

April 2021
Denmar Natural Soda Ash Export Terminal Project



Port of Stockton Commission Findings

Prepared for
Port of Stockton
2201 West Washington Street
Stockton, California 95203

Prepared by
Anchor QEA, LLC
130 Battery Street, Suite 400
San Francisco, California 94111

1 Project Overview

The proposed Denmar Natural Soda Ash Export Terminal and Remedial Activities (Proposed Project) involves the development of a new bulk cargo marine terminal in the Port of Stockton's (Port's) West Complex for the purpose of exporting soda ash. As part of the Proposed Project, the Port would conduct remediation on the former military landfill lands located in the western areas of the West Complex pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Following the initial phase of remediation, Denmar US LLC (Denmar) would construct and operate Phase 1 of a bulk natural soda ash export facility. Future remediation would occur concurrent with, or after, Phase 2 of the Denmar terminal construction. Both phases of the Denmar terminal construction and both the initial and future remedial activities constitute the Proposed Project analyzed in the environmental document.

The objectives of the Proposed Project are to:

- Meet anticipated demand for export of natural soda ash via ocean going vessels.
- Improve export efficiency of natural soda ash.
- Fulfill Port planning objectives by developing the West Complex with a marine terminal and associated infrastructure.
- Fulfill the terms of the Consent Agreement with the Department of Toxic Substances Control (DTSC) and the Central Valley Regional Water Quality Control Board (CVRWQCB) by achieving remediation of contaminated soils at the West Complex.

2 Compliance with CEQA

The Port certified the West Complex Development Plan Environmental Impact Report (WCDP EIR) and approved the West Complex Development Plan on June 23, 2004. The WCDP EIR analyzed construction and operation of new terminal facilities, diversified land uses, and associated rail, marine and other infrastructure improvements in the West Complex of the Port.

The Proposed Project is within the scope of the West Complex Development Plan. Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.), the Port compared the impacts of the Proposed Project to impacts disclosed in the certified WCDP EIR to determine whether the Proposed Project presents new significant impacts not addressed in the previously certified EIR, significant impacts more intense than identified and studied in the WCDP EIR and to determine whether such impacts would require mitigation.

The analysis determined that the Proposed Project would not result in new significant impacts or a substantial increase in the severity of the significant impacts disclosed in the WCDP EIR. Based on this analysis, the Port determined that a CEQA Addendum to the WCDP EIR was the appropriate CEQA compliance document for the Proposed Project. The Addendum was prepared in accordance with Section 15164 of the CEQA Guidelines, which allows the Lead Agency to "prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

The Port Commission (Commission) has been presented with the WCDP EIR and Proposed Project Addendum and has reviewed and considered the information contained in those documents prior to making the findings and statement of overriding considerations described in this document. The Commission finds that the Addendum has been completed in compliance with CEQA and the CEQA Guidelines.

2.1 Project Modifications

While the Proposed Project, including remediation activities and construction and operation of the Denmark terminal, is consistent with the type and scale of projects analyzed in the WCDP EIR and is consistent with uses that can be approved in reliance upon the WCDP EIR, some changes in project elements and mitigation measures described in the WCDP EIR would be needed in order to approve the Proposed Project, and therefore these changes were analyzed in the Addendum to determine whether they would result in new or substantially more severe significant impacts, in comparison to the impacts identified in the WCDP EIR. The Addendum concluded that the changes to the project elements and mitigation measures would not result in a new or substantially more significant impact.

2.1.1 Proposed Project Elements

The following Proposed Project elements would be considered a change from the following specific descriptions set forth in the WCDP EIR:

- Specific details on remediation in the Landfill Area have been developed in coordination with DTSC and the RWQCB that were not yet known at the time of preparation of the WCDP EIR.
- The Proposed Project would result in a different mix of rail, truck, and ship calls than was identified in the WCDP EIR; the Proposed Project substitutes a predominant use of unit trains and ships for product transport instead of relying on trucks as assumed in the WCDP EIR.
- The Proposed Project's remediation activities and rail improvements would be constructed within the WCDP's 409-acre "Diversified Land Use Area," a geographic area that the WCDP reserved for future development but which the WCDP EIR did not specifically evaluate as an area proposed for development.
- The Proposed Project would require placement of small structures in, under, or over navigable waters; the WCDP EIR did not contemplate structures in these locations.
- The Proposed Project includes constructing storage buildings that are 107 feet tall versus 75 feet tall as assumed in the WCDP EIR.

2.1.2 Mitigation Measures

Based on updated expectations for best management practices and use of cleaner equipment during construction, Reclamation District 403-approved levee setbacks, and compensatory mitigation for wetland impacts since the WCDP EIR was certified, the Addendum documents the Port's determination that the following three mitigation measures should be slightly modified:

- **Mitigation Measure 4.4.1b – Further Reduction of Exhaust Emissions of Construction-related Fugitive Dust** is modified as follows (underlines represent new text):

Mitigation Measure 4.4.1b: When the Port approves a project component implementing the West Complex Development Plan, the Port will require compliance with any feasible and appropriate SJVAPCD Enhanced and Additional Control Measures applicable to the particular project component.

In addition, the Port would further require compliance with its current standard idling and construction equipment requirements, which would supersede Mitigation Measure 4.4.1c. These include the following:

- Idling Restrictions. Denmark will require construction contractors to minimize heavy-duty construction idling time to 2 minutes where feasible. Exceptions include vehicles that need to idle to perform work, vehicles being serviced, or vehicles in a queue waiting for work.

- Use of Tier 4 Engines During Construction. All off-road diesel-powered heavy equipment exceeding 50 horsepower used to construct the Proposed Project will be equipped with Tier 4 engines, except for specialized equipment or when Tier 4 engines are not available. The combined ratings of all non-Tier 4 diesel engines in use at any time during project construction shall not exceed 200 horsepower.

- **Mitigation Measure 4.7.9 – Ensure a Setback from Existing Levees and Maintain Levees** is modified as follows (underlines represent new text):

Mitigation Measure 4.7.9: Any new Port structural development shall allow a Reclamation District 403-approved 20-50-foot setback from existing levees to permit continued levee maintenance and improvements as necessary for protection from major floods. The Port shall conduct regular levee maintenance to FEMA standards that are adequate to protect people and property from the 100-year flood event.

- **Mitigation Measure 4.8.1a – Obtain and Comply with USACE Permit, Including Mitigation Requirements** is modified as follows (underlines represent new text):

Mitigation Measure 4.8.1a: The Port shall apply for a Department of the Army permit for all impacts to “waters of the U.S.,” and shall comply with all conditions of permits received. Permanent impacts to waters of the U.S. covered under this permit will be mitigated at a minimum 0.5-1:1 ratio through the purchase of mitigation credits at an approved mitigation bank, or through other habitat restoration or compensation measures proposed by the Port and approved by the USACE, CVRWQCB, and CDFW.

3 Findings

Exhibit A, Summary of Impacts and Mitigation Measures for the Proposed Project, attached to these findings and incorporated herein by reference summarizes the environmental determinations of the Proposed Project before and after mitigation. This exhibit does not attempt to describe the full analysis of each environmental impact contained in the WCDP EIR and Addendum. Instead, Exhibit A provides a summary description of each significant impact, describes the applicable mitigation measures identified in the WCDP EIR and Addendum and adopted by the Commission and states the Commission's findings on the significance of each impact after imposition of the mitigation measures described in the WCDP EIR and Addendum. A full explanation of these environmental findings and conclusions can be found in the WCDP EIR and Addendum, and these findings hereby incorporate by reference the discussion and analysis in the WCDP EIR and Addendum supporting the Addendum's determinations regarding the Proposed Project's impacts and mitigation measures designed to address those impacts. In making these findings, the Commission ratifies, adopts, and incorporates the analysis, explanation, and conclusions in the WCDP EIR and Addendum.

Based on the Addendum's evaluation of the Proposed Project elements and mitigation measures that would be considered a change from the specific descriptions in the WCDP EIR, the Commission further finds as follows:

- The Addendum analyzed the proposed initial and future remedial activities that are being developed in coordination with DTSC and RWQCB. The remedial activities would not result in any new significant impacts or a substantial increase in the severity of an impact previously identified in the WCDP EIR. The Commission finds that:
 - Based on the project-specific air quality analysis that is included in the Addendum, the air quality impacts associated with remedial activities would be within the levels identified in the WCDP EIR, which were considered significant and unavoidable.
 - Based on the project-specific noise evaluation that is included in the Addendum, the noise impacts associated with remedial activities would be within the levels identified in the WCDP EIR, which were considered significant and unavoidable.
 - Remedial activities would contribute to wetland impacts in a portion of the West Complex not anticipated to be developed in the WCDP EIR. The WCDP EIR nonetheless considered impacts on wetlands to be significant, and implementation of mitigation was required to reduce impacts to less-than-significant levels. Proposed Project wetland impacts would be mitigated in accordance with the modified WCDP EIR mitigation measure and federal and state regulatory agency requirements, and residual impacts would be less than significant, consistent with the impact conclusion in the WCDP EIR.
 - Remedial activities would overlap with habitat for federal and state special-status species in a portion of the West Complex not anticipated to be developed in the WCDP EIR. The WCDP EIR nonetheless considered impacts on special-status species

and habitat to be significant, and compliance with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) was required to reduce impacts to less-than-significant levels. The Proposed Project would comply with the SJMSCP; therefore, residual impacts on habitat and species would be less than significant, consistent with the impact conclusion in the WCDP EIR.

- Remedial activities are designed to avoid significant water quality or hazardous materials-related impacts during construction and would result in long-term environmental benefits due to minimizing future exposure of individuals and the environment to contaminated soil. This determination is consistent with the impact conclusion in the WCDP EIR, which found water quality and hazardous materials-related impacts to be less than significant.
 - Remedial activities involves excavating contaminated soils within an area of the West Complex not anticipated to have intact significant archaeological deposits. The WCDP EIR nonetheless considered impacts on prehistoric and historic resources to be significant, and implementation of mitigation was required to reduce impacts to less-than-significant levels. The Proposed Project would comply with the mitigation requirements for accidental discovery of cultural resources and result in less-than-significant impacts on cultural resources, consistent with the impact conclusion in the WCDP EIR.
- Denmar’s proposed mix of rail, truck, and ship calls is different from but not necessarily more intense than described in the WCDP EIR. The WCDP EIR assumed a predominant use of truck transport, while the Denmar terminal entails a predominant use of unit trains as well as increased ship calls. The change in the mix of rail, truck, and ship calls would not result in new significant impacts or a substantial increase in the severity of an impact previously identified in the WCDP EIR. The Commission finds that:
 - While the transportation mode mix would change, the types of transport would be unchanged (rail, truck, and ship calls), and there are no City of Stockton General Plan policies or zoning regulations that restrict transportation mode mix. Land use impacts associated with the modified mode mix would be less than significant, consistent with the impact conclusions in the WCDP EIR.
 - The transportation and circulation impacts associated with the modified mode mix would be within the levels identified in the WCDP EIR, which were considered significant and unavoidable.
 - Based on the project-specific air quality analysis included in the Addendum, the air quality impacts associated with the modified mode mix would be within the levels presented in the WCDP EIR, which were considered significant and unavoidable.

- Based on the project-specific noise evaluation included in the Addendum, the noise impacts associated with the modified mode mix would be within the levels identified in the WCDP EIR, which were considered significant and unavoidable.
- Portions of the Proposed Project would be constructed and operated within the Diversified Land Use Area; accordingly, the Addendum analyzed the impacts that would result from the Proposed Project in this area. Development within the Diversified Land Use Area would not result in any new significant impacts or a substantial increase in the severity of an impact previously identified in the WCDP EIR. The Commission finds that:
 - Development activities in the Diversified Land Use Area would be consistent with the City of Stockton General Plan and existing zoning designations. Land use impacts would be less than significant, consistent with the impact conclusion in the WCDP EIR.
 - Development activities in the Diversified Land Use Area would contribute to wetland impacts in a portion of the West Complex not anticipated to be developed in the WCDP EIR. The WCDP EIR nonetheless considered impacts on wetlands to be significant, and implementation of mitigation was required to reduce impacts to less-than-significant levels. Proposed Project wetland impacts would be mitigated in accordance with the modified WCDP EIR mitigation measure and federal and state regulatory agency requirements and residual impacts would be less than significant, consistent with the impact conclusions in the WCDP EIR.
 - Development activities in the Diversified Land Use Area would overlap with habitat for federal and state special-status species in a portion of the West Complex not anticipated to be developed in the WCDP EIR. The WCDP EIR nonetheless considered impacts on special-status species and habitat to be significant, and compliance with the SJMSCP was required to reduce impacts to less-than-significant levels. The Proposed Project would comply with the SJMSCP and residual impacts on habitat and species would be less than significant, consistent with the impact conclusions in the WCDP EIR.
 - Development activities in the Diversified Land Use Area have been designed to avoid significant water quality or hazardous materials-related impacts during construction. All construction activities in the Diversified Land Use Area would be conducted in accordance with permits, standard compliance plans, environmental management measures, and best management practices. This is consistent with the impact conclusions in the WCDP EIR, which found water quality and hazardous materials-related impacts to be less than significant.
 - Construction activities in the Diversified Land Use Area would involve excavating contaminated soils within an area of the West Complex not anticipated to have intact significant archaeological deposits. The Proposed Project would comply with the requirements for accidental discovery of cultural resources and result in less-than-

significant impacts on cultural resources, consistent with the impact conclusions in the WCDP EIR.

- The Proposed Project results in a minor amount of overwater coverage and fill in the San Joaquin River associated with the fendering system at Berths 18 and 19. Accordingly, the Addendum analyzed the fill impacts to waters that would result from the Proposed Project. The overwater coverage and fill would not result in any new significant impacts or a substantial increase in the severity of an impact previously identified in the WCDP EIR. The Commission finds that:
 - The WCDP EIR considered impacts on waters to be significant, and implementation of mitigation, including obtaining required permits, implementing avoidance measures, and completing compensatory mitigation for impacts, was required to reduce impacts to less-than-significant levels. The minor fill impacts of the Proposed Project would be mitigated in accordance with the modified WCDP EIR mitigation measure and federal and state regulatory agency requirements and residual impacts would be less than significant, consistent with the impact conclusions in the WCDP EIR.
 - The fendering system would be consistent with the visual character of the West Complex, which is currently used for mooring, loading, and offloading of vessels at the Port. The visual resources impacts associated with the fendering system would be consistent with the impacts identified in the WCDP EIR, which were considered less than significant.
- Each of two Denmark storage buildings would be approximately 107 feet tall and 200 feet wide by 1,050 feet long. This Addendum evaluated the visual effects of the taller buildings. The taller buildings would not alter the visual character of the project area nor result in any new significant impacts or a substantial increase in the severity of an impact previously identified in the WCDP EIR. The Commission finds that:
 - Demolition of the existing historic warehouses and construction of the new taller buildings in their place would constitute an adverse effect to the Naval Supply Annex Stockton National Historic District, and impacts would be considered significant and unavoidable, consistent with the impact conclusions in the WCDP EIR. Despite these impacts, the Naval Supply Annex Stockton National Historic District would retain its integrity to remain National Register of Historic Places-eligible after constructing the Proposed Project.
 - The increased building heights would not present a new or substantially more severe visual effect because they would be consistent with the industrial appearance of the site and its surroundings, and they would replace blighted buildings with new, more visually appealing structures. The buildings would be consistent with land use designations and the City of Stockton General Plan policies. The visual resources impacts associated with the taller buildings would be consistent with the impacts presented in the WCDP EIR, which were considered less than significant.

Accordingly, for all resource areas, there would be no proposed changes to the project description, changes in circumstances, or new information that would cause the Proposed Project to result in a new or substantially more significant environmental impact than identified in the WCDP EIR, no mitigation measures or alternatives previously found to be infeasible would in fact be feasible and would substantially reduce significant impacts as identified in the WCDP EIR, and no mitigation measures or alternatives that are considerably different from those analyzed in the WCDP EIR would substantially reduce one or more significant effects on the environment.

The Commission adopts and incorporates as conditions of approval of the Proposed Project, the mitigation measures set forth in the *Mitigation, Monitoring, and Reporting Program* attached to these findings as Exhibit B to reduce or avoid the potentially significant impacts of the Proposed Project. In adopting these mitigation measures, the Commission intends to adopt each of the mitigation measures recommended for approval by the Addendum. Accordingly, in the event that an applicable mitigation measure recommended by the Addendum has inadvertently been omitted from Exhibit B, such mitigation measure is hereby adopted and incorporated in these findings by reference. In addition, in the event the language describing a mitigation measure set forth in Exhibit B fails to accurately reflect the mitigation measures of the Addendum due to a clerical error, the language of the mitigation measure as set forth in the Addendum shall control.

The Commission hereby finds that the adopted mitigation measures are changes or alterations that have required in, or incorporated into, the Proposed Project, which mitigate or avoid significant effects on the environment.

Specific to the adjusted mitigation measures, the Port finds that they strengthen the effectiveness of the mitigation measures or adapt the measures to the specific location and parameters of the Proposed Project. The Commission finds the modifications to the mitigation measures will not result in a new or substantially more severe significant impact upon implementation.

- The additions to ***Mitigation Measure 4.4.1b*** reflect current Port policy and strengthen the measure compared to the measure identified in the WCDP EIR.
- The revision to ***Mitigation Measure 4.7.9*** reflects the judgment of the Port's engineers as to the appropriate levee setback for the Proposed Project's rail improvements.
- The revision to ***Mitigation Measure 4.8.1a*** reflects the quality of wetlands in the Proposed Project area; the ultimate mitigation ratio will be as specified by USACE, CDFW, and RWQCB and may be greater than the ratio stated by the measure.

With the incorporation of adjusted mitigation measures and mitigation measures from the WCDP EIR, the Commission finds that the effect of any potentially significant impacts would either be mitigated to a point that no significant impacts would occur, or where impacts remain significant, they would not exceed those considered in the WCDP EIR. Thus, the Proposed Project as mitigated

would have no significant effects on the environment beyond those considered and identified in the WCDP EIR. The WCDP EIR mitigation measures incorporated into the Proposed Project are discussed in detail throughout the Addendum and listed in full in Appendix A of the Addendum.

4 Statement of Overriding Considerations

As identified in the Statement of Overriding Considerations (SOC) adopted on June 23, 2004, to support the certification and approval of the WCDP EIR, the Commission found that the WCDP would result in significant and unavoidable impacts. As determined in the Addendum, the Proposed Project would contribute to significant and unavoidable impacts identified in the WCDP EIR but would not cause additional significant and unavoidable impacts or a substantial increase in the severity of previously identified significant and unavoidable impacts.

The Proposed Project would contribute to significant and unavoidable impacts on transportation and circulation, air quality, noise, biological resources, cultural resources, and visual resources, as well as cumulatively significant impacts on land use, transportation and circulation, air quality, noise, and public services and utilities, consistent with the extent and type of impacts identified in the WCDP EIR. The Proposed Project would implement all relevant mitigation measures identified in the WCDP EIR. The Port recognizes that the impacts on transportation, air quality, noise, biological resources, cultural resources, and visual resources as well as the cumulatively significant impacts cannot be mitigated to a less-than-significant level.

In accordance with PRC 21081(b) and Section 15093(b) of the CEQA Guidelines, the Commission has, in determining whether or not to approve the Proposed Project, balanced the economic, legal, social, technological, or other benefits of the Proposed Project against the Proposed Project's unavoidable environmental risks, and finds that the benefits of the Proposed Project outweigh its significant adverse effects on the environment that are not mitigated to less-than-significant levels. This SOC is based on the Commission's review of the Addendum and other information in the administrative record. The benefits provide separate and independent bases for overriding the significant environmental effects of the Proposed Project.

In summary, the Proposed Project will allow the Port to meet its mandates to accommodate growing commerce and provide jobs to the local economy. The Commission hereby finds that, consistent with the previous findings for the WCDP EIR, the benefits of the Proposed Project described previously outweigh the significant and unavoidable environmental effects, which are therefore considered acceptable.

Exhibit A

Summary of Impacts and Mitigation Measures for the Proposed Project

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Summary of Impacts and Mitigation Measures for the Proposed Project

Significance Threshold		WCDP EIR and Proposed Project Addendum Findings		
		Level of Significance Before Mitigation	Mitigation Required	Level of Significance After Mitigation
Land Use and Agriculture				
b.	Implementation of the Proposed Project will result in the conversion of 272 acres of Prime Farmland.	Potentially Significant Impact	No mitigation is available.	Significant and Unavoidable Impact (WCDP EIR) No Impact (Proposed Project Addendum)
Transportation and Circulation				
a.	Trip Generation rates which result in a substantial number of new vehicle trips.	Potentially Significant Impact	<ul style="list-style-type: none"> Mitigation Measure 4.3.1 Implement Feasible Travel Demand Measures 	Significant and Unavoidable Impact
d.	Increased traffic associated with implementation of the Proposed Project under the Cumulative (2020) Plus Project Condition would contribute to unacceptable levels of service at eighteen intersections within the Project Area.	Potentially Significant Impact	<ul style="list-style-type: none"> Mitigation Measure 4.3.4 Contribution of Fair Share for Intersection/Roadway Improvements 	Significant and Unavoidable Impact
f.	Increased traffic associated with implementation of the Proposed Project under the Cumulative (2020) Plus Project Condition would contribute to unacceptable levels of service at thirty-three freeway facilities.	Potentially Significant Impact	No mitigation is available.	Significant and Unavoidable Impact
Air Quality				
b.	Implementation of the Proposed Project would result in an increase in operational emissions of criteria air pollutants (ROG, NO _x and PM ₁₀).	Potentially Significant Impact	<ul style="list-style-type: none"> Mitigation Measure 4.3.1 Implement Feasible Travel Demand Measures Mitigation Measure 4.4.2a Reduction of Truck Emissions Mitigation Measure 4.4.2b Reduction of Emissions From Heavy Duty Yard Equipment Mitigation Measure 4.4.2c Mitigation Measure 4.4.2d Reduction in Emissions from All Off Road Equipment Mitigation Measure 4.4.2e Heavy Duty Vehicle Education Program 	Significant and Unavoidable Impact
Noise				
b.	Operation of the Proposed Project would generate increased ambient noise levels and affect the noise environment of nearby sensitive land uses.	Potentially Significant Impact	<ul style="list-style-type: none"> Mitigation Measure 4.5.2a Direct Ships to Berths Furthest Away from Sensitive Receptor Locations Mitigation Measure 4.5.2b Implement Noise-Reducing Treatments at Sensitive Receptor Locations Mitigation Measure 4.5.2c Baffle Stationary Land-based Generators Mitigation Measure 4.5.2d Reduce Noise from Lift Trucks 	Significant and Unavoidable Impact
c.	Project operations would generate increased traffic on roads leading to the Project Area and would affect noise levels of sensitive receptors on some of the heavily traveled roads.	Potentially Significant Impact	<ul style="list-style-type: none"> Mitigation Measure 4.5.3a Build a Sound Wall Adjacent to Fresno Avenue for Marshall Middle San Joaquin Elementary School Mitigation Measure 4.5.3b Implement Noise-Reducing Measures at Sensitive Receptor Locations 	Significant and Unavoidable Impact
d.	Project operations would generate increased levels of low-frequency noise that would likely produce vibrations in lightweight structures.	Potentially Significant Impact	<ul style="list-style-type: none"> Mitigation Measure 4.5.2a Direct Ships to Berths Furthest Away from Sensitive Receptor Locations 	Significant and Unavoidable Impact

Significance Threshold		WCDP EIR and Proposed Project Addendum Findings		
		Level of Significance Before Mitigation	Mitigation Required	Level of Significance After Mitigation
Biological Resources				
d.	Future development activities resulting from the Proposed Project may result in the alteration of, or disturbance to sensitive natural communities within the Sacramento San Joaquin Delta associated with an increased release of non-native aquatic organisms from ships.	Potentially Significant Impact	<ul style="list-style-type: none"> Mitigation Measure 4.8.4 Continued Ballast Water Management Plan Implementation 	Significant and Unavoidable Impact
Cultural Resources				
b.	The demolition of existing structures on Rough & Ready Island and development of new facilities within the potentially eligible historic district will substantially affect a historic resource.	Potentially Significant Impact	No mitigation beyond recordation is available.	Significant and Unavoidable Impact
Visual Resources				
d.	The Proposed Project could increase sources of light and glare that would adversely affect day or nighttime views in the area.	Potentially Significant Impact	<ul style="list-style-type: none"> Mitigation Measure 4.10.4a Shade and Direct New Lighting Away from Residences Mitigation Measure 4.10.4b Minimize Exterior Lighting 	Significant and Unavoidable Impact

Exhibit B

Mitigation, Monitoring, and Reporting Program

IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
WEST COMPLEX DEVELOPMENT PLAN						
4.2 LAND USE						
4.2.1	The Proposed Project will not conflict with applicable land use designations and adopted plans and policies.	LS	No mitigation is required.	N/A	N/A	LS
4.2.2	Implementation of the Proposed Project will result in the conversion of 272 acres of Prime Farmland.	S	No mitigation is available.	N/A	N/A	SU
4.3 TRANSPORTATION AND CIRCULATION						
4.3.1	Trip Generation rates which result in a substantial number of new vehicle trips.	S	4.3.1 Implement Feasible Travel Demand Measures	The Port ¹ shall prepare a TDM Plan following approval of the West Complex Development Plan ² . Applicable measures shall be incorporated into future projects.	The Port shall review all West Complex improvement plans prior to approval for compliance with the TDM Plan.	SU
			To the extent feasible, and as appropriate to the specific use, the Port shall implement or shall ensure that its tenants implement the following air district guide measures:			
Less than Significant = LS	Beneficial = B	Significant = S	Cumulative Significant = CS	Significant and Unavoidable = SU	Potentially Significant = PS	Not Applicable = N/A

IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
		<ul style="list-style-type: none"> • Encourage the provision of transit enhancing infrastructure that includes: transit shelters, benches, etc.; street lighting; route signs and displays; and / or bus turnouts / bulbs. • Encourage the provision of park and ride lots and/or satellite telecommuting centers. • Implement carpool / vanpool program (e.g., carpool ridematching for employees, assistance with vanpool formation, provision of vanpool vehicles, etc.) • Establish mid-day shuttle service from worksite to food service establishments / commercial areas. • Provide shuttle service to transit stations / multimodal centers. • Provide preferential parking (e.g., near building entrance, sheltered area, etc.) for carpool and vanpool vehicles. • Implement parking fees for single occupancy vehicle commuters. • Implement parking cash-out program for employees (i.e., non-driving employees receive transportation allowance equivalent to value of subsidized parking). • Provide transit incentives. 				
Less than Significant = LS	Beneficial = B	Significant = S	Cumulative Significant = CS	Significant and Unavoidable = SU	Potentially Significant = PS	Not Applicable = N/A

IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
		<ul style="list-style-type: none"> • Implement compressed work week schedule (e.g., 4/40, 9/80). • Implement home-based telecommuting program. <p>As it relates to traffic impacts associated with the Proposed Project, the Port shall develop an overall TDM Plan for the West Complex Development Plan. In developing the TDM Plan, the above measures would be included as components of the plan to be applied as appropriate to the specific uses developed. Additional measures, appropriate to the Project Area, not listed above may also be included in the TDM Plan. As specific high-density employment projects within the Project Area are proposed, additional measures based upon the TDM Plan shall be developed and implemented, and shall be specifically tailored to address the specific characteristics of each project.</p>				
Less than Significant = LS	Beneficial = B	Significant = S	Cumulative Significant = CS	Significant and Unavoidable = SU	Potentially Significant = PS	Not Applicable = N/A

IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
4.3.2 Trip Generation rates which result in substantial amounts of additional truck traffic.	S	<p>4.3.2 Develop and Implement Truck Travel Control Plan.</p> <p>Until such time that the City, County, SJCOG and Caltrans approve and implement an alternative access plan for the Port that reduces potential conflicts with adjacent residential uses, the Port shall develop and implement a truck travel control plan to reduce the effects of project-related truck traffic on local roadways within the vicinity of the Project Area. The plan shall identify feasible methods to manage truck traffic accessing the Project Area, including the following:</p> <ul style="list-style-type: none"> • As alternative access becomes available from the West Complex (i.e., Daggett and McCloy Roads), the Port will direct truck traffic, in coordination with Caltrans and to the extent capacity of Highway 4 allows, to that route; • Additional signage will be provided to direct trucks to only designated truck routes; • Additional signage will be provided to limit truck speeds in residential areas or other areas of potential conflict with pedestrians and/or passenger vehicle traffic; 	<p>The Port shall prepare the Truck Travel Control Plan and shall implement it upon completion of construction of the first project under the WCDP that would substantially increase truck trips from project operation. Applicable measures shall be incorporated into future projects.</p>	<p>The Port shall monitor project related truck traffic. As transportation projects are implemented and alternate routes become available, the Port shall review and update the Plan as necessary.</p>	LS	
Less than Significant = LS	Beneficial = B	Significant = S	Cumulative Significant = CS	Significant and Unavoidable = SU	Potentially Significant = PS	Not Applicable = N/A

IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
		The Port will continue to work with the City, County, and Caltrans on studies of alternative access routes and will coordinate with all agencies in the implementation of the Truck Travel Control Plan.				
4.3.3 Two intersections within the Project Area would continue to operate at acceptable levels of service with implementation of the Proposed Project under the Cumulative (2020) Plus Project Condition.	LS	No mitigation is required.	N/A	N/A	LS	
4.3.4 Increased traffic associated with implementation of the Proposed Project under the Cumulative (2020) Plus Project Condition would contribute to unacceptable levels of service at eighteen intersections within the Project Area.	S	4.3.4 Contribution of Fair Share for Intersection/Roadway Improvements. The Proposed Project is not the only source of traffic congestion on the roadway facilities that would be affected by implementation of the Proposed Project. Upon establishment by the City of Stockton, San Joaquin County, of fair share fee programs to fund construction of Intersection/ Roadway improvements identified in Appendix D, the Port will contribute its fair share of funding for the cost of improvements that would be required to improve the levels of service on intersections/roadways affected by the Proposed Project.	Upon establishment of applicable fair share fee programs, the Port shall contribute its fair share of funding based on Port-generated traffic volumes as improvement projects at the intersections/ roadways are programmed and funded by the agency of jurisdiction (City of Stockton or San Joaquin County).	The City of Stockton, San Joaquin County, and/or SJCOG, shall monitor the level of service at the identified/roadways and program improvements in a timely manner to maintain acceptable levels of service. The Port shall cooperate in those monitoring efforts.	SU	
Less than Significant = LS	Beneficial = B	Significant = S	Cumulative Significant = CS	Significant and Unavoidable = SU	Potentially Significant = PS	Not Applicable = N/A

IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION
4.3.5 Eighteen freeway facilities would continue to operate at acceptable levels of service with implementation of the Proposed Project under the Cumulative (2020) Plus Project Condition.	LS	No mitigation is required.	N/A	N/A	LS
4.3.6 Increased traffic associated with implementation of the Proposed Project under the Cumulative (2020) Plus Project Condition would contribute to unacceptable levels of service at thirty-three freeway facilities.	S	No mitigation is available.	N/A	N/A	SU

Less than Significant = LS

Beneficial = B

Significant = S

Cumulative Significant = CS

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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
4.4 AIR QUALITY						
4.4.1 Construction-related activities associated with the Proposed Project would temporarily and intermittently increase fugitive dust and combustion emissions that could violate state air quality standards if the air district's standard dust control measures were not implemented. The increase in fugitive dust is considered a potentially significant impact.	PS	<p>4.4.1a Retain an Air Quality Monitor during periods of Construction-Related Activity.</p> <p>The Port shall comply with the SJVUAPCD's Regulation VIII control measures, and shall retain an onsite air quality monitor during periods of construction-related activity to ensure compliance with the SJVUAPCD's Regulation VIII control measures. The monitor must be familiar with the SJVUAPCD's Regulation VIII Fugitive PM10 Prohibitions, including implementation of all feasible control measures specified in the SJVUAPCD's Guide for Assessing Air Quality Impacts.</p> <p>4.4.1b Further reduction of emissions of construction-related fugitive dust.</p> <p>When the Port approves a project component implementing the West Complex Development Plan, the Port will require compliance with any feasible and appropriate SJVAPCD Enhanced and Additional Control Measures applicable to the particular project component.</p>	<p>The Port shall require compliance with Regulation VIII control measures for all WCDP projects conducted by the Port or its tenants, and shall incorporate this requirement into the construction plans and specifications.</p> <p>At the time of approval of each project component, the Port shall require compliance with this measure for all WCDP projects conducted by the Port or its tenants, and shall incorporate this requirement into the construction plans and specifications.</p>	<p>The Port shall monitor construction activity to ensure compliance with this mitigation measure.</p> <p>The Port shall monitor construction activity to ensure compliance with this mitigation measure.</p>	LS	
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
		<p>4.4.1c Minimization of Construction Equipment Emissions.</p> <p>The Port shall require construction contractors to minimize idling time from heavy duty construction equipment (e.g., scrapers, graders, trenchers, earth-movers).</p>	<p>The Port shall require compliance with this measure for all WCDP projects conducted by the Port or its tenants, and shall incorporate this requirement into the construction plans and specifications.</p>	<p>The Port shall monitor construction activity to ensure compliance with this mitigation measure.</p>		
		<p>4.4.1d Further reduction of exhaust emissions from construction equipment</p> <p>When the Port approves a project component implementing the West Complex Development Plan, the Port will consider the Construction Equipment Mitigation Measures identified by the SJVAPCD, and will implement those Construction Equipment Mitigation Measures that the Port determines are feasible and appropriate for the specific project-component.</p>	<p>At the time of approval of each project component, the Port shall require compliance with this measure for all WCDP projects conducted by the Port or its tenants, and shall incorporate this requirement into the construction plans and specifications.</p>	<p>The Port shall monitor construction activity to ensure compliance with this mitigation measure.</p>		
4.4.2	S	Mitigation for Impact 4.4.2 consists of the following measures:			SU	
		4.3.1 Refer to mitigation measure 4.3.1 above.	See above.	See above.		
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
	4.4.2a	<p>Reduction of Truck Emissions</p> <p>As part of the Proposed Project, the Port has included internal roadway improvements designed to reduce congestion. The Port will monitor roadways within the Project Area and will, to the extent feasible, improve onsite roadways as necessary to reduce congestion and truck idling. The Port also will carry out a truck driver information program aimed at reducing truck-idle emissions.</p>	<p>Internal roadway improvements shall be constructed in connection with future projects as needed to reduce congestion. Truck driver information shall be provided to all existing tenants prior to completion of construction of the first project under the WCDP that would substantially increase truck traffic from project operations. Truck driver information shall be provided to all new tenants prior to or upon lease signing.</p>	<p>The Port shall monitor truck traffic congestion in the West Complex and determine when onsite roadway improvements are necessary.</p>		
	4.4.2b	<p>Reduction of Emissions From Heavy Duty Yard Equipment</p> <p>As equipment is replaced or new equipment is added, the Port shall require that cargo-handling diesel equipment at the West Complex include new engines meeting California emission standards for new diesel engines.</p>	<p>The Port shall require compliance with emission standards in all equipment purchases and leases under the WCDP.</p>	<p>The Port shall review all heavy duty yard equipment purchases and all leases under the WCDP for compliance with this measure.</p>		
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
	4.4.2c	At each time that the Port evaluates a project-specific proposal expected to result in a substantial increase in truck trips, the Port will evaluate the feasibility of adopting a mitigation measure for that project that would implement a program to provide incentives to truck owners to: 1) retrofit, repair, or replace diesel engines in trucks; and 2) purchase new trucks to replace pre-1984 models. Only trucks which would primarily serve activities within the Port would be eligible for participation in such a program." In addition, on an ongoing basis Port staff will work with regional transportation planning agencies, local governments, and regional and state air quality agencies to determine whether grant money would be available to the Port to fund an incentive program pertaining to diesel truck mitigation, to attempt to obtain such grant money to the extent that it is available and feasibly could be applied to Port-related trucking operations, and to use such grant money to reduce emissions from Port-related trucking operations.	As each WCDP project is considered, the Port shall evaluate the feasibility of implementing the incentive program. The Port will participate in local, regional and state grant programs as funding becomes available and could feasibly be used to reduce emissions from Port-related trucking operations.	The Port shall review all WCDP improvement plans and new tenant leases for compliance with this measure.		
	4.4.2d	Reduction in Emissions from All Off Road Equipment The Port will require that all off-road and portable diesel powered equipment, including harbor craft, to use ARB-certified diesel fuel (non-taxed version suitable for use off-road)	The Port shall require compliance with this measure for all Port-owned off-road equipment used at the West Complex and all and tenant owned off-road equipment used at the West Complex under the WCDP.	The Port shall monitor all fuel purchases and review all WCDP improvement plans and tenant leases for compliance with this measure.		
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
		4.4.2e Heavy Duty Vehicle Education Program The Port will provide all port heavy duty vehicle users information regarding the SJVAPCD Heavy Duty Engine incentive (Carl Moyer) programs.	Truck driver information shall be provided to all existing tenants prior to completion of construction of the first project under the WCDP that would substantially increase truck traffic from project operations. The Port shall provide information to new tenants prior to or upon lease signing.	The Port shall verify that this information is provided to all new tenants in the West Complex.		
4.4.3 Mobile emissions generated by the Proposed Project would increase CO concentrations at intersections in the area surrounding the Project Area, but not to a level exceeding the national or state standards.	LS	No mitigation is required.	N/A	N/A	LS	
4.4.4 Implementation of the Proposed Project could result in exposure of nearby sensitive receptors to certain toxic air contaminants from various stationary and mobile sources.	LS	No mitigation is required.	N/A	N/A	LS	
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT		LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
4.5	NOISE						
4.5.1	Construction-related activities associated with the Proposed Project would temporarily and intermittently increase noise levels at nearby sensitive receptor locations.	PS	4.5.1a Construction activities shall be limited to between 7:00 a.m. and 7:00 p.m. If nighttime construction were required, spot noise monitoring would be required to assure that noise levels from construction activities do not exceed 65 Lmax at the property line of the nearest residence. Measures to reduce nighttime construction noise levels may include using noise barriers or reducing the amount of construction activity until noise levels are below the nighttime significance criterion.	The Port shall incorporate this measure into all construction plans and specifications.	The Port shall monitor construction activity for compliance with this measure.	LS	
			4.5.1b Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturers' specifications) and by shrouding or shielding impact tools. All equipment shall have sound-control devices no less effective than those provided by the manufacturer.	The Port shall incorporate this measure into all construction plans and specifications.	The Port shall monitor construction activity for compliance with this measure.		
			4.5.1c Material stockpiles and vehicle staging areas shall be located as far as practicable from residences.	The Port shall incorporate this measure into all construction plans and specifications.	The Port shall monitor construction activity for compliance with this measure.		
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

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4.5.2 Operation of the Proposed Project would generate increased ambient noise levels and affect the noise environment of nearby sensitive land uses.	PS	4.5.2a Direct Ships to Berths Furthest Away from Sensitive Receptor Locations. As feasible, maritime vessels shall be directed away from berths located across from residential areas to other available locations. Ships shall be directed to these available locations at the time that a vessel makes its initial call to the Port.	The Port shall direct maritime vessels away from berths located across from residential areas to other available locations, beginning upon completion of construction of the Dredging and Placement Operations Project.	The Port shall monitor compliance with this measure..	SU

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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

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	4.5.2b	<p>Implement Noise-Reducing Measures at Sensitive Receptor Locations.</p> <p>At the request of any homeowner where noise from Port operations exceeds 60 DNL, the Port will retain a qualified acoustical consultant to evaluate interior noise levels to determine if Port operations are resulting in interior noise that exceeds 45 DNL. Residences with air-conditioning will be evaluated with windows closed; residences with no air conditioning will be evaluated with windows open if that is the normal operating condition. If it is determined that Port operations are resulting in interior noise levels exceeding 45 DNL, the Port will identify building treatments to reduce interior noise resulting from Port operations to 45 DNL or less. Treatments may include installation of air-conditioning, upgrading windows and doors, and eliminating noise flanking paths. The Port will provide construction drawings and specifications for the treatments to the homeowner. The homeowner will then be responsible for receiving 3 bids from qualified contractors to implement the treatments.</p>	<p>The Port shall be responsible for implementing this mitigation measure at the time a request is submitted to the Port by a homeowner where exterior noise from Port operations exceeds 60 DNL.</p>	<p>The Port shall report the number of locations treated and the associated costs on an annual basis.</p>		
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

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		<p>The Port will promptly pay the homeowner for the cost of the lowest bid after treatments are completed and accepted by the homeowner. The Port will pay for normal installation of the treatments but will not pay for any additional work necessary to allow installation of the treatments (e.g., repair of dry rot or termite damage). Although significant ship noise impacts will not occur until the Proposed Project becomes operational, the treatment program for these residences will begin upon issuance of the last permit required for the Dredging and Placement Operations Project to proceed.</p> <p>The Port will make every effort to implement its monitoring and treatment program expeditiously. Depending on the number of requests received for monitoring and the number of residences qualifying for treatment, the Port may have to carry out its program over several years. However, the Port will establish a goal of providing monitoring within one year of a resident's request, and providing treatment, if a residence qualifies, within two years of monitoring. The Port will improve upon the timeframes established by this goal to the extent it is feasible to do so. The Port also reserves the right to use a priority system that addresses the most impacted residences first. Once the program begins, the owner of each impacted residence may select the time at which noise monitoring and, if necessary, treatment, will occur, but the Port will treat each residence no more than once.</p>				
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

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4.5.2c	Stationary land based generators within the marine terminal shall be baffled to the extent feasible in order to minimize increases in the ambient noise level.	New generators shall be treated upon placement. Existing generators shall be retrofitted to the extent feasible within one year after approval of the WCDP.	The Port shall verify implementation of this measure on an annual basis.		
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE	MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/ REPORTING RESPONSIBILITY AND TIMING	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
	4.5.2d	<p>Reduce noise from lift trucks.</p> <p>a. In connection with existing forklifts used on the West Complex, the Port shall promptly eliminate the automatic backup warning alarms:</p> <ol style="list-style-type: none"> 1. To the extent permitted by law. 2. To the extent approval can be obtained from manufacturers and regulatory agencies as may be required by law. <p>b. To the extent feasible, forklifts may be equipped with proximity activated alarms and smart alarms or similar devices which reduce sound output to 10 decibels above ambient noise levels.</p> <p>c. All forklifts purchased by the Port which may be used on the West Complex shall be purchased without automatic backup warning alarms, or forklifts may be equipped with proximity activated alarms and smart alarms or similar devices which reduce sound output to 10 decibels above ambient noise level, unless the forklift being purchased is of a size or type which by law requires an automatic backup warning alarm or if a unit without automatic warning alarm is unavailable for purchase.</p>	<p>The Port shall begin implementing the program for existing forklifts upon approval of the West Complex Development Plan. The Port shall implement the program for future forklifts as Port forklift purchases are made and as future leases are negotiated.</p>	<p>The Port shall monitor compliance with the program.</p>		
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		<p>d. The Port shall work diligently with existing and future tenants to eliminate automatic backup warning alarms on forklifts to the extent allowed by law and forklifts may be equipped with proximity activated alarms and smart alarms or similar devices which reduce sound output to 10 decibels above ambient noise level.</p> <p>e. The Port shall require in future leases that new forklifts purchased by tenants for use on the West Complex shall not be equipped with automatic backup warning alarms or forklifts may be equipped with proximity activated alarms and smart alarms or similar devices which reduce sound output to 10 decibels above ambient noise level, unless the fork lifts are of a size or type which by law requires an automatic backup warning alarm or if a unit without automatic warning alarm is available for purchase.</p>				
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

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4.5.3 Project operations would generate increased traffic on roads leading to the Project Area and would affect noise levels of sensitive receptors on some of the heavily traveled roads.	PS	<p>4.5.3a Build a Sound Wall Adjacent to Fresno Avenue for San Joaquin Elementary School.</p> <p>Unfortunately, most of the residences affected by traffic noise are not located where sound walls could be built to reduce traffic noise. There are too many driveways (cutouts) that would reduce the effectiveness of sound walls. Mitigation Measure 4.5-3b provides potential mitigation for these receptors.</p> <p>At the time that the project results in a doubling of traffic on Fresno Avenue adjacent to San Joaquin Elementary School, the project shall construct a sound wall to mitigate traffic noise at the school. The sound wall shall be designed to provide at least a 5 dBA noise reduction and constructed with the concurrence of the school. Should the school prefer not to have the sound wall built, noise-reduction measures identified in Mitigation Measure 4.5.3b shall be offered to the school.</p>	The Port, in cooperation with the School District and the City of Stockton, shall implement this measure when traffic on Fresno Avenue increases 100% as a result of implementation of the Development Plan.	The Port shall conduct a traffic count on Fresno Avenue prior to completion of construction of the first project within the scope of the WCDP. Thereafter, the Port shall conduct a traffic count every two years (or another schedule developed in consultation with the City of Stockton). The Port may use traffic counts conducted by another public agency if available.	SU	
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		<p>Doubling of traffic shall mean a 100% increase in the AM peak hour volume on Fresno Ave adjacent to San Joaquin Elementary School compared to pre-project conditions. For the purposes of this measure, pre-project conditions shall be determined by a traffic count conducted by the Port prior to operation implementation of the first project within the scope of the West Complex Development Plan. After the determination establishment of the pre-project conditions, the Port shall conduct a traffic count at least every two years, or according to another schedule developed in consultation with the City of Stockton or County of San Joaquin, until the earliest of the following dates: the year 2020, or the year when it is determined that a 100% increase over pre-project conditions has occurred. The Port may use traffic counts conducted by another public agency on this road segment including, but not limited to, the City of Stockton, San Joaquin County, SJCOG, or the California Department of Transportation, in place of conducting its own traffic counts.</p>				
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

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	4.5.3b	<p>Implement Noise-Reducing Measures at Sensitive Receptor Locations</p> <p>At the time that the project results in a doubling of traffic for the sensitive receptors identified in this impact, the Port will retain a qualified acoustical consultant to evaluate interior noise levels to determine if Port operations are resulting in interior noise that exceeds 45 DNL. Residences with air-conditioning will be evaluated with windows closed; residences with no air conditioning will be evaluated with windows open if that is the normal operating condition. If it is determined that Port operations are resulting in interior noise levels exceeding 45 DNL, the Port will identify building treatments to reduce interior noise resulting from Port operations to 45 DNL or less. Treatments may include installation of air-conditioning, upgrading windows and doors, and eliminating noise flanking paths. The Port will provide construction drawings and specifications for the treatments to the homeowner. The homeowner will then be responsible for receiving 3 bids from qualified contractors to implement the treatments.</p> <p>The Port will promptly pay the homeowner for the cost of the lowest bid after treatments are completed and accepted by the homeowner. The Port will pay for normal installation of the treatments but will not pay for any additional work necessary to allow installation of the treatments (e.g., repair of dry rot or termite damage).</p> <p>The Port will make every effort to implement its</p>	<p>The Port shall implement this measure when traffic on the roadways located adjacent to the sensitive receptors identified in Impact 4.5.3 increases by 100% as a result of implementation of the Development Plan.</p>	<p>The Port shall conduct a traffic count on the roadways identified in Impact 4.5.3 prior to implementation of the first project within the scope of the Plan. Thereafter, the Port shall conduct a traffic count ever two years (or another schedule developed in consultation with the City of Stockton or San Joaquin County). The Port may use traffic counts conducted by another public agency if available.</p>		
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monitoring and treatment program expeditiously. Depending on the number of requests received for monitoring and the number of residences qualifying for treatment, the Port may have to carry out its program over several years. However, the Port will establish a goal of providing monitoring within one year of a resident's request, and providing treatment, if a residence qualifies, within two years of monitoring. The Port will improve upon the timeframes established by this goal to the extent it is feasible to do so. The Port also reserves the right to use a priority system that addresses the most impacted residences first. Once the program begins, the owner of each impacted residence may select the time at which noise monitoring and, if necessary, treatment, will occur, but the Port will treat each residence no more than once.

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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

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4.5.4 Project operations would generate increased levels of low-frequency noise that would likely produce vibrations in lightweight structures.	PS	<p>Doubling of traffic shall mean a 100% increase in the AM peak hour volume on the road segments identified in Impact 4.5.3 compared to pre-project conditions. For purposes of this measure, pre-project conditions shall be determined by a traffic count conducted by the Port prior to implementation of the first project within the scope of the West Complex Development Plan. After the determination establishment of the pre-project conditions, the Port shall conduct a traffic counts once at least every two years, or according to another schedule developed in consultation with the City of Stockton or County of San Joaquin, until the earliest of the following dates: the year 2020, or the year when it is determined that a 100% increase over pre-project conditions has occurred. The Port may use traffic counts conducted by another public agency on those road segments including, but not limited to, the City of Stockton, San Joaquin County, SJCOG, or the California Department of Transportation, in place of conducting its own traffic counts.</p> <p>Mitigation for Impact 4.5.4 consists of the following measure:</p>			SU	
		4.5.2a	Refer to the mitigation measure 4.5.2a above.	See above.	See above.	
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4.6 GEOLOGY AND SOILS						
4.6.1	LS	No mitigation is required.	N/A	N/A	LS	
4.6.2	LS	No mitigation is required.	N/A	N/A	LS	
4.6.3	PS	4.6.3 To ensure the island's perimeter levee (Rough and Ready Island only) would provide sufficient protection in the event of an earthquake, the Port shall establish an annual levee-monitoring and inspection program. The purpose of the program will be to review and, if needed, reinforce the structural integrity of the perimeter levee on an annual basis over the lifetime of the Development Plan in accordance with applicable local, state, and federal requirements. A licensed geotechnical or civil engineer shall prepare levee treatments proposed under the program.	The Port shall establish an annual monitoring program upon approval of the WCDP. Treatments shall be implemented as required.	Monitoring and inspection will be conducted annually by a licensed geotechnical engineer.	LS	
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

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4.6.4 Implementation of the Proposed Project has the potential to result in levee bank and surface erosion.	PS	<p>4.6.4 Where there is an existing levee or shoreline maintenance program in place, such as a Reclamation District levee maintenance program, the Port of Stockton shall work with the existing program.</p> <p>To the extent no existing program applies, the annual levee-monitoring and inspection program referred to in mitigation measure 4.6.3 shall include inspection, monitoring, and, where necessary, reinforcement of any segments of shoreline on the north side of the DWSC, across from the West Complex, between the Calaveras River and the eastern leg of the Burns Cut-off that is either inadequately protected, unprotected or eroding in order to protect against levee erosion due to increased tug boat traffic during the lifetime of the Development Plan. A licensed geotechnical or civil engineer shall prepare levee treatments proposed under the program in accordance with applicable local, state and federal requirements.</p>	The Port shall coordinate this program with any existing maintenance program, such as a Reclamation District levee maintenance program, and with measure 4.6.3 if necessary.	The Port shall monitor this program on an annual basis.	LS	
		4.7.1 Please refer to mitigation measure 4.7.1 below.	See below.	See below.		
		4.7.3b Please refer to mitigation measure 4.7.3b below.	See below.	See below.		
		4.11.3 Please refer to mitigation measure 4.11.3 below.	See below.	See below.		
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4.7 HYDROLOGY AND WATER QUALITY						
4.7.1 Water Quality – Construction of the project facilities could result in increased erosion and sedimentation, with subsequent impacts to water quality and/or storm drain capacity during construction. Additionally, release of fuels or other hazardous materials associated with construction equipment could impact water quality.	PS	4.7.1 All construction plans and activities shall implement multiple BMPs to provide effective erosion and sediment control. These BMPs shall be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable. BMPs to be implemented as part of this mitigation measure shall include, but are not limited to, the following measures: <ul style="list-style-type: none"> • Temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) will be employed for disturbed areas. • Protect the storm drain inlets on the site and in downstream off-site areas from sediment with the use of BMPs acceptable to the Port and City of Stockton. • Sweep dirt and debris from paved streets in the construction zone on a regular basis, particularly before predicted rainfall events. 	The Port shall be responsible for ensuring that these measures are fulfilled in connection with future project.	This measure shall be incorporated into all construction plans and documents, and field verified by the Port during construction activity.	LS	
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		<ul style="list-style-type: none"> Establish grass or other vegetative cover on the construction site as soon as possible after disturbance. At minimum, vegetative application shall be done by September 15th to allow for plant establishment. No disturbed surfaces will be left without erosion control measures in place during the period of October 15th to April 15th. <p>While data is scarce regarding the effectiveness of BMPs as erosion and sediment controls, the expected pollutant removal efficiencies given in Table 4.7-1 suggest that multiple BMPs used in combination, properly installed and maintained, can achieve nearly complete sediment removal. Therefore multiple BMPs shall be selected to achieve this result and protect water quality. The final selection and design of erosion and sediment controls shall demonstrate that this result can be achieved.</p> <p>Implementation of this mitigation measure shall be the responsibility of the party carrying out the action, or its contractors. In all cases, these BMPs shall be subject to approval by the Port at its discretion, and the Port and/or tenants shall incorporate into contract specifications the requirement that the contractor(s) comply with and implement these provisions, as well as provisions for monitoring to verify that these standards are met.</p>				
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		This mitigation measure may be integrated with other regulatory requirements associated with construction activities, such as compliance with the Port's municipal NPDES permit, the General Construction Permit, the City of Stockton Storm Water Management and Discharge Control Ordinance, and the City of Stockton Grading and Erosion Control Ordinance.				
		4.11.3 Please refer to mitigation measure 4.11.3 below.	See below.	See below.		
4.7.2 Drainage – Development of the project site could increase drainage flows as a result of the introduction of increased amounts of impervious surfaces, which could exceed the capacity of on-site drainage systems, create localized flooding, or contribute to a cumulative flooding impact downstream.	PS	4.7.2 The Port shall prepare a master Drainage Plan for the Project Area. The Drainage Plan will incorporate measures to maintain runoff during peak conditions to pre-construction discharge levels. The Port will implement measures provided in the Drainage Plan. A detailed drainage report shall be prepared by a registered civil engineer prior to site development. The report shall include the following items:	The Port shall obtain the services of a registered civil engineer to prepare a Drainage Plan prior to site development. The Port shall be responsible for implementing necessary drainage improvements resulting from approval of project-specific developments.	The Port shall be responsible for reviewing plans for new project-specific developments and determining, based on the Drainage Plan, when drainage improvements are necessary.	LS	
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		<ul style="list-style-type: none"> • An accurate calculation of pre-development runoff conditions and post-development runoff scenarios shall be conducted using appropriate engineering methods. This analysis will more accurately evaluate potential changes to runoff through specific design criteria. The model will account for increased surface runoff. • An assessment of existing drainage facilities within the Project Area, and an inventory of necessary upgrades, replacements, redesigns, and/or rehabilitation. • Design specifications for additional retention basins if needed to attenuate peak flows. Retention basins will be sized to result in no net increase in peak stormwater discharge from the site, taking into account the volume of permanent water held by the basin as discussed in Mitigation Measure 4.7.3. • A description of the proposed maintenance program for the on-site drainage system. • Standards for drainage systems to be installed on a project-specific basis. • The drainage system shall be designed to meet standards in the Stockton Municipal Code and the City of Stockton Department of Public Works Standard Specifications (current edition). 				
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4.7.3 Water Quality – The Proposed Project could increase both non-storm and stormwater runoff, transporting contaminants to adjacent receiving waters.	PS	<p>The Drainage Plan shall include, and the Port shall implement, a schedule for identified drainage improvements. In addition, when approving specific developments that may result in increased drainage flows on the project site, the Port shall concurrently implement any necessary drainage improvements such that new development does not exceed the capacity of on-site drainage systems and peak stormwater discharge rates are maintained to pre-project levels. The Port, at its discretion, may require such project-specific drainage improvements to be funded and implemented by the developer (i.e., tenant, developer, and/or contractor).</p> <p>4.7.3a To minimize the amount of pollutants entering the storm drain system, project roadways and parking areas will be cleaned regularly using street sweeping equipment. Additionally, litter and debris that may accumulate on the project site will be regularly collected and properly disposed. These activities shall be the responsibility of the Port.</p>	Port shall implement this mitigation measure upon completion of construction of the first WCDP project other than the Dredging and Operations Project.	Port shall monitor its facilities and verify appropriate measures are included in lease agreements.	LS	
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	4.7.3b	<p>The Drainage Plan described above in Mitigation Measure 4.7.2 will include BMPs to maximize stormwater quality. The Drainage Plan will include both BMPs that will address the project site as a whole, as well as guidance for BMPs to be implemented for specific projects on a project-by-project basis. These BMPs shall be selected to achieve maximum contaminant removal and represent the best available technology that is economically achievable. The BMPs will include a combination of source control, structural improvements, and treatment systems and will be implemented so as to ensure, at minimum no net increase in contaminant releases in comparison with pre-project conditions.</p> <p>BMPs may include but not be limited to the following:</p> <ul style="list-style-type: none"> • A wet retention basin(s), which holds a volume of stormwater until it is displaced by the next storm event, designed to provide effective water quality control. Wet retention basins have been shown to be more effective at contaminant removal than dry detention basins. Basin features shall include the following: <ol style="list-style-type: none"> 1. Maximize retention time for settling of fine particles. 2. Establish maintenance schedules for periodic removal of sedimentation, excessive vegetation, and debris that may clog basin inlets and outlets. 	The Port shall be responsible for implementing necessary BMPs through future Port infrastructure improvement projects and tenant leases	The Port shall be responsible for reviewing improvement plans and determining, based on the Drainage Plan, when BMPs must be incorporated.		
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		<p>3. Maximize the retention basin elevation to allow the highest amount of infiltration and settling prior to discharge. Wet retention basins are expected to remove, at a minimum, 50 percent of suspended solids and metals, 30 percent of nitrogen and phosphorus, and up to 30 percent of pathogens (EPA, 1999).</p> <ul style="list-style-type: none"> • Grass strips, high infiltration substrates, and grassy swales shall be used where feasible throughout the project site to reduce runoff and provide initial storm water treatment. This type of treatment would apply particularly to parking lots. • Small settling, treatment, and/or infiltration devices may be installed beneath large parking areas to provide initial filtration prior to discharge into flood control basins. • Roof drains shall drain to natural surfaces or swales where possible to avoid excessive concentration and channelization of storm water. Roof drains may be directly connected to the storm drain system, if treatment control measures are provided downstream. • All drain inlets shall be permanently stamped with the message "NO DUMPING, FLOWS TO DELTA." • Permanent energy dissipaters will be included for drainage outlets. 				
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		<p>A combination of BMPs will be used and the expected level of effectiveness at contaminant removal of the used of those BMPs will be specified. A monitoring program shall be implemented to verify BMP effectiveness. In the event that the BMPs are not meeting the identified performance standard, of no net increase in contaminate releases of contaminants, BMPs shall be redesigned, or new BMPs implemented, to achieve this result.</p> <p>The Drainage Plan shall include, and the Port shall implement, a schedule that implements BMPs prior to or concurrent with new development such that water quality is maintained. For new development, the Port shall require incorporation of these BMPs into project design as a condition of project approval.</p> <p>This mitigation measure may be integrated with other regulatory requirements associated with storm and non-storm runoff, such as compliance with the NPDES General Industrial Permit, the Port's Municipal NPDES Permit, and the City of Stockton Storm Water Management and Discharge Control Ordinance.</p>				
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<p>4.7.4 Water Quality – As discussed in Section 4.12, Public Services and Utilities, the wastewater conveyance system on the project site is known to suffer from an inflow and infiltration (I&I) problem. This could result in sewage leaks reaching groundwater and/or surface waters, potentially impairing beneficial uses and violating water quality standards.</p>	PS	<p>4.7.4 Prior to major project-specific development, the Port shall perform an assessment of the wastewater conveyance system. This may be performed as part of a Master Plan for development of the Project Area.</p> <p>The assessment will isolate leaks in the sewer system, establish the ability of the system to convey sufficient flow throughout the island, and identify any areas where upgrades, replacement, and/or rehabilitation is necessary to support projected flows and to conform with the Stockton Municipal Code and the City of Stockton Department of Public Works Standard Specifications (current edition).</p> <p>The assessment shall include, and the Port shall implement, a schedule that implements system improvements prior to or concurrent with new development and/or increased intensity of land use such that it does not exceed the capacity of the on-site system, and the I&I problem is eliminated prior to the generation of increased wastewater flows.</p>	<p>The Port shall conduct an assessment of the wastewater system prior to any major development project covered by the WCDP.</p>	<p>The assessment shall include, and the Port shall implement, a schedule that implements system improvements prior to or concurrent with new development and/or increased intensity of land use such that it does not exceed the capacity of the on-site system.</p>	LS	
<p>4.7.5 Water Quality – The Proposed Project has the potential to increase the trade of bulk materials that may increase the likelihood of contaminated runoff during wet weather events. In addition, fuel spills, releases of hazardous materials, and other contaminant-laden runoff generated in the warehouse and dock area could result in impacts to water quality.</p>	PS	<p>4.7.5a As part of the wharf upgrades under Phase I of the Marine Terminal Development, the Port shall install storm drainage facilities that redirect all stormwater runoff from this area into the Project Area's storm drainage system.</p>	<p>The Port shall implement this measure as part of the wharf upgrades in Phase I of the Marine Terminal Development.</p>	<p>The Port shall review the Phase I improvement plans for compliance with this mitigation measure.</p>	LS	
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		4.7.5b All stockpiles of bulk materials with potential to adversely impact water quality shall be covered or contained during the rainy season (October 15th – April 15th).	The Port shall implement this measure upon completion of construction of the first WCDP project.	The Port shall inspect bulk material stockpiles from October 15 – April 15 for compliance with this measure.		
		4.7.5c The Port shall ensure the immediate clean-up of any on-site fuel spills or releases of hazardous materials.	The Port shall implement this measure upon completion of the construction of the first WCDP project.	The Port shall review its Spill Prevention Control and Counter Measure Plan for compliance with this measure.		
		4.11.3 Please refer to Mitigation Measure 4.11.3 below for a complete description of this measure.	See below.	See below.		
4.7.6 Water Quality – The Proposed Project will lead to increases in the frequency and number of ships traveling in the DWSC. Ship traffic has been shown to resuspend sediment in the water column, leading to decreases in water quality. Impacts to dissolved oxygen in the DWSC are of particular concern due to a pre-existing impairment for this constituent in this water body.	PS	4.7.6 The Port shall take ownership and operational responsibility of the aeration device currently owned and operated by the USACOE. The USACOE jet aerator was originally installed to mitigate for deepening of the DWSC from -30 feet to -35 feet. The aeration facility was constructed in 1993 and has been operated as conditions have warranted since then (USACOE, 1999). The USACOE agreed to provide aeration that would attempt to maintain a 0.2 mg/l DO increment above background conditions, whenever background conditions at any station measured by the City of Stockton dropped below 5.2 mg/L during September 1 through November 30. Consequently, the USACOE requirement depends on the San Joaquin River streamflow and existing background DO levels.	The Port, in coordination with USACOE, shall be responsible for implementation of this measure prior to the start of the Dredging and Placement Operations Project.	The Port shall monitor DO levels in the DWSC at appropriate intervals.	LS	
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4.7.7 Water Quality – The wakes created by the additional ship traffic associated with the Proposed Project could lead to increased rates of bank erosion, with subsequent impacts to water quality.	PS	Mitigation for Impact 4.7.7 consists of the following measure: 4.6.3 Please refer to mitigation measure 4.6.3 above.	See above.	See above.	LS	
4.7.8 Groundwater – As discussed in Section 4.12, Public Services and Utilities, at buildout, the Proposed Project is anticipated to generate a domestic water demand impact of approximately 1633 af/year. Because the water supplier, Cal Water, relies in part on groundwater to support demand, this water demand has potential to substantially deplete groundwater supplies in a basin that is already in overdraft.	PS	Mitigation for Impact 4.7.8 consists of the following measure: 4.12.7 Please refer to mitigation measure 4.12.7 below.	See below.	See below.	LS	
4.7.9 Flooding – The Project Area is protected from 100-year flood events by levees. Although the levees currently provide adequate protection within the Project Area from a 100-year flood event, flood hazards in the long term could result from inadequate levee maintenance, rising sea level, and regional land subsidence. This could potentially lead to flooding of project facilities, causing loss of property or expose people to risk of injury and/or death.	PS	4.7.9 Any new Port development shall allow a 50-foot setback from existing levees to permit continued levee maintenance and improvements as necessary for protection from major floods. The Port shall conduct regular levee maintenance to FEMA standards that are adequate to protect people and property from the 100-year flood event.	The Port shall be responsible for implementation of this measure in connection with future project-specific developments.	The Port shall implement an annual levee monitoring and inspection as described in Mitigation Measure 4.6.3.	LS	
4.7.10 Flooding – Many dams are located upstream of the project site. The Project Area could be subject to flooding if one of these dams were to fail. However, the risk of flooding from dam failure is considered very low because the likelihood of dam failure is low (City of Stockton, 1990).	LS	No mitigation is required.	N/A	N/A	LS	
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4.7.11 Seiche, Tsunami, or Mudflow – Tsunamis originating in the Pacific Ocean would dissipate in the San Francisco Bay, and therefore pose a negligible hazard to the project site (City of Stockton, 1990). Seiches, while having no occurrences in San Joaquin County in the historic record, could occur in the San Joaquin River, DWSC, or Burns Cutoff, and therefore pose a slightly higher risk to the Project Area as they could overtop levees or lead to levee failure. However, because the outboard side of the levees on the Project Area are reinforced with rip-rap, the risk of levee failure as a result of a seiche is considered low. Further, the risk of a seiche of sufficient magnitude to overtop the levees is low enough to be considered to be below significance thresholds. Finally, the Project Area is nearly level, with little risk of mudflow.	LS	No mitigation is required.	N/A	N/A	LS

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4.8 BIOLOGICAL RESOURCES						
4.8.1 Construction activities in the Project Area could potentially result in direct and indirect impacts to "waters of the United States," including wetlands.	S	The presence of potential "waters of the U.S." within or adjacent to construction activities resulting from the Proposed Project shall be evaluated and documented by a qualified biologist prior to construction. Where warranted, a formal delineation of these potentially jurisdictional features shall be conducted by a qualified biologist prior to construction. The delineation shall be submitted to the USACOE for verification in order to establish the location and area of jurisdictional wetlands. The following mitigation measures will pertain to all verified wetlands subject to USACOE jurisdiction:	The Port shall implement this measure prior to approval of each future development project within the West Complex.	The Port shall submit wetland delineations to the USACOE prior to any construction where jurisdictional waters may occur.	LS	
	4.8.1a	The Port shall apply for a Department of the Army permit for all impacts to "waters of the U.S.," and shall comply with all conditions of permits received. Permanent impacts to waters of the U.S. covered under this permit will be mitigated at a minimum 1:1 ratio through the purchase of mitigation credits at a USACOE approved mitigation bank, or through other habitat restoration or compensation measures proposed by the Port and approved by the USACOE.	The Port shall obtain necessary permits related to "waters of the U.S." prior to construction of each project component that would impact waters of the U.S.	The Port, in coordination with the USACOE, will be responsible for ensuring that these measures are fulfilled in connection with future development in the West Complex.		
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	4.8.1b	Staging areas for construction activities in the Project Area shall be located in developed areas or disturbed habitat; staging areas will be prohibited within "waters of the U.S." All staging areas shall be delineated on detailed plans and reviewed by a qualified biologist. Temporary stockpiling of excavated or imported material shall occur only in these approved construction staging areas. Excess excavated soil shall be disposed of at a regional landfill or at another approved and/or properly permitted location. Stockpiles that are to remain on the site through the wet season shall be covered or otherwise protected to prevent erosion.	The Port shall review construction plans of future projects for compliance with this measure and shall incorporate this requirement into construction contracts.	The Port shall monitor construction of future projects for compliance with this measure.		
	4.8.1c	The Port shall require the use of silt fences and/or straw bales and any other standard and appropriate BMPs by construction contractors in an effort to prevent accidental fill of "waters of the U.S." because of construction activities.	The Port shall incorporate this requirement into construction contracts.	The Port shall monitor construction of future projects for compliance with this measure.		
	4.8.1d	Standard precautions will be employed by construction contractors to prevent the accidental release of fuels or other hazardous materials associated with construction equipment.	The Port shall incorporate this requirement into construction contracts.	The Port shall monitor construction of future projects for compliance with this measure.		
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4.8.2 Construction activities and project operations in the Project Area could result in adverse impacts to special status species covered under the SJMSCP.	S	<p>4.8.2a The proponents of future development activities resulting from the Proposed Project, including an increase in maritime traffic in the DWSC, shall comply with the terms of the SJMSCP, or</p> <p>4.8.2b Upon determination of final project configuration and before any construction activities, a qualified biologist shall delineate all SJMSCP-listed special-status species habitat occurring within the vicinity of proposed project sites and DWSC. If it is determined that any special-status species may be affected by proposed construction activities or increased maritime traffic in the DWSC, the proponents of future development activities resulting from the Proposed Project shall implement pertinent avoidance and mitigation measures commensurate with those described in Sections 5.2 and 5.3 of the SJMSCP (see Appendix K), subject to review and approval by the appropriate regulatory agencies. Mitigation measures may include, but are not limited to, the following:</p> <ol style="list-style-type: none"> 1. Specified construction timing to avoid impact to migratory or seasonal species. 2. Replacement of habitat at a 1:1 ratio. 3. Transplantation of special-status plant species to protected areas. 	The Port shall retain qualified biologists to identify all SJMSCP-listed special-status species, prior to any project-specific construction activities.	The Port, in coordination with SJCOG, shall ensure compliance with the terms of the SJMSCP.	LS	
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4.8.3 Future development activities resulting from the Proposed Project could result in direct or indirect impacts to habitat for special status species not covered under the SJMSCP (soft bird's beak, round-leaved filaree, Sacramento perch, river lamprey, Kern Brook lamprey, Pacific lamprey, Central Valley fall/late fall-run and spring-run chinook salmon, Central Valley steelhead, and salt-marsh harvest mouse).	S	4. Purchase of credits from an approved mitigation bank. 5. Maintain buffers from special-status species habitat 6. Construction monitoring by a qualified biologist. 7. Complying with Mitigation Measures 4.7.5a and 4.7.5b.			LS	
		4.7.5a	Please refer to mitigation measure 4.7.5a above.	See above.		See above.
		4.7.5b	Please refer to mitigation measure 4.7.5b above.	See above.		See above.
		4.8.1a	Please refer to mitigation measure 4.8.1a above.	See above.		See above.
		4.8.1b	Please refer to mitigation measure 4.8.1b above.	See above.		See above.
		4.8.1c	Please refer to mitigation measure 4.8.1c above.	See above.		See above.
		4.8.1d	Please refer to mitigation measure 4.8.1d above.	See above.		See above.
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	4.8.3	<p>Upon determination of final project configuration and before any construction activities, a qualified biologist shall evaluate proposed construction areas (including rights-of-way and staging areas) for round-leaved filaree and soft bird's beak habitat. If suitable habitat occurs within proposed construction areas, surveys for these species shall be conducted by a qualified biologist during the appropriate time of year to identify each species (March through May for round-leaved filaree and July to November for soft bird's beak). Surveys shall conform to "Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities" (CDFG, 2000). If either species is detected within construction areas, the project shall buffer with orange fencing and avoid all identified specimens and notify the appropriate regulatory agency (i.e., USFWS for federally listed species, and CDFG for state rare plants and plants identified by CNPS). If sensitive plants cannot be avoided by the project, additional measures will be developed in consultation with the appropriate regulatory agencies. These measures may include, but are not limited to the following:</p>	<p>The Port shall retain qualified biologists as necessary, based on construction location, and the timing of construction, so the measures are implemented.</p>	<p>The Port shall be responsible for ensuring that these mitigation measures are fulfilled and that necessary actions identified by these studies are implemented prior to site development.</p>		
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		<ul style="list-style-type: none"> Minimize impacts by restricting removal of plants to a few individuals of a relatively large population; Relocating plants to suitable habitat outside the project area; Monitoring affected populations to document potential project-related impacts; Restoring or enhancing occupied habitat on-site or at another regional location; and/or Protecting occupied habitat for the species on-site or at another regional location. 				
4.8.4 Future development activities resulting from the Proposed Project may result in the alteration of, or disturbance to sensitive natural communities within the Sacramento San Joaquin Delta associated with an increased release of non-native aquatic organisms from ships.	PS	4.8.4 Continued Implementation of existing Ballast Water Management Plan To the extent feasible, the Port shall continue to cooperate with the State Lands Commission, and other agencies with regulatory authority over release of non-native aquatic organisms from vessels, to facilitate biological monitoring, promote technological developments to better control non-native aquatic organisms, and otherwise support recommendations for future actions described in California State Lands Commission (2003).	The Port shall be responsible for on-going implementation of this mitigation measure.	The Port, in coordination with the State Lands Commission and the U.S. Coast Guard, shall be responsible for ensuring that this measure is fulfilled.	SU	
4.8.5 The Proposed Project may result in impacts to heritage trees as defined in the Stockton Municipal Code.	LS	No mitigation is required.	N/A	N/A	LS	
4.8.6 Construction activities in the Project Area could conflict with the SJMSCP.	S	Mitigation for Impact 4.8.6 consists of the following measure:			LS	
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		4.8.2 Refer to the mitigation measure 4.8.2 above.	See above.	See above.		
4.9 CULTURAL RESOURCES						
4.9.1 Implementation of the Proposed Project may affect unknown, potentially significant prehistoric and historic resources.	PS	<p>4.9.1 Pursuant to CEQA Guidelines 15064.5 (f), “provisions for historical or unique archaeological resources accidentally discovered during construction” should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the Port shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the Port and the qualified archaeologist and/or paleontologist would meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.</p> <p>If the discovery includes human remains, CEQA Guidelines 15064.5 (e)(1) shall be followed, which is as follows:</p> <p>(e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:</p>	The Port shall incorporate this measure into all construction plans and specifications.	The Port shall monitor construction activity for compliance with this measure.	LS	
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		<p>(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <p>(A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and</p> <p>(B) If the coroner determines the remains to be Native American:</p> <ol style="list-style-type: none"> 1. The coroner shall contact the Native American Heritage Commission within 24 hours. 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or 				
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4.9.2	S	No mitigation beyond recordation is available.	N/A	N/A	SU
		<p>(2) Where the following conditions occur, the landowner or his authorized representative shall reburial the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>(A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;</p> <p>(B) The descendant identified fails to make a recommendation; or</p> <p>(C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</p>			

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4.10 VISUAL RESOURCES						
4.10.1 Implementation of the Proposed Project will not affect scenic vistas and scenic resources.	LS	No mitigation is required.	N/A	N/A	LS	
4.10.2 Implementation of the Proposed Project does not conflict with adopted Plans and Policies relating to visual resources.	LS	No mitigation is required.	N/A	N/A	LS	
4.10.3 The Proposed Project has the potential to alter the existing visual character of the site and its surroundings.	LS	No mitigation is required.	N/A	N/A	LS	
4.10.4 The Proposed Project could increase sources of light and glare that would adversely affect day or nighttime views in the area.	PS	4.10.4a Stationary overhead light fixtures shall be shaded and directed away from adjacent residential areas.	The Port shall review all development proposals and construction plans for compliance with this measure.	Port shall be responsible for ensuring that these measures are fulfilled in connection with future projects.	SU	
		4.10.4b Exterior lighting shall only be used where necessary for safety and security purposes.	The Port shall review all development proposals and construction plans for compliance with this measure.	The Port shall review all development proposals and construction plans for compliance with this measure.		
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4.11 HAZARDOUS MATERIALS AND PUBLIC HEALTH						
4.11.1 Construction activities in the Project Area or other facility improvements could result in the disturbance of contaminated soil and/or groundwater.	PS	4.11.1a Detailed information about the past and current uses, records of known contamination and hazardous materials usage and hazardous waste generation of the specific area(s) proposed for development and improvements should be reviewed prior to site preparation and construction activities. If contamination has occurred, the site(s) should be characterized to determine the nature and extent of contamination that is present before construction activities proceed at the site(s). Should further investigation reveal high levels of hazardous materials in the soil or groundwater beneath the site(s), a qualified professional, in consultation with appropriate regulatory agencies (i.e., DTSC, RWQCB, SJCEHD, and Stockton Fire Department) shall then develop an appropriate method to remediate the contamination. If necessary and allowed, a remediation plan in conjunction with continued construction shall be implemented. In addition, a contingency plan to dispose of any contaminated soil or groundwater shall be developed through consultation with the DTSC, RWQCB, SJCEHD, and the Stockton Fire Department.	The Port shall retain required professionals to conduct evaluations or other appropriate studies. Additional actions will be determined upon the findings of these studies. The Port shall be responsible for including all of the necessary conditions in the written specifications to all contractors and equipment operators.	The Port shall ensure that the necessary actions are undertaken prior to construction.	LS	
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4.11.2 Construction activities in the Project Area could result in potential interference with properties undergoing soil and/or groundwater contamination clean-up activities.	PS	<p>4.11.1b If unidentified contaminated soil and/or groundwater is encountered or if suspected contamination is encountered during any construction activities, work shall be halted in the area, and the type and extent of the contamination shall be identified. A qualified professional, in consultation with appropriate regulatory agencies (i.e., DTSC, RWQCB, SJCEHD, and Stockton Fire Department) shall then develop an appropriate method to remediate the contamination. If necessary and allowed, a remediation plan in conjunction with continued construction shall be implemented. In addition, a contingency plan to dispose of any contaminated soil or groundwater shall be developed through consultation with the DTSC, RWQCB, SJCEHD, and the Stockton Fire Department.</p> <p>4.11.2 During project-specific development review, the Port and other appropriate regulatory agencies (i.e., DTSC, RWQCB, SJCEHD, and Stockton Fire Department) should evaluate each project to ensure that all easements or accesses for operation of investigative or remedial systems are maintained. At that time a decision should be made as to what type of construction activities and development can occur on the sites evaluated. As a result, this impact potential would be reduced to less-than-significant.</p>	The Port shall be responsible for including all of the necessary conditions in the written specifications to all contractors and equipment operators.	The Port shall be responsible for monitoring construction activities	LS	
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4.11.3 Construction and renovation activities would involve the use and storage of hazardous materials such as gasoline and diesel fuels, oils, and solvents. The potential for an accidental release exists during handling and transfer from one container to another. Depending on the relative hazard of the hazardous material, if a spill were to occur of significant quantity, the accidental release could pose both a hazard to construction employees and the environment.	PS	4.11.3 The Port shall ensure through its construction permitting process or through enforcement of contractual obligation for its own projects, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by any regulatory agency, contaminated media shall be collected and disposed at an off-site facility approved to accept such media.	The Port shall be responsible for including all of the necessary conditions in tenant leases and written specifications for contractors and equipment operators.	The Port shall verify that that appropriate spill containment and contaminant measures have been followed for all reported incidents.	LS	
4.11.4 Risk of damage to overhead and underground utilities.	PS	4.11.4a The Port shall ensure through its construction permitting process or through enforcement of contractual obligation for its own projects, that proper precautions will be taken (such as keeping a distance of at least 10 feet from aerial lines) in operating heavy equipment, moving long tools and sections of metal pipe, the location of scaffolding, etc. to avoid contact with aerial lines.	The Port shall be responsible for including all of the necessary conditions in the written specifications to all contractors and equipment operators.	The Port shall verify that the appropriate measures have been undertaken prior to the start of construction.	LS	
		4.11.4b The Port shall ensure through its construction permitting process or through enforcement of contractual obligation for its own projects, that prior to any construction activities the areas planned to be disturbed would be marked in white paint and all utility owners contacted so that utilities can be identified and avoided. The utility owners will be responsible for the timely removal or protection of any existing utility facilities located within construction areas. This procedure would protect the excavator from personal injury and underground facilities from being damaged.	The Port shall be responsible for including all of the necessary conditions in the written specifications to all contractors and equipment operators.	The Port shall verify that the appropriate measures have been undertaken prior to the start of construction.		
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4.11.5 Exposure of individuals to the existing and/or potential future use of hazardous materials and generation of hazardous wastes.	LS	No mitigation is required.	N/A	N/A	LS	
4.11.6 Implementation of the Proposed Project could result in exposure of individuals to asbestos-containing dust and lead-based paint.	PS	<p>4.11.6 The Port shall ensure through its construction permitting process or through enforcement of contractual obligation for its own projects, that all SJVUAPCD and NESHAP regulations for the handling and disposal of asbestos-containing materials, and all DHS and Cal/OSHA requirements for lead-related construction will be implemented.</p> <p>All renovation or demolition of existing structures will be done in compliance with the requirements and regulations promulgated through the SJVUAPCD and NESHAP regarding the handling and disposal of asbestos-containing materials. These provisions focus on limiting the emission of asbestos to the atmosphere and require an appropriate waste disposal procedure. In addition, the California Department of Health Services recommendations and Cal/OSHA requirements regarding lead-related construction work will be complied with by all construction contractors and workers.</p>	The Port shall be responsible for including all of the necessary conditions in the construction plans and specifications.	The Port shall monitor construction activities to ensure compliance with this measure.	LS	
4.11.7 Implementation of the Proposed Project will not result in the exposure of individuals to PCBs.	LS	No mitigation is required.	N/A	N/A	LS	
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4.12 PUBLIC SERVICES AND UTILITIES						
4.12.1 Implementation of the Proposed Project would not necessitate a new or expanded fire station; however the Proposed Project may necessitate upgrades to the existing non-potable water system.	PS	<p>4.12.1a Prior to major project-specific development, the Port shall perform an assessment of the non-potable water system, and if deemed necessary complete any needed upgrades to the system. This may be performed on a project-by-project basis or as part of a Master Plan for development of the entire Project Area.</p> <p>The assessment will test for leaks in the non-potable water system, establish the ability of the system to provide sufficient flow for fire-fighting throughout the island, and identify any areas where upgrades, replacement, and/or rehabilitation is necessary to provide fire flows which conform to adopted Building Code Fire Safety Standards and support the City of Stockton's existing Class 1 ISO rating. All system improvements shall conform to the City of Stockton Department of Public Works Standard Specifications and the Stockton Municipal Code.</p>	<p>The Port shall implement this measure prior to commencing construction of the first major development project at the West Complex that would substantially increase demand for non-potable water.</p> <p>Required improvements shall be incorporated into future project components.</p>	<p>The Port and the City of Stockton Fire Department shall verify adequate fire flows prior to occupancy of any new development.</p>	LS	
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		The assessment shall include, and the Port shall implement, a schedule that performs system improvements prior to or concurrent with new development and/or increased intensity of land use such that it does not exceed the capacity of the on-site system, and adequate fire protection flows continue to be provided.				
		4.12.1b After the upgrades performed under Mitigation Measure 4.12.1a have been completed, if it is determined that any subsequent project-level action (e.g., a new land use or development) would require fire flows in excess of the system capacity, the Port shall require an upgrade of the system to accommodate these fire flow requirements as a condition of project approval.	The Port shall implement this measure prior to commencement of construction of future projects.	The Port and the City of Stockton Fire Department shall verify adequate fire flows prior to occupancy of any new development.		
4.12.2 Implementation of the Proposed Project would not substantially affect law enforcement services and would not necessitate new or expanded governmental facilities for provision of police services.	LS	No mitigation is required.	N/A	N/A	LS	
4.12.3 Implementation of the Proposed Project would not substantially affect parks.	LS	No mitigation is required.	N/A	N/A	LS	
4.12.4 Implementation of the Proposed Project would not substantially affect schools.	LS	No mitigation is required.	N/A	N/A	LS	
4.12.5 Implementation of the Proposed Project has the potential to impact wastewater service.	LS	No mitigation is required.	N/A	N/A	LS	
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4.12.6 Implementation of the Proposed Project has the potential to result in impacts to the potable water supply.	PS	<p>4.12.6 Prior to approving specific developments associated with the Proposed Project, the Port shall perform a detailed assessment of the water demands associated with these developments. To ensure that water usage from the Proposed project does not exceed baseline water levels. As outlined below, the Port shall implement the following mitigation measures, if applicable:</p> <p>For project-related water demands that bring the cumulative demand for potable water above the 2001 annual average of 86 AF/year, the Port shall utilize one or more of the following options:</p> <ol style="list-style-type: none"> 1. Implement water conservation measures that bring cumulative demand within the Project Area at or below 86 AF/year. 2. Supply the development by utilizing any unused portion of the water historically supplied for non-potable uses (i.e., agriculture, fire flows and the golf course), estimated at 868 AF/year. <p>This option may be carried out in a variety of ways. For instance, the Port may choose to dual plumb their water system within the Project Area such that non-potable demands are supplied from these existing surface water diversions and freeflow system. Alternatively, the Port could build a water treatment plant for potable use of such water.</p>	The Port shall implement this measure prior to commencement of construction the first major development project at the West Complex that would substantially increase water demand.	The Port shall verify implementation of water supply requirements prior to occupancy of new development.	LS	
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		<p>3. For project-related domestic water demands which may not be filled using the above two options, or bring the cumulative demand on the Project Area above the total historic water use of 954 AF/year, the Port shall not approve any development until a firm water supply has been secured, and all agreements and financing for such a supplemental water supply are in place. This supplemental supply shall not contribute to any worsening in the overdraft condition of the aquifer.</p> <p>Options for such a water supply include obtaining new water rights, performing in-lieu and/or direct recharge to the aquifer, entering into contracts for water transfers, and water reclamation/reuse. As discussed in the setting above, under buildout conditions, the Proposed Project could produce approximately 0.7 mgd (788 AF/year) of wastewater that may be available for reuse, assuming it received treatment to Title 22 standards. This could account for a projected shortfall of approximately 679 AF/year at buildout.</p>				
4.12.7 Implementation of the Proposed Project could result in impacts to the water distribution infrastructure system.	PS	Mitigation for Impact 4.12.7 consists of the following measures:			LS	
		4.12.6 Refer to the mitigation measure 4.12.6 above.	See above.	See above.		
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		4.12.7 After the upgrades performed under Mitigation Measure 4.12.6 have been completed, if it is determined that any subsequent project-level action (e.g., a new land use or development) would require water supplies in excess of the system capacity, the Port shall require an upgrade of the system to accommodate these supplies as a condition of project approval.	The Port shall implement this measure prior to approving applicable project-specific developments.	The Port shall verify implementation of water supply requirements prior to occupancy of new development.	
4.12.8 Implementation of the Proposed Project would not result in insufficient capacity at an existing landfill.	LS	4.12.8 In compliance with the California Integrated Waste Management Act (AB 939), the Proposed Project shall implement specific source reduction measures that require mandatory pre-processing of all solid waste generated within the Project Area. Pre-processing methods would include one or more of the following source reduction measures: on-site recycling or reuse programs, composting, and/or funding off-site sorting activities by a private waste management company. Source reduction measures shall be coordinated with the City of Stockton Public Works Department, Division of Solid Waste.	The Port shall incorporate the identified source reduction measures into construction contracts and leases at the West Complex.	The Port shall be responsible for ensuring that possible source reduction methods are incorporated into operations of future businesses as appropriate.	LS
4.13 POPULATION, EMPLOYMENT AND HOUSING					
4.13 Implementation of the Proposed Project has the potential to result in an increase in both temporary construction-related and permanent operations-related employment for the City of Stockton and surrounding area.	B	No mitigation is required.	N/A	N/A	B

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PROPOSED PROJECT COMPONENTS						
5.0	DREDGING PROJECT					
5.4.3a	Adverse Effects on Navigation and Safety of Vessels on the Water during Dredging Activities.	PS	5.4.3a Minimize equipment exposure in the DWSC and provide posted warnings. The dredger would be located adjacent to the Project Area and move gradually as sections of the Project Area have been dredged to the desired depth. The body of the dredger may extend into the DWSC, but it would not restrict the capacity of boat traffic. The dredge operator would coordinate with the Port Police and post restricted speed limits for recreational watercraft passing the Project Area. The dredge operator shall post large signs on the dredger that emphasize safe boat speeds and travel directions. The skiff and tugboat would be used as needed for crew transport, maintenance, and operations associated with the dredging. The dredged-material pipeline would remain in the water at the southern edge of the San Joaquin River and would proceed upland at Roberts Island to the specific DPS. When the dredger is operating, the pipeline would rest on the bottom of the river, but when it is not operating or when it is filled with only water, it would float approximately 2 inches above the surface. The dredge operator would post floating markers indicating the path of the pipeline and the importance of avoiding it even when it is submerged.	The Port shall be responsible for ensuring that this measure is fulfilled and shall include this measure in the written specifications for the Dredging and Placement Operations Project.	The Port shall monitor dredging operations to verify compliance with this measure.	LS
5.4.3b	Increased Demand for Permanent Parking and Interference with Regional Transportation Plans.	LS	No mitigation is required.	N/A	N/A	LS
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5.4.4a Adverse Effects on Air Quality as a Result of PM10 Emissions Associated with Construction Equipment.	PS	<p>5.4.4a Comply with SJVUAPCD Regulation VIII</p> <p>To control the generation of construction-related PM10 emissions, the project applicant shall comply with SJVUAPCD Regulation VIII, as summarized below:</p> <p>Several PM10 dust controls are required to be implemented at all construction sites. The following controls are applicable to the Port of Stockton dredging project and shall be implemented.</p> <ul style="list-style-type: none"> • When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least 6 inches of freeboard space from the top of the container shall be maintained. • Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions by using sufficient water or chemical stabilizer/suppressant. • In urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday. 	The Port shall be responsible for ensuring that this measure is fulfilled and shall include this measure in the written specifications for the Dredging and Placement Operations Project.	The Port shall monitor the dredging and placement operations for compliance with this measure.	LS	
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IMPACT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

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		<ul style="list-style-type: none"> All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized to avoid dust emissions using water or chemical stabilizer/suppressant, or covering with a tarp or other suitable cover or vegetative ground cover. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions by applying water or by presoaking. 				
5.4.4b Impacts to air quality for NOX emissions.	PS	<p>5.4.4b Consultation with the SJVUAPCD indicates that the SJVUAPCD's diesel engine permitting requirements will minimize impacts from the operation of the dredge and any other diesel motors during the dredging process (Cadrett pers. comm.) Consequently, the project applicant must ensure that all diesel engines and motors over 50 horsepower must go through the SJVUAPCD's permitting process and have a permit to operate.</p> <p>In the event the Dredging Operation project proceeds in 2004, the Port shall require that the dredging contractor comply with the Statewide Portable Equipment program 2005 Tier III standards for heavy duty diesel engines.</p>	The Port shall be responsible for ensuring that this measure is fulfilled and shall include this measure in the written specifications for the Dredging and Placement Operations Project.	The Port shall monitor the dredging and placement operations for compliance with this measure.	LS	
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5.4.4c Generation of PM10 as a Result of Wind Erosion of Dried Dredged Slurry Material.	S	5.4.4c The Port shall take actions to reduce or eliminate the potential erosion of dried sediments due to wind erosion. This may be accomplished, but not limited to one or more of the following actions: <ul style="list-style-type: none"> • Monitor the growth of vegetation and take actions to promote growth if no spontaneous growth occurs; • Irrigate the sediments to maintain higher water content and to promote the growth of vegetation; • Hydroseed and/or plant vegetation throughout the DPS location; and • Use of a chemical stabilizer/suppressant. 	The Port shall be responsible for ensuring that this measure is fulfilled and shall include this measure in the written specifications for the Dredging and Placement Operations Project.	The Port shall monitor the dredging and placement operations for compliance with this measure.	LS	
5.4.5a Exposure of Residences to Noise from Dredging Operations.	LS	No mitigation is required.	N/A	N/A	LS	
5.4.7a Short-Term Near-Field Effects on Dissolved Oxygen.	LS	No mitigation is required.	N/A	N/A	LS	
5.4.7b Short-Term Far-Field Effects on Dissolved Oxygen.	LS	No mitigation is required.	N/A	N/A	LS	
5.4.7c Impacts to water quality as a result of suspending sediments and contaminants into the water column during dredging.	LS	No mitigation is required	N/A	N/A	LS	
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5.4.7d	Impacts to Water Quality Resulting from Return Flows from the DPS.	PS	5.4.7i	<p>The Port will hold all decant water until it has been determined through analysis that the water will meet all water quality objectives and will not pose a threat to aquatic biota.</p> <p>The bioassay testing method will be adopted as part of the Port's sampling plan. However, because this is an impaired water, the Port suggests that the survival criteria should be established in consideration of the survival rate at a regional reference site using the MSD method. Decant water that has a survival rate within 20% of that at the reference site would be considered to meet water quality objectives. Based on the recommended bioassay tests, decant water will be sampled prior to discharge and held if samples do not meet the water quality requirements.</p> <p>In addition to the bioassay testing described, additional sampling will include specific analysis for arsenic, barium, cadmium, copper, lead, mercury, nickel, organochlorine pesticide "Endosulfan II", and polyaromatic hydrocarbons. Decant water containing unacceptable concentrations of any of these constituents will not be discharged.</p> <p>Decant water that meets the requirements would be discharged at an approximate rate of 2 mgd.</p>	The Port shall be responsible for ensuring that this measure is fulfilled and shall include this measure in the written specifications for the Dredging and Placement Operations Project.	The Port shall monitor the dredging and placement operations for compliance with this measure.	LS
5.4.7j	Long-Term/Short-Term Near-Field/Far-Field Effects on Groundwater.	LS		No mitigation is required.	N/A	N/A	LS
5.4.7k	Acid Generation Potential.	LS		No mitigation is required.	N/A	N/A	LS
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5.4.7l	Long-Term, Far-Field Reduction of Dissolved Oxygen in the San Joaquin River. This is a less than significant impact.	CS	Refer to mitigation measure 5.6.1 below.	N/A	N/A	LS
5.4.7m	Erosion of Shorelines by Wakes from Dredging Vessels.	LS	No mitigation is required.	N/A	N/A	LS
*	*	*	<p>The dredging project description includes remedial actions that will be taken to eliminate any toxicity in the unlikely event that a toxic sediment condition occurs as a result of dredging activities. RWQCB has requested that these actions be added to this MMRP as a mitigation measure and the Port has agreed:</p> <p>a. If the toxic constituent may be reduced, offset, or muted by direct application of a technology, then the Port will commission the application immediately. For example, if the toxicant is identified as ammonia, then the Port will immediately conduct a treatment series of intense aeration on the sediments of concern. In the case of aeration, the Port commits to an aggressive application. The Port will perform a mass balance to determine the amount of oxygen diffusion required to offset the measured concentration of ammonia identified by the TIE. The Port will engage the aerators until subsequent bioassays taken from the same five locations demonstrate that the toxic condition has been eliminated.</p> <p>b. If the constituent cannot be treated directly (e.g., aeration), then the Port will work closely with RWQCB staff to examine the possibility of removal.</p>	The Port shall be responsible for ensuring that this measure is fulfilled and shall include this measure in the written specifications for the Dredging and Placement Operations Project.	The Port shall monitor the dredging and placement operations for compliance with this measure. The Port shall coordinate with RWQCB if the possibility of sediment removal or capping arises.	
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		<p>The Port will characterize the contaminated area by commissioning a series of core samples throughout the sediment profile. The Port will take up to five core samples 6 feet deep at the same locations as the grab samples. The cores will be split into three equal portions representing 2-foot increments of sediment depth. The 15 cores will be preserved separately and sent to a laboratory for immediate analysis to determine the concentration of the constituent of concern. The lab results will identify the "hot spots" in the sediment layers. The dredging contractor will then return to the location and remove additional materials to remove the hot spots and expose a layer with acceptable levels of constituents. This process may be performed to a maximum depth of 41 feet MLLW. Any further deepening may impair the structural integrity of the docks.</p> <p>It is possible that neither measure would be adequate to mitigate the presence of certain constituents. In this event, the Port will commit to a program of capping the area. Port staff will work closely with RWQCB staff to identify an appropriate material and adequate thickness to eliminate contact with the water column. Any of these processes will result in a net increase in water quality as a consequence of eliminating the current toxic condition at the existing horizon.</p>				
5.4.8a	Potential to remove habitat and/or directly impact listed species.	LS	No mitigation is required.	N/A	N/A	LS
5.4.8b	Loss of Spawning and Rearing Habitat Area.	LS	No mitigation is required.	N/A	N/A	LS
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5.4.8c	Impeded Migration and Movement from Change in Hydraulic Residence and Dissolved Oxygen Conditions.	LS	No mitigation is required.	N/A	N/A	LS
5.4.8d	Mortality from Exposure to Contaminants Mobilized during Dredging and Removal of Accumulated Objects.	LS	No mitigation is required.	N/A	N/A	LS
5.4.8e	Mortality from Exposure to Suspended Sediment Mobilized during Dredging and Removal of Accumulated Objects.	LS	No mitigation is required.	N/A	N/A	LS
5.4.8f	Mortality from Exposure to Contaminants in the Discharge of Decant Water.	LS	No mitigation is required.	N/A	N/A	LS
5.4.8h	Mortality from Entrainment in the Suction Dredge Head.	LS	No mitigation is required.	N/A	N/A	LS
5.4.8h	Mortality of Benthic Invertebrates.	LS	No mitigation is required.	N/A	N/A	LS
5.4.9	Implementation of the Proposed Project may affect unknown, potentially significant prehistoric and historic resources.	PS	Mitigation for Impact 5.4.9 consists of the following measure:			LS
		4.9.1	Refer to program mitigation measure 4.9.1 above.	See above.	See above.	
5.4.10	The Proposed Project will not substantially alter the visual character of the site, affect views of scenic vistas or scenic resources, or introduce new sources of light and glare that would adversely affect views of the area.	LS	No mitigation is required.	N/A	N/A	LS

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5.6.1 Long-Term, Far-Field Reduction of Dissolved Oxygen in the San Joaquin River.	CS	<p>5.6.1 The Port shall take ownership and operational responsibility of the aeration device currently owned and operated by the USACOE. The USACOE jet aerator was originally installed to mitigate for deepening of the DWSC from -30 feet to -35 feet. The aeration facility was constructed in 1993 and has been operated as conditions have warranted since then (USACOE, 1999). The USACOE agreed to provide aeration that would maintain a 0.2 mg/l DO increment above background conditions, whenever background conditions at any station measured by the City of Stockton dropped below 5.2 mg/L during September 1 through November. Consequently, the USACOE requirement depends on the San Joaquin River streamflow and existing background DO levels. The mitigation load requirement can be calculated from the following equation:</p> <ul style="list-style-type: none"> DO load (lb/day) = 5.4 * Flow (cfs) * Incremental DO Concentration (mg/l) 	The Port, in coordination with USACOE, shall be responsible for implementation of this measure prior to commencement of the Dredging and Placement Operations Project.	The Port shall monitor DO levels in the DWSC every fifteen minutes during dredging operations and determine when use of the aeration device is necessary.	LS	
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		<p>The USACOE aerator was designed to deliver 2,500 lbs of oxygen per day (USACOE, 1999). Therefore, the USACOE aerator is capable of increasing DO in about 2,300 cfs by the required 0.2 mg/L increment, which is a streamflow rate substantially higher than average and historical low-flow conditions in the San Joaquin River. At the average monthly flow of 500 cfs, the USACOE is required to provide only 540 lbs/day of oxygen when the background DO is less than 5.2 mg/L. Figure 5-5 shows a typical year when the water quality objectives are not being achieved, and the operation and oxygen input provided by the USACOE jet aerator. The plot indicates that the USACOE aerator capacity is sufficient to generate an excess amount of oxygen compared to the mitigation requirements throughout the summer and fall low-DO period. Similar devices have proven to adequately disperse the oxygenated water nearly completely both laterally and vertically across the DWSC within 24 hours (Jones & Stokes, 2003)</p> <p>Although the SJR DO TMDL Stakeholder Process has yet to define the protocols and mechanism for assigning a load allocation for DO depletion and subsequent mitigation, the Port shall implement this mitigation measure under the following recommended system of the TMDL Process. Specifically, the Port shall operate the jet aerator under the following guidelines:</p> <ul style="list-style-type: none"> The Port shall own and maintain the aerator facility in good working condition. The Port will maintain a fiscal budget that includes the maintenance and operation of the facility. 				
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		<ul style="list-style-type: none"> The Port shall permit representatives from the SJR DO TMDL Stakeholder Process to conduct field trials (at the expense of the Process and/or their applicants) of the device in order to measure and improve efficiency. In addition to the previous operational guidelines, the Port shall operate the device all year long in order to provide a 0.2 mg/l DO increment above background conditions using the same formula above: DO load (lb/day) = 5.4 * Flow (cfs) * Concentration (mg/l) as warranted whenever the DO concentration drops below the target threshold of at least 5.2 mg/l during any period of the year measured as a daily mean from either reference station, but not to exceed up to 2,500 lbs. of oxygen per day. Additionally, the Port will provide a maximum of up to 250,000 lbs. of oxygen per year using this approach. This volume is equivalent to one-fourth of the calculated 1,000,000 pounds of dissolved oxygen deficiency that may occur in any given year based upon existing conditions of flow alteration, oxygen depletion, and channel morphology ; The Port shall maintain an administrative record of device maintenance, operation, and performance. The Port will perform these tasks at least once per month between the months of June through November. 				
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		<ul style="list-style-type: none"> • The Port shall provide a self-compliance report, which includes the records of maintenance, operation, DWSC flow, DO measurements, and aeration performance, to the RWQCB on a monthly basis from June to November. • Performance measurements will be made by direct measurement of oxygen inputs and direct measurement actual diffusion into the water. This may be accomplished with a number of techniques and will be performed locally to the device as well as upstream or downstream in order to establish background conditions. • The Port will continue with this activity indefinitely as practicable to address the DO deficit in the San Joaquin River. The Port will cease if the DO deficit in the water is addressed by some other means (i.e., reduction of DO depleting substances upstream, incorporation of more efficient aeration technology, etc.). <p>These measures will ensure that the DO concentration is maintained at a level greater than that experienced in the river since the initial dredging of the DWSC by the USACOE. This action may also provide a regional mechanism for additional stakeholders to eventually participate in the aeration of the water. For example, the system may eventually be expanded, operated longer, and operated more efficiently. As a result, interested stakeholders may be able to "purchase" aeration credits through the Port directly or indirectly through the TMDL Stakeholder Process.</p>				
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6.0	MCCLOY AVE, DAGGETT RD, AND DAGGETT RD BRIDGE PROJECT					
6.3.2a	LS	No mitigation is required.	N/A	N/A	LS	
6.3.2b	LS	No mitigation is required.	N/A	N/A	LS	
6.3.2d	LS	No mitigation is required.	N/A	N/A	LS	
6.3.3a	PS	6.3.3ai The Daggett Rd/SR4 intersection shall be initially improved to provide two lanes on the southbound Daggett Rd approach (1 left-turn lane and 1 right-turn lane), two lanes on the eastbound SR 4 approach (1 left-turn lane and one through lane), and two lanes on the westbound SR 4 approach (1 right-turn lane and one through lane). This intersection shall also be signalized.	The Port will be responsible for implementation of this measure.	The Port of Stockton, in coordination with San Joaquin County Public Works and Caltrans, shall ensure that this measure is fulfilled prior to completion of the Daggett Road Bridge.	LS	
		6.3.3aii The Port shall annually monitor the LOS on Daggett Rd and at the Daggett Rd / SR 4 intersection. Improvements to Daggett Rd south of Burns Cut-off and the Daggett Rd / SR 4 intersection, including at a minimum increasing the number of through lanes on Daggett Rd from 2 to 4 and improving the Daggett Rd/SR 4 intersection to provide for lane configurations and lane lengths as shown in Figures 6-9 and 6-10, shall be completed prior to levels of service on these Roadways reaching unacceptable levels or prior to development of the West Complex above the 25 percent level, whichever comes first.	The Port in cooperation with Caltrans, the City of Stockton and/or San Joaquin County, will be responsible for implementation of this measure.	The Port shall monitor LOS on Daggett Road on an annual basis. If LOS data is available from an appropriate agency, such as San Joaquin County or Caltrans, the Port may use this data to determine when improvements are necessary.	LS	
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6.3.4a Fugitive dust generated during future project construction activities could be substantial and would contribute to intermittent ambient respirable particulate matter concentrations that could violate state PM10 standards.	PS	Mitigation for Impact 6.3.4a consists of the following measures:			LS	
	4.4.1	Refer to program mitigation measure 4.4.1 above.	See above.	See above.		
	6.3.4ai	The Port shall schedule construction of the on-island portion of Daggett Road and the portion of McCloy Avenue between Hooper Drive and the Navy Drive Bridge such that grading and excavation work for these two road segments does not occur simultaneously; and the Port shall schedule construction of the on-island portion of Daggett Road and the potential automobile import facility such that grading/excavation work for Daggett Road would not occur simultaneously with grading/excavation work for the automobile import facility.	The Port shall be responsible for implementing this mitigation measure and shall incorporate it into construction contracts.	The Port shall monitor compliance with this measure during construction of Daggett Road and McCloy Avenue.		
6.3.6a In the event of a major earthquake in the region, seismic groundshaking could injure people and cause collapse or structural damage to existing and proposed structures; however, local ordinances require implementation of measures that will reduce this risk.	LS	No mitigation is required.	N/A	N/A	LS	
6.3.6b Structures constructed under the Proposed Project could be located on expansive soils; however local ordinances require implementation of measures that will reduce this risk.	LS	No mitigation is required.	N/A	N/A	LS	
6.3.6c The Project Area could be subject to geologic hazards, including liquefaction, differential settlement, and total settlement.	PS	Mitigation for Impact 6.3.6c consists of the following measure:			LS	
	4.6.3	Refer to program mitigation measure 4.6.3 above.	See above.	See above.		
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6.3.6d	PS	Mitigation for Impact 6.3.6d consists of the following measures:			LS
	4.7.1 4.7.3b	Refer to program mitigation measures 4.7.1 and 4.7.3b above.	See above.	See above.	
6.3.7a	PS	Mitigation for Impact 6.3.7a consists of the following measures:			LS
	4.7.1 4.11.3	Refer to program mitigation measures 4.7.1 and 4.11.3 above.	See above.	See above.	
6.3.7b	PS	Mitigation for Impact 6.3.7b consists of the following measures:			LS
	4.7.3a 4.7.3b	Refer to program mitigation measures 4.7.3a and 4.7.3b above.	See above.	See above.	
6.3.8a	LS	No mitigation is required.	N/A	N/A	LS
6.3.9a	LS	No mitigation is required.	N/A	N/A	LS
6.3.9b	PS	Mitigation for Impact 6.3.9b consists of the following measure:			LS
	4.9.1	Refer to program mitigation measure 4.9.1 above.	See above.	See above.	
6.3.10a	LS	No mitigation is required.	N/A	N/A	LS

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6.3.11a Construction and renovation activities would involve the use and storage of hazardous materials, such as gasoline and diesel fuels, oils, and solvents.	PS	Mitigation for Impact 6.3.11a consists of the following measure:			LS
	4.11.3	Refer to program mitigation 4.11.3 above.	See above.	See above.	
6.3.11b Risk of damage to overhead and underground utilities.	PS	Mitigation for Impact 6.3.11b consists of the following measures:			LS
	4.11.4a 4.11.4b	Refer to program mitigation measures 4.11.4a and 4.11.4b above.	See above.	See above.	

Notes

¹ "Port" refers to the Port of Stockton or its designee.

² "WCDP" refers to the West Complex Development Plan.

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Potentially Significant = PS

Not Applicable = N/A