50 years. Although not a permitted use, time has proved the market to be compatible with the area.

- d) The project site would be accessed from Airport Way and Kasson Road. A driveway and circulation route that meets the San Joaquin County Fire Chiefs' Association guidelines for providing fire apparatus access as required by the California Fire Code (CFC) is required. Therefore, site access will provide adequate space for fire trucks and emergency vehicles to enter and turn around, and the project's impact on emergency access is expected to be less than significant.

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

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

☐
☐
☒
☐
☐

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.

☐
☐
☒
☐
☐

Impact Discussion:

a)

i) The project site is developed with a 50+ year old market that is not listed on the State Office of Historic Preservation California Register or the National Register of Historic Places. Therefore, the project will not result in a substantial adverse change in the significance of a historical resource as defined by CEQA.

ii) The project is to enlarge an existing nonconforming market. The project was referred to Native American tribes with potential jurisdiction in the project area. No comments were received indicating the site is not a potential site of interest. At the time of development, if human remains are encountered, all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the finds. If Human burials are found to be of Native American origin, steps shall be taken pursuant to Section 15064.5(e) of Guidelines for California Environmental Quality Act.

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

XIX. UTILITIES AND SERVICE SYSTEMS.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ | ☐ |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | ☐ | ☐ | ☒ | ☐ | ☐ |
| 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? | ☐ | ☐ | ☒ | ☐ | ☐ |
| 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? | ☐ | ☐ | ☒ | ☐ | ☐ |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | ☐ | ☐ | ☒ | ☐ | ☐ |

Impact Discussion:

- a) The project proposes to enlarge an existing nonconforming market. The project will utilize a private, on site well for water and a septic system for sanitary sewer therefore will not affect any public utility. The area is served by Pacific Gas & Electric which already has facilities in the area. Lastly, an onsite retention pond will contain storm water. Therefore, the project will not require new or expanded facilities that could cause a significant environmental effect.
- b) The project currently utilizes a private, on site well for water. This arrangement will not change if the project is developed. Therefore, the project will have water supplies available to serve it in the foreseeable future.
- c) The project will utilize a private, on site septic system for sanitary sewer service; there will not be a wastewater treatment provider and no effect on capacity.
- d-e) The project site is currently within the boundaries of Republic Services, one of five solid waste collectors providing service under franchise to San Joaquin County. The San Joaquin County Code requires that solid waste be collected from residential generators a minimum of once a week, and at least twice a week for commercial and industrial generators (San Joaquin County 2016a). Solid waste is transported and disposed of primarily at three active sanitary landfills in San Joaquin County. The North County Landfill on East Hamey Lane has available capacity to 2048, and the Foothill Sanitary Landfill on North Waverly Road has available capacity to 2082 (CalRecycle 2021). The Forward Landfill on Austin Road near Stockton was to have reached its capacity in 2020; however, the County Board of Supervisors recently approved an expansion of Forward Landfill that would extend its life to 2036 (Crunden 2020). California Senate Bill 1383 (SB 1383) requires jurisdictions in California to recycle organic waste, including paper, cardboard, yard materials, food scraps, and food-soiled paper with a goal of diverting 75% of organics from reaching the landfill by 2025. San Joaquin County passed SB 1383 Organic Waste Diversion Ordinance in February of 2022 mandating that business must comply with SB 1383 mandates by 1) subscribing to a SB 1383 compliant waste collection system through a licensed collector; 2) qualifying for a waiver; or, 3) utilizing acceptable alternative

compliance methods. In this way, the project is expected to be compliant with federal, state, and local management and reduction statutes and regulations related to solid waste.

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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐

Impact Discussion:

- a-d) The project location is located southeast of the City of Tracy. The area of the project site is not classified as a fire hazard severity zone. Therefore, the project's impact on emergency response plans is expected to be less than significant. The site is primarily flat therefore, the project has no factors likely to exacerbate a wildfire. Development of the project will require observance of regulations of the California Fire Code which may require onsite water storage for fire protection which will be determined at the time of building plan submittal.

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

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?

☐
☐
☒
☐
☐

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

PA-2400352 – Initial Study

